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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore [Mr. KOLBE].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 12, 1996.

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

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING BUSINESS

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

The Chair recognizes the gentleman from Guam [Mr. UNDERWOOD] for 5 minutes.

ADVANCING THE CAUSE OF POLITICAL STATUS RESOLUTION IN THE TERRITORIES

Mr. UNDERWOOD. Mr. Speaker, in the course of dealing with territorial issues and the resolution of political status for this country's colonial areas, the use of terms has been instructive. At times, the island I represent, Guam, has been referred to by Members of this body as a ''territory,'' ''colony,'' ''possession,'' or ''protectorate.'' In point of fact, Guam is an unincorporated territory of the United States.

The legal implications of this status are important because it helps us understand the reasons behind an effort to change the status. An unincorporated territory is little more than a colony with a legal title which disguises it. An unincorporated territory means that the territory is owned by the United States and that the Congress has plenary power over it. But it is not incorporated meaning that it is not truly an integral part of the United States.

Unincorporated means that the Constitution is not fully applicable to Guam. Unincorporated means that the territory is not on a path to statehood in the same way that incorporated territories have historically been. Unincorporated means that the Congress can make the most basic decisions about your political existence. And because we have no voting representation in the House or the Senate and because we cannot vote for President, the people of Guam have not truly given their consent to the Government which controls their lives. The most basic tenet of American democracy is that government comes from the consent of the governed. In the case of Guam and other territories, this is not the case. Consequently, the term ''colony'' is clearly applicable.

It is much to the credit of Congress that this plenary power, which so clearly offends the people of Guam and which should offend any principled American, has generally been used in positive ways; ways which promote the progressive development of the territories. However, there have been occasions when this authority has been used in ways which have been damaging to the territories and countless times when Congress has failed to consider the unique circumstances of the area.

In this context, the terms are important. Guam is not a protectorate which implies total internal sovereignty with some tradeoff agreement for protection. Guam is not a possession which seems a step below territory. Wake Island is a possession and has no government functioning there. It is managed by a Federal agency.

Guam is an unincorporated territory that is working to establish a new Commonwealth. The Guam Commonwealth Act, H.R. 1056, which I introduced early in the 104th, provides the framework for this new Commonwealth. Governor Gutierrez and the Guam Commission on Self-Determination have been negotiating with the Clinton administration to resolve areas of disagreement. I am encouraged by the commitment shown by the administration's special representative, Mr. John Garamendi, to complete these discussions, but I am mindful of the difficult issues that remain.

Territories as Commonwealths have existed in American history and today we have two—the Commonwealth of the Northern Mariana Islands and the Commonwealth of Puerto Rico. The term implies that there is an agreement to be a Commonwealth on both sides and that this is a step up from unincorporated territory. The legal foundations of this assumption are questionable and are highly dependent upon the specific nature of the agreement which created the Commonwealth.

I will spare no effort to work toward a Commonwealth agreement for Guam because it is a progressive step. But I recognize that it does not answer a fundamental decision about what Guam may be in the future. The Commonwealth is an intelligent response to what we can be in the present. Guam may be a State, may be an independent country, may be a nation in free association with the United States. That is a story waiting to be written and we must be mindful of our responsibility to reserve these possibilities for the people of Guam to decide.

☐ 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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What happens to other territories is important to Guam because it may affect us in ways that are not readily apparent. I want Guam to be a Commonwealth. I want to help advance political status discourse on Guam and on other areas. I have consponsored H.R. 3024 for the resolution of the Puerto Rico political status issue.

I appreciate the problems of the approach outlined in this bill, but I hope to advance the discussion for Puerto Rico in a way that I wish others would also help to advance the discussion for Guam. And there is in this legislation a fundamental admission about the territorial policy of this country. That admission is that the political status issue is never fully resolved until a territory becomes a State or its sovereignty is recognized.

This legislation admits that the United States has colonies which are awaiting the final resolution of their status. The final resolution may be closer for some than for others, but we will all need to cross that bridge in the future. In the meantime, we can make the path to that bridge more beneficial for all concerned, whether we call that path unincorporated territory or Commonwealth.

REVERSE THE PROCESS OF SPENDING MORE AND GETTING LESS

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

Mr. MICA. Mr. Speaker, I want to refer to articles in today's newspapers, not only here in Washington, but also across the country, in which the President recently traveled to New Jersey. He has continued his campaign, both to scare the American people and seniors, and also those concerned about the environment.

I think it is important that we set the record straight. In fact, the President said, and let me quote, ''The GOP-controlled Congress is cutting Federal safeguards to cater to corporate interests. A small army of very powerful lobbyists literally have descended on Capitol Hill, as if they own the place.'' It makes good campaign rhetoric, but it just ''ain't'' the truth, Mr. Speaker.

The fact is that the people who represent cities and towns and States have descended on this new Congress. Let me quote the New York Times again, the New York Times of March 24, 1994: ''In January, 1994, mayors from 114 cities and 49 States urged the White House to focus on how environmental policy-making had gone awry.'' That is the true story. ''Mississippi and Vermont were among the first to appoint panels of citizens and scientists to examine our environmental policy. In published reports both State panels concluded that the largest sums of monies were being spent on the least threatening environmental problems.''

Mr. Speaker, let me tell the Members, the story goes on and on. Let me tell you what the mayor of Columbus said. This is his quote: ''What bothers me is that new rules coming out of Washington are taking money from decent programs and making me waste them on less important problems. It kills you as a city official to see this kind of money being spent for nothing.''

Let me tell the Members, Mr. Speaker, what this debate is all about. This debate is about command and control in Washington, DC. We would think there are a lot of Federal EPA officials working in the States and trying to improve the environment. Wrong. Let me show the figures of what we have done. First of all, there are nearly 7,850 Federal EPA employees. Of that, there are 5,924 in Washington, DC, within 50 miles of where I am speaking right now. There are almost 6,000, just under 6,000. In fact, a dozen years ago there were not that many in the entire EPA program. In Atlanta, in a regional office, one of 10 regional offices, there are 1,287 bureaucrats.

This whole debate is about this bureaucracy that we have built up. EPA was a Republican idea. The department creating an agency of environmental protection was a Republican idea in 1972, to set some national standards. We should do that. We can do that without this huge bureaucracy. These folks are not in our States. For example, there are only 67 EPA Federal employees in the State of Florida, out of this mass of Federal bureaucrats.

Then the President talked about Superfund. Let me tell you, there is no greater example of a failure of a government program than Superfund. It does not clean up the sites. There are thousands of sites. They have only cleaned up a handful. Over 80 percent of the money goes for attorney's fees and studies. Then what do they do? Does the polluter pay? Here is a headline: ''EPA lets polluters off the hook.''

Right now they let people off the hook. They do not pay under current law. That is what we think needs to be changed here. So Republicans have a better idea. We think that we are spending more and getting less, and we should reverse that process.

Then, are we cleaning up the riskiest sites to human health, safety, and our children? The fact is, no. I have here a GAO study of 1994. It is absolutely appalling that we are not cleaning up the sites that pose the most risk to human health, safety, and welfare. This report says, in fact, and let me quote: ''Although one of EPA's key policy objectives is to address the worst sites first, relative risk plays little role in the agency's determination of priorities.''

Do Members know what does determine their priorities? Political pressure. That is what this report says. So a program that was originally, according to this report, going to cost $1.6 billion has grown to $75 billion. It is not cleaning up the sites and it is letting polluters off the hook. We think that is wrong.

SUPPORT HIGHER EDUCATION

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

Mr. ROMERO-BARCELÓ. Mr. Speaker, the proposed 1996 spending package for education is unacceptable. Once again, the country's children and youth will be made to pay.

Under the current budget, education programs have been forced to operate at greatly reduced funding levels, to the detriment of students in school districts all across the country.

The appropriation bill provides for additional funds for certain programs but does so only on a contingency basis. And what is the contingency? Agreement to cut vital entitlement programs. In the name of balancing the budget, children are being pitted against each other. Now, we have seen everything.

Once again, college and college-bound students may lose an opportunity to pursue higher education.

How many talented, intelligent, young men and women will be deprived of the opportunity of a higher education?

Many students who are qualified and prepared to enter college, will simply not be able to go. Low- and middle-income families who have worked hard, saved their earnings for many years, will find it more difficult—if not impossible—to pursue higher education.

It is an uncontroverted fact that American voters strongly support Federal aid to college students. Americans believe that by providing financial aid for people who want to go to college, the Federal Government is investing in America's future.

Despite, this fact, the latest House version of the bill would cut $756 million for Pell Grants, eliminate funding for capital contributions for Perkins Loans, and eliminate funding for the Student Incentive Grant Program, which provides invaluable support to low-income college students.

Thousands of students in Puerto Rico and all over the country will be affected.

While Congress is slashing the education budget here in Washington, elsewhere legislators are recognizing the importance of supporting higher education, and regretting that they ever tried to balance their budgets at the expense of higher education. In Virginia, legislators reached an agreement on the Virginia budget this weekend in which higher education will get $400 million more over the next 2 years. The numbers in that budget tell that the No. 1 priority is education.

In Puerto Rico, as well, the State government is honoring its commitment to education. But Puerto Rico's

goals for education cannot be accomplished without Federal assistance in student loans.

I urge my colleagues in Congress to consider carefully the legislation before them and to consider the severe impact education cuts will have on working families and their ability to access higher education for themselves and their children.

Funding to vital education programs must be restored. Mr. Speaker, the only contingency we should be talking about when it comes to education, is that if we provide our schoolchildren with the tools they need and deserve, and support higher education, Americans will win.

PRESCRIPTION FOR A PROSPEROUS ECONOMY: LOWER THE TAX RATE, AND ELIMINATE CLINTON ELITISTS

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

Mr. ROHRABACHER. Mr. Speaker, how many of us remember what was going on 4 years ago? Four years ago the American people were told that we were in the worst recession in 50 years. Remember that? The worst recession in 50 years. The news media did not challenge that claim by candidate Clinton, but soon after the election, we found out all the new statistics, economic statistics, that were coming out were exactly the opposite. We were not in the worst recession in 50 years. In fact, the economy was heading up in the last half of that year, of that last election year of 1992.

We are now being told, 4 years later, that things are great. The stock market is booming. Inflation remains low. Things are not that great, Mr. Speaker, The American people know that. They can sense that, no matter how many times the news media is trying to tell them otherwise.

The growth rate actually went down dramatically from the time President Clinton was inaugurated until this year. Now we are told things are really picking up. Things are not picking up. There is an illusion that things are getting better, but the American people know better. The first item on President Clinton's agenda when he was inaugurated was passing the largest tax increase in American history. Candidate Clinton had promised a middle-class tax cut. Today, 3 years later, the American people understand something is wrong. Something is wrong. They are paying more, but they cannot put their finger on it.

That is because every time they go to the gas pump they are paying 5 cents more than they would otherwise. That is because many of our seniors, who are the hardest hit by the Clinton tax cut, know that they are paying more money on their Social Security, more taxes on their Social Security benefits. Our seniors felt that tax increase, and a lot of the rest of us have felt the effects of that tax increase, but a lot of Clinton's rich pals, President Clinton's rich pals, did not feel that.

How many of us remember that some of the top contributors to President Clinton's campaign were tipped off by someone, no one knows who, that the tax increases that he would propose as President would be made retroactive? A few super rich contributors, like Mr. Eisner, who owns Disney Corporation, managed to basically do his selling and make his profits between the time President Clinton was elected and the time he was inaugurated. Apparently somebody had tipped him off that those tax increases would be retroactive. He saved himself a cool $100 million, but the average American today is paying higher and higher taxes.

We understand that the American people today, as compared to 1992, the average American family actually is earning in take-home pay, take-home pay, over $700 less than they did in 1992. No, Mr. and Mrs. America, you are not experiencing some kind of delusion. I know you have gone to the movie and you have seen ''The American President,'' this multimillion dollar movie that Hollywood made to glorify the presidency. You have heard the news media telling you over and over and over again that things are getting better. But no, you are not suffering some delusion in thinking that something is wrong, that something has gone wrong with your standard of living and that you are not living as well.

When the Government takes more money from the people in the form of taxation, it puts a clamp on economic growth and it takes decision making away from them, and freedom away from them, and prosperity away from the people. We cannot create something out of nothing. Many liberals believe over the years that if the Government does something, if the Government pays money or if the Government taxes them, this is coming out of thin air. The fact is Government revenue, Federal revenue, unless it results from higher productivity of the American worker, unless it results from actually more investments, unless it results not from higher tax rates, but from more productivity and more production of wealth in our society, means that the American people are worse off. Today every American family faces the choice of either having a lower standard of living or having two people in the family work.

What we have found far too often is that when we examine the statistics, what is happening is that one member of the American family is working full time, and the only thing that happens is that that person's money is paying their Federal taxes. If we are to be a free society, if our people are to be prosperous and to live as they are supposed to, we must lower the tax rate and we must eliminate the Clinton elitists that would like to take more and more money out of our pockets.

THE CONTINUING RESOLUTION MUST INCLUDE FUNDING FOR THE DISTRICT OF COLUMBIA

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

Ms. NORTON. Mr. Speaker, if the comic Letterman were to name the 10 most unlikely events this year, 1 of them might be that the Presidential primary in any part of the United States would be canceled for lack of funds. I am here to tell you that this morning's Post tells us that, and I am quoting, ''Cuts may mean no presidential primary in D.C.'' The lack, Mr. Speaker, is for money in the form of a payment due the District of Columbia, which the Congress is holding up, in the amount of $250 million or more. As a result, the District faces the possibility of a payless payday at the end of this month, and the end of its primary for May 7.

As Members may know, this money is being held up not because of matters germane to the District of Columbia, but because of a national fight over whether or not vouchers should be funded for private and religious schools. I am here to say this morning, Mr. Speaker, that if you want to debate vouchers, an important national issue, do it on your own time and on your own bill; do not take the Capitol of the United States down with you.

This body is fiddling while D.C. residents are burning. The body shut down the District of Columbia on one occasion. Now you want to cancel democracy in the Capital of the United States by not bringing forward the payment due the District in lieu of taxes? How low can we go? What will it take to wake us up?

Mr. Speaker, I hasten to add that though I am on the ballot in this primary, I do not mind if this primary is shuttled over, if my own primary is put over to another date, because I am unopposed, so I do not have anything personally to lose, although I must tell the Members that there are minor officials that are on this ballot that do have something to lose. Of course, the President is not opposed in his own party, either. But would not the shame of the country be to have a headline, and we know it would be one, to the effect ''Election in Nation's Capitol Canceled Because Congress Holds Up the Appropriation?'' Come, now.

The Washington Post this morning tells us that this is happening for good and sufficient reasons, lack of funds. ''Although he has accelerated layoffs, canceled the planned purchase of new polling places, eliminated mailings to voters, and reduced the temporary staff hired to run elections, Fremaux * * *,'' that is the head of the election board, ''* * * said he is still far short. The only place to turn,'' his letter said, ''is the elections themselves.''

This is an agency known as one of the most efficient in the District of Columbia. They have already made sizable cuts. They are going down to $369,000 in cuts. They have made $239,000 very rapidly. But the rest requires, obviously, local legislation and the following of personnel rules.

We are today, at 2:15, to have the fourth cloture vote on the D.C. appropriation in the Senate of the United States, the fourth. Each time there has been a cloture vote on whether to pass our appropriation, it has gotten fewer votes than it got the last time. Somebody is playing games, here. But the folks who are suffering are not represented by anybody in this body except me, so I have to come before this body to say that the CR that is due out Friday simply must contain the District of Columbia, or you will have to suffer the consequences. You will have to suffer the embarrassment. My constituents and I have already suffered the pain.

Congress is fond of saying that it is acting in the District with less democracy than other jurisdictions because ''It is the Capital of the United States, and it is our responsibility.'' When is the Congress going to perform like it recognized that it has a responsibility? The residents I represent are second per capita in taxes paid to the Federal Treasury, and yet have no voting representation in this body, and no representation whatsoever in the Senate. Put yourself in their position, when the money being held up is their money, not this body's money, money owed them for taxes.

If this is everybody's city, which is why the Congress says it exercises jurisdiction over it, then it is time for the Congress of the United States to act like it.

URGING SUPPORT FOR THE ROUKEMA HEALTH CARE REFORM LEGISLATION

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

Mr. PALLONE. Mr. Speaker, last week over 150 Democrats signed a letter of support for positive health care reform legislation sponsored by the Republican congresswoman, the gentlewoman from New Jersey, MARGE ROUKEMA. Her bill is similar to the Kennedy-Kassebaum legislation that has been introduced in the Senate, and has gained wide bipartisan support. In fact, Senator KASSEBAUM already has a commitment to bring up her bill in mid-April, and a number of health care organizations, providers, including the American Medical Association, have signed on and said that this is a good bill.

Essentially that we have now is bipartisan support, both Democrats and Republicans, both House and Senate Members, and the President of the United States, President Clinton, who said that if this bill comes to his desk he will sign it.

The Roukema bill essentially would ensure that Americans will no longer have their health coverage denied or limited because of so-called preexisting conditions The bill also helps people keep their health coverage if they get sick, lose their jobs, or change jobs. This is a bill that could pass the House of Representatives if the Republican leadership in this House would only let it come to the floor.

In fact, it is now my understanding that the House Republican leadership, under Speaker GINGRICH, is taking a different tack and plans on introducing health care legislation that includes controversial provisions to pander to various special interest groups. In other words, instead of letting the Roukema or Kennedy-Kassebaum bill come to the floor with everybody's support and have it signed by the President, they are now going to bring in another bill loaded with all kinds of special interests, special interest provisions; for example, increasing tax-free medical savings accounts, limiting malpractice awards, a number of things that are very controversial and that would prevent any kind of health insurance reform from passing this House and being signed into law.

I just wanted to mention one of the provisions that GINGRICH and the Republicans have talked about, and this is the Medical Savings Accounts, or MSA's. The Speaker tried to include MSA's when they are trying to cut Medicare last year, and now they are trying to insert this untested idea into the health care reform bill, which would provide a financial windfall for the Golden Rule Insurance Company, whose top executive has given Republican political committees excessive contributions in the past few years.

During the Medicare debate it was found that the MSA would cost Medicaid an additional $3 billion. How can the Republican leadership believe they can try to pass this in health care reform? It is not a reform; it is actually catering to special interests. In the end it means health care costs will increase for the average working family.

Serious health care reform was attempted 3 years ago and failed because Congress tried to overhaul the whole system with one piece of legislation. I would maintain that the lesson from that experience is Congress needs to take a step-by-step approach to decrease the number of uninsured Americans. I think that is what we would accomplish in a small, modest way with the Roukema bill.

Again, however, the Republican leadership does not really want health care reform. If they did, then they would not be loading up a bill that benefits the special interests over the uninsured. If they wanted health care reform, why did they bring up this illustrious Contract With America last year?

Essentially what we are seeing here is the same old Republican leadership games. There is bipartisan support for the Kennedy-Kassebaum Senate bill. One hundred and thirty respected business groups, insurance groups, and health care providers have endorsed it. The House version, sponsored by the gentlewoman from New Jersey [Mrs. ROUKEMA], a Republican, has bipartisan support and will reduce the number of uninsured by millions. It is a positive step that will help working families by increasing portability and eliminate preexisting conditions.

If the Republican leadership truly wanted health care reform, they should consider using the Roukema legislation as the vehicle for it. It is irresponsible to try to please all the special interests when Congress can be working together to reduce the number of uninsured Americans.

What I am simply saying, Mr. Speaker, is this: We know that the Roukema bill can pass and address the issue of preexisting conditions and portability. Let us bring it to the Committee on Commerce, let us bring it to the floor. Let us not load it up with all these other things that will make it impossible for it to pass. I think it is incumbent upon the Republican leadership to allow this bill to come out and be considered in a simple form, rather than this new grab-bag package that they are now proposing to introduce and bring before various congressional committees.

RECESS

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

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

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

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

As the Sun rises to greet each day and gives light and warmth to every person, so may Your word of grace, O God, greet us each morning and guide us on our daily walk. We recognize that when we look only to ourselves and our own vision, we often falter and faint and we can lose our bearing and drift with the winds of time and the tides of the moment. Speak to us, O God, in the depths of our hearts, nurture our souls, enlighten our minds, and encourage us to use our hands in the works of justice and of peace. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from New York [Mrs. KELLY] come forward and lead the House in the Pledge of Allegiance.

Mrs. KELLY led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT OF AMENDMENT PROCESS FOR H.R. 2202, IMMIGRATION IN THE NATIONAL INTEREST ACT

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

Mr. GOSS. Mr. Speaker, last Friday, March 8, the chairman of the Rules Committee, the gentleman from New York [Mr. SOLOMON], sent out a ''Dear Colleague'' letter to all Members of the House, committee offices, and leadership offices providing notice of the amendment process to be used on H.R. 2202, the Immigration in the National Interest Act.

This announcement is intended to serve as a reminder of that process. The Rules Committee is planning to meet Thursday, March 14, at 10:30 a.m. to grant a rule on the immigration bill. This rule may include a provision limiting amendments to those specified in the rule.

Any Member who desires to offer an amendment should submit 55 copies and a brief explanation of the amendment by noon on Wednesday, March 13, to the Rules Committee at room H–312 in the Capitol.

Amendments to the portions of the bill in the jurisdiction of the Judiciary Committee should be drafted to the text of H.R. 2202 as reported by the Judiciary Committee.

Amendments to the portion of the bill in the Agriculture Committee jurisdiction, the guest worker program, should be drafted to the text of the Agriculture Committee reported amendment.

Both of these texts are in the Office of the Legislative Counsel.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

ACTIONS SPEAK LOUDER THAN WORDS

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

Mrs. KELLY. Mr. Speaker, I'd like to share a few names with you and hopefully our President: Adam Kopald, Bridgit Mennite, Liesl Himmelberger, Amy Ziegler, Emily Nytko, and Kellie Ernzen.

These are just a few of the names that our President is planning to veto this Friday.

Those six young men and women are the top honor students at James O'Neill High School in Highland Falls, NY.

Their school district vitally depends on the Impact Aid Program. Last week this House stood up for these children and their school district by funding this program—despite the White House's attempts to zero it out.

If the President vetoes our measure, which adds an additional $3.3 billion for education and environmental programs, he vetoes the education of those six students. It's that simple.

The President can talk all he wants about children, but the fact will remain that he abandoned them—not this House.

Mr. Speaker, my mother used to tell me that actions speak louder than words. So, I urge the President to hear the please of these children, and help us save the Impact Aid Program.

TRIO OF TRADE EXPERTS RECOMMEND CONTINUATION OF MFN STATUS FOR CHINA

(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, China denies American products. China steals American videos and software. China tortures their own citizens, China imprisons their political opponents. China has slave labor camps. China has a 17-cent-an-hour labor wage. China still has slave labor camps. China sells nuclear technology and missiles to America's enemies, and China is now threatening to nuke Taiwan. After all this, American government trade experts say it is in the best interests of America to continue most-favored-nation trade status for China.

Unbelievable, Mr. Speaker, I say it has finally dawned on me. These American trade experts are actually Larry, Moe, and Curly, an they inhaled all the time.

Beam me up, Mr. Speaker. I yield back the balance of any jobs left over.

WHITE HOUSE REQUESTS ADDITIONAL $8 BILLION

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

Mr. JONES. Mr. Speaker, wages are down and taxes are up. The middle class is slowly being squeezed by liberal economic policies put in place by the Clinton administration. Now we hear that the White House has requested an additional $8 billion for corporate welfare and social engineering programs.

This is basically a Clinton reelection pork package. What really rattles me about this request is that the Clinton administration wants $10 million more for the National Endowment for the Arts. This is outrageous.

Mr. Speaker, the American people are tired of seeing their hard-earned tax dollars wasted on projects that go out of their way to offend traditional values. It is outrageous that Bill Clinton would ask for an additional $10 million for this program in order to please the extreme liberal wing of the Democratic Party.

CONGRESS SELLS OUT TO SPECIAL INTERESTS

(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, my Republican colleagues continue to confuse the onset of spring with the continuation of Halloween. They continue to masquerade as the friend of working Americans but are still the defenders of the special interests.

They unveiled their new health care reform plan. They are loading down a bipartisan straightforward health care reform bill with lots of special interest goodies.

Who benefits from these provisions? Is it the working families struggling to pay health care bills? No, that is not who. Their proposal would provide a financial windfall for the Golden Rule Insurance Co., providers of over $1 million in contributions to Republican political action committees.

This attempt to appease special interests is particularly disappointing because it wastes an opportunity to pass real bipartisan health care reform in this Congress. Sadly, when the gavel drops to open debate on this legislation, it will mark the start of yet another auction where this Congress sells out the public interest to the special interests.

THE BUSINESS OF GOVERNING

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

Mr. HAYWORTH. Mr. Speaker, the gentlewoman from New York State said it all when she quoted her mother: Actions speak louder than words.

Now unfortunately as the calendar gives way to spring and ultimately to November, our campaigner in chief seems to be willing yet again to shut down the Federal Government in a bald-faced political tactic. Mr. Speaker, he is trying to bully this Chamber into spending $8 billion in additional taxpayers' dollars in a cynical attempt to be reelected.

Mr. Speaker, the American people know full well that actions speak louder than words. Once again I reach out, Mr. Speaker, to our friends on the other side, ask them to join together and to help us govern, not to electioneer, not to have politics as usual but to get about the business of governing this great Nation.

REDUCED FUNDING FOR EDUCATION TO HAVE SEVERE IMPACT

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

Mr. PALLONE. Mr. Speaker, I just want to point out again that the cuts in education that are happening right now because of the reduced funding levels in these continuing resolutions that the Republican leadership continues to put forward in this House are having a severe impact on education in secondary schools, primary schools, as well as higher education around the country. We are talking, in this continuing resolution that passed last week, if it were to continue for the rest of this year, about a $3 billion cut in education programs.

What that means is higher property taxes in those school districts which decide to continue those programs, or simply the elimination of valuable educational programs that students take advantage of. Already I am hearing from my school boards and from educators in my district in New Jersey who are saying that if the level of cuts continue the rest of this year as they have since the beginning of October, the beginning of this fiscal year, the consequences are dire for education programs on every level. it is sad because, once again, I feel that education should be a priority of this Congress and should not be cut back.

TRAVELS OF THE ENERGY SECRETARY

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

Mr. COBLE. Mr. Speaker, Secretary O'Leary continues to call the shots at the Energy Department. Oh, no, she can't be fired despite the flagrant abuse of her privilege, not right, but privilege of travel.

The taxpayers, in my opinion, have been ripped off because of her excessive travel. Ms. O'Leary flies first class or she charters her own private plane and is accompanied by her ubiquitous entourage.

The time has come for President Clinton to show this woman the gate that leads to the road out of town. Even then she will likely demand a first-class ticket or a private charter and her entourage of 5 to 25 aides to preclude any heavy lifting on her part.

Oh, no, she's special, she can't be fired. Yet she will continue to enjoy the luxury of worldwide travel at the expense of the American taxpayers as well as her own employees.

Inexcusable, Mr. Speaker. Inexcusable.

THIRD GOVERNMENT SHUTDOWN IN OFFING

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

Mr. LINDER. Mr. Speaker, this morning's Washington Post had an article quoting the Senate minority leader as saying that we are 5 days from a third Government shutdown and the situation is every bit as precarious as it was several months ago.

What it did not go on to say was why we are close to a Government shutdown: Because the President wants to spend more money on his favorite projects. He wanted $8 billion. The House passed a bill providing $3.3 billion, but that did not include the $7 million more to foreign countries to teach students to measure rainfall; $10 million more for the controversial art projects funded by the National Endowment for the Arts.

There may be another Government shutdown, Mr. Speaker, but it will be entirely on the President's shoulders because he cannot get rid of his appetite for more spending projects.

COMPETING VIEWS ON GOVERNMENT

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

Mr. HEFLEY. Mr. Speaker, this coming November the American people will have a choice between two competing views of Government. One view holds that Government must be restrained and that we must be fiscally responsible.

The other view holds a kind of utopian vision of Government. This utopian view holds that Washington spending and Washington taxes and Washington regulations are the key to a successful America.

For instance President Clinton has requested that Congress appropriate $8 billion more in social spending and corporate welfare. The President who gave us the largest tax increase in American history now wants $8 billion for essentially a reelection pork package.

Mr. Speaker, the American people are tired of the lavishness of the Clinton administration. They are sick and tired of seeing their tax dollars going to fund liberal programs with these dollars. We must reject this request and put a stop to the arrogant tax-and-spend policies of the Clinton administration.

THREE STRIKES AND GOP IS OUT

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

Mr. MARKEY. Mr. Speaker, already twice the Government has been shut down, once in the fall, once in December, and now we are skidding up towards a third point where the Government could be shut down yet again.

The conditions that the Republicans are imposing, we must cut the EPA by 20 percent, we must cut the Department of interior by 10 percent, we must gut environmental laws or else they will not allow the Government to operate.

GOP used to stand for Grand Old Party. Now GOP stands for gang of polluters who will shut down the Government unless we gut environmental laws in this country. They say the definition of insanity is someone that keeps doing the same thing over and over again expecting a different result.

□ 1415

The Republicans think they can shut down the Federal Government for a third time and that the people of this country will not be upset. They will be. This time they are going to say, ''Three strikes and you're out.''

COMPTROLLER OF THE CURRENCY OVERSTEPPING HIS AUTHORITY AND CIRCUMVENTING STATE LAWS

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

Mr. WATTS of Oklahoma. Mr. Speaker, I rise today to bring to your attention the unlawful actions of an unelected official—an official who has taken it upon himself to dictate the laws governing the Nation's financial institutions, and proceeding so with no regard to State law or States' rights.

The Comptroller of the Currency, is overstepping his authority and circumventing State laws.

This overstepping of authority has become abundantly clear in my State of Oklahoma where the OCC has approved a national bank branch in a location that would be illegal under Oklahoma State law.

Laws governing intrastate branching have always been an authority granted exclusively to the States. The OCC must not be allowed to pick and choose which State laws national banks have to comply with.

They have become a rogue Federal agency and Congress must exercise its oversight authority. If we are to have a vibrant and healthy State banking system, we need to preserve State law.

I thank my colleague, Chairman LEACH of the House Banking Committee, for his recent comments on this issue. I appreciate his leadership and support for a dynamic and healthy dual banking system.

It is time that Congress take action to reign the Comptroller of the Currency and my hope that the banking Committee will hold hearings on the OCC's recent disregard for States rights and the dual banking system.

CORRECTIONS CALENDAR

The SPEAKER pro tempore (Mr. CAMP). This is the day for the call of the Corrections Calendar.

The Clerk will call the bill on the Corrections Calendar.

REPEAL MEDICARE AND MEDICAID COVERAGE DATA BANK

The Clerk called the bill (H.R. 2685) to repeal the Medicare and Medicaid coverage data bank.

The Clerk read the bill, as follows:

H.R. 2685

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

SECTION 1. REPEAL OF MEDICARE AND MEDICAID COVERAGE DATA BANK.

(a) IN GENERAL.—Section 1144 of the Social Security Act (42 U.S.C. 1320b–14), as added by section 13581(a) of the Omnibus Budget Reconciliation Act of 1993 (in this section referred to as ''OBRA–93''), is repealed.

(b) CONFORMING AMENDMENTS.—

(1) MEDICARE.—Section 1862(b)(5) of such Act (42 U.S.C. 1395y(b)(5)), as amended by section 13581(b)(1) of OBRA–93, is amended—

(A) in subparagraph (B), by striking the dash and all that follows through the end and inserting ''subparagraph (A) for purposes of carrying out this subsection.'', and

(B) in subparagraph (C)(i), by striking ''subparagraph (B)(i)'' and inserting ''subparagraph (B)''.

(2) MEDICAID.—Section 1902(a)(25)(A)(i) of such Act (42 U.S.C. 1396a(a)(25)(A)(i)), as amended by section 13581(b)(2) of OBRA–93, is amended by striking ''including the use of'' and all that follows through ''any additional measures''.

(3) DATA MATCHES.—Section 552a(a)(8)(B) of title 5, United States Code, as amended by section 13581(c) of OBRA–93, is amended—

(A) by adding ''or'' at the end of clause (v),

(B) by striking ''or'' at the end of clause (vi), and

(C) by striking clause (vii).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. THOMAS] and the gentleman from California [Mr. STARK] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. THOMAS].

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

Mr. Speaker, I rise today in support of H.R. 2685, a bill I introduced to repeal the so-called Medicare and Medicaid coverage data bank. This particular bill was favorably reported by the Committee on Ways and Means last November by a unanimous voice vote.

Mr. Speaker, this bill is particularly well suited to be considered here under the corrections procedure as we are doing today. Under the Medicare secondary payer program a person's employer based insurance may be the primary payer in certain cases. In other cases, it may not be.

The 1993 budget reconciliation bill created a data bank to identify Medicare secondary payer cases. In principle, this was, I guess, at the time a good idea. However, its implementation was misguided and heavy-handed.

Under the 1993 law, employers were required to submit health insurance information on all their employees, not just those subject to the secondary payer provisions. Health and Human Services also said this was to begin in 1994.

Many employers voiced strong opposition to this cumbersome requirement, in large part because employers were required to report information which they did not routinely collect, and what started out as a good idea became, in part, a hunt for information which was not then currently asked for or even needed in the system.

In response to these objections, a fiscal year 1995 Labor, Health and Human Services appropriations bill directed that no funds be used for the implementation of the bank. In addition, the General Accounting Office issued a report in May 1994 which found that the data bank would create burdensome and unnecessary paperwork for both the Health Care Financing Administration and employers and would achieve little or no savings. As the witness from the GAO testified on February 23, 1995, ''The proposed data bank would create an avalanche of unnecessary paperwork for both HCFA and employers and will likely achieve little or no savings while costing millions.''

It is also believed that the data bank would cost the private sector as well as Government that money, that burden not being solely on one group or the other.

H.R. 2685 puts an entirely appropriate final nail in the coffin by repealing the underlying data bank law. The data bank notwithstanding, the idea of making sure that the Government paid only its fair share was a misplaced idea from the start.

I am pleased to be able to help send it to its final resting place here today. This is a relatively straightforward bill. It has very narrow scope of subject matter. There is, I believe, universal support for the repeal of this Medicare-Medicaid coverage data bank law, and I urge its swift adoption.

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

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

I, too, support this legislation. It is a provision of 1993 which the House reluctantly accepted in conference as part of a package from the other body, and at the time, then-chairman of the Committee on Ways and Means predicted we would be back repealing it at some later point, and it is appropriate that we are doing so today.

In addition, the administration has been unable to implement the law, and the administration also supports the repeal as a necessary correction.

It is interesting that we are here today to talk about data banks, because the data bank is, Mr. Speaker, a record, just so that my colleagues understand; this is very arcane computer talk, and this gentleman from California is no expert, but I understand that a data bank is a record, a record not unlike this Congress under the Republican leadership which has passed no legislation. That is a data bank, and I am sure that it is one that the Republicans would like to repeal at some point so they do not have to run on the data bank that they have established in this Congress.

There are lots of data banks that perhaps are needed, and I hope that none of my colleagues will feel that doing away with this data bank, we should forego all data banks in the future.

Somebody a while ago mentioned nails in a coffin. Now, I would like to have a data bank on how many coffins will be nailed shut by the Republican Medicare plan, how many poor people would be denied.

PARLIAMENTARY INQUIRY

Mr. THOMAS. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from California yield for a parliamentary inquiry?

Mr. STARK. Certainly.

Mr. THOMAS. I fully understand the intent and purpose of the gentleman from California, and all of us, I think agree that we come here not to praise data banks but to bury this particular one, and I know he must, because of the rules of the House, walk a very fine line in talking about the subject matter in front of us. I would urge him that I would not want to continually ask this parliamentary inquiry.

But were the gentleman's statements referring to any data bank, including data banks collecting information about the record of this Congress, germane to the subject matter in front of us?

The SPEAKER pro tempore. The gentleman must maintain a nexus between the subject being debated and the bill.

Mr. THOMAS. My parliamentary inquiry is: Is mentioning the word ''data bank'' and then talking about what you want to put in any data bank you so conceive, is that an appropriate and parliamentary nexus?

The SPEAKER pro tempore. At this point the Chair will simply remind the Members that discussions should remain relevant to the bill under consideration.

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

Mr. STARK. My pleasure. I will try and keep my nexus in focus. I am not sure I know what a nexus means, either. But I will do my best.

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

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

Mr. THOMAS. Perhaps we could have a data bank collecting nexus. Then we could examine them.

Mr. STARK. I thank the gentleman for his suggestion. In all seriousness, the collection of health data has been an important facet in the Medicare Program, which has been the perhaps leading social legislation since 1965, when Lyndon Johnson and a Democratic Congress and Senate enacted Medicare. And we have kept much in

the way of health data. We have talked about outcomes research, which is a data bank which will not, I believe, he repealed in this bill. That is good.

But we do need a data bank to see, as I mentioned, nails in coffins, we passed nursing home legislation some years back. We have records of data banks, if you will, of the number of——

PARLIAMENTARY INQUIRY

Mr. THOMAS. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman yield for an inquiry?

Mr. STARK. I will be happy to yield.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. THOMAS. The gentleman has now moved from a data bank to records, and I believe the statement will show that he is now talking about records in the context of a data bank, if you will.

Does moving from a data bank, the specific subject matter of this bill, to records which are akin to a data bank suffice for the Speaker to continue to allow for this direction? Is that a sufficient nexus, in the Chair's opinion?

The SPEAKER pro tempore. The Chair is of the opinion that the gentleman has maintained a sufficient nexus or connection.

Mr. THOMAS. He is doing a good job.

Mr. STARK. I thank the gentleman. It is this data bank or collection of records that will tell us how well we have done with regulating nursing homes and the data bank will illustrate for us the number of lives that have been saved, the number of senior citizens that are no longer medicated into being zombies, the number of senior citizens in nursing homes in various States who are living in unhealthy conditions, and this data bank will illustrate for us what will happen if we were silly enough to pass the Republican Medicare plan.

PARLIAMENTARY INQUIRY

Mr. THOMAS. Mr. Speaker, I am constrained to ask a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman yield for an inquiry?

Mr. STARK. I will be glad to yield one more time.

Mr. THOMAS. This gentleman is at a complete loss, having read the legislation in front of us, with no reference to nursing homes whatsoever, how a discussion of nursing homes and legislation or desired legislation surrounding nursing homes has any nexus whatsoever with the subject matter in front of us, and Mr. Speaker, I would like you to rule on the nexus of a discussion of nursing homes and data or records collected around the nexus of nursing homes and how that has a relationship to the legislation which we are supposed to be discussing on the floor.

Mr. PALLONE. Following up on that parliamentary inquiry——

The SPEAKER pro tempore. The gentleman is not recognized at this time. The Chair is prepared to respond.

Mr. PALLONE. Could I ask on that point if the gentleman from California [Mr. STARK] could yield to me?

The SPEAKER pro tempore. The Chair is prepared to respond.

The Chair is prepared to give the gentleman from California the opportunity to establish that connection between data banks covered by the bill and nursing homes.

Mr. THOMAS. The parliamentary inquiry was to the legislation in front of us, not to data banks in general and nursing homes, but to the Medicare-Medicaid data bank and nursing homes.

The SPEAKER pro tempore. The Chair is willing to allow the gentleman the opportunity to establish that connection.

The Chair recognizes the gentleman from California [Mr. STARK].

Mr. STARK. Mr. Speaker, will the Chair tell me how much time I have consumed in establishing my nexus?

The SPEAKER pro tempore. The gentleman has consumed 8½ minutes.

Mr. STARK. I thank the Chair.

The important issue is that if we were to even consider doing away with the data bank, we could not have the records to support the fact that we ought not to do away with nursing home regulations as the Republican Medicare bill would suggest.

☐ 1430

Mr. STARK. Now, there are other data banks. We keep data banks on the income of seniors who qualify under QMB. That is a poor senior with low income.

POINT OF ORDER

Mr. THOMAS. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore (Mr. CAMP). The gentleman will state his point of order.

Mr. THOMAS. QMB's, who are qualified Medicare-Medicaid beneficiaries, are seniors. We are dealing with legislation that deals with people who are employed by employers to collect data for purposes of determining primary and secondary payers, and I believe the gentleman's statements are not germane.

The SPEAKER pro tempore. The gentleman from California [Mr. STARK] must confine his remarks to the subject of the bill.

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

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

Mr. DOGGETT. Mr. Speaker, I wanted to inquire whether any of the data bank information that would be affected by this legislation would relate to complaints of patient abuse in nursing homes, the kind of violation of Federal standards. I am referring to the standards that the Gingrichites propose to just eliminate entirely in their proposal last year and deny our seniors any kind of safety in nursing homes. Would that be affected by this legislation?

POINT OF ORDER

Mr. THOMAS. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. THOMAS. Mr. Speaker, is the question propounded by the gentleman from Texas germane to this legislation and therefore a question that should be answered?

Mr. DOGGETT. Mr. Speaker, I would like to be heard on the point of order.

The SPEAKER pro tempore. The gentleman will be heard.

Mr. DOGGETT. Mr. Speaker, surely it is permissible in the course of one of these debates, and I can understand the gentleman's desire not to get into this destruction to the health care of our seniors across the country by raising this issue, but surely it is appropriate under the rules of the House to make an inquiry of someone who is opposed to this legislation as to what the legislation affects. That is all I have asked, is whether or not the seniors in America are going to be affected by changing this data bank to seniors who would lose out if there are no standards to protect them in nursing homes.

Mr. THOMAS. Mr. Speaker, may I be heard on the point of order?

The SPEAKER pro tempore. The gentleman from California.

Mr. THOMAS. The gentleman from Texas is at a disadvantage. He arrived on the floor not hearing the gentleman from California's opening statement, in which the said he was not opposed to this legislation. There is no opposition to this legislation.

In addition, Mr. Speaker, I would be more than willing to engage in a discussion of the shortfall of the Medicare fund, which was not adequately reported by this administration in any form that allows us to understand it. But that is a debate that will take place at another place and another time.

The purpose of this debate under the rules is to discuss the matter in front of us, and all this gentleman from California is trying to do is to maintain decorum and order in the house and request that the Speaker enforce the Rules of the House so that we may have an orderly debate and not traverse the countryside in any and all directions by any individual who may have an honest and earnest attempt to discuss this issue or may be motivated by other reasons.

The SPEAKER pro tempore. The gentleman has made his point of order. The Chair is prepared to rule.

The question is relevant to the extent of coverage of the data bank under this bill, and the gentleman from Texas may inquire in order.

Mr. THOMAS. Mr. Speaker, continuing my point of order, it is for employees only. The question is about nonemployees. How can it be germane?

The SPEAKER pro tempore. The Chair will ask the gentlemen from Texas and California to proceed in order.

Mr. DOGGETT. Mr. Speaker, I appreciate the opportunity to ask a question as to what this legislation does, because whether you were here at the

very beginning of the debate or at the very end of the debate, whether the gentleman is opposed to or for this legislation, it should be proper, as the Speaker has ruled, for a Member of this House to be able to determine whether the legislation will have an adverse effect by changing this data bank on the seniors of America.

Now, does this legislation have any impact on all this proposed Gingrichite repeal for standards of health and safety in nursing homes across this country?

Mr. STARK. Mr. Speaker, reclaiming my time, in response to the question of the gentleman from Texas, this legislation will have no effect. The Gingrich-Thomas legislation will so destroy nursing home regulations that even if it did have an effect, it would not make any difference, because the nursing home regulations would be tossed out the window by the Republicans and it would be moot as to whether this does. But the legislation does not.

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

Mr. STARK. I yield to the gentleman from New Jersey.

Mr. PALLONE. Mr. Speaker, I just wanted to make the point, I understand that the gentleman favors this bill in the sense that he thinks that the data bank at this point in this particular case perhaps does not make sense, but my concern is over the whole issue of data banks.

In other words, we know that the Republican leadership proposes to cut back on Medicare, to cut back on Medicaid. Some of the changes they are now advocating under the guise of health care insurance reform essentially are going to make some major changes for our health care system. For example, when you talk about Medicaid, the Medicaid proposal that the Republican leadership has put forward I believe, because it block grants money to the States, will have a lot of people simply not eligible for Medicaid and not having any kind of health care anymore.

So I am a little concerned that when we talk about eliminating data banks, we may need some of these data banks if some of these Republican proposals go forward, because I would like to know how many people are not going to be eligible for Medicaid anymore, how many medigap recipients will not be able to take advantage of it.

POINT OF ORDER

Mr. THOMAS. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. THOMAS. Mr. Speaker, the items that the gentleman is ticking off on his finger have no relationship to the information to be collected in this data bank, or any other data bank.

Mr. PALLONE. Mr. Speaker, I would like to be heard on the parliamentary inquiry.

Mr. Speaker, I am concerned that that in fact is not the case. The fact of the matter is when you talk about the data bank, which I understand for this specific purpose is linked to how many employees receive private health insurance as opposed to Medicare and what the impact of that is going to be, we have the same thing now with the proposal by Senator KASSEBAUM and Senator KENNEDY and the gentlewoman from New Jersey, Mrs. ROUKEMA, where we are trying to get passed on the House floor health care insurance reform that will eliminate preexisting conditions and that will allow for portability. The Republican leadership, from what I can see, will not allow it to come to the floor.

The SPEAKER pro tempore. The Chair will again rule that the gentleman from New Jersey's remarks must be confined to the bill at hand.

Mr. STARK. Mr. Speaker, could I inquire whether the time for these points of order come out of my time?

The SPEAKER pro tempore. The Chair would state that argument on points of order do not.

Mr. PALLONE. Mr. Speaker, if the gentleman will yield further, if I can just ask the gentleman from California, the way I understand this data bank, it was set up to gather information about whether or not someone who was employed privately and had private health insurance, how that would relate to Medicare coverage.

Mr. STARK. Mr. Speaker, reclaiming my time, the gentleman is quite correct in his presumption. That was the initial suggestion or intent created by the other body in establishing this legislation.

Mr. PALLONE. Mr. Speaker, I would ask the gentleman, is not that type of information possibly valuable in terms of this ongoing debate on the Kennedy-Kassebaum bill as to whether or not insurers are covering people whether or not they have preexisting conditions or whether or not they could carry their health insurance with them to another job?

Mr. STARK. Mr. Speaker, the gentleman is quite correct, because as the number of layoffs continue and as the Republicans continue to do nothing to provide health insurance for the unemployed or extended COBRA benefits, which cost no one anything, except the Republicans do not like it because it would be a Federal involvement, we do not have the data.

This data would not be useful to fulfill what I believe the gentleman has in mind, and that is how can we, as the Democrats would like, assure people who would pay for their benefits and be cut off by the Republican indifference, how can we insure that people could continue their health insurance even if they were willing to pay for it? Without the data, and I think it is important that we emphasize that this bill repealing this one limited data bank should in no way prejudice the establishment of a data bank as the number of people, for example, climb from some 37 million to now almost 45 million uninsured, you have not heard one mention of that out of the Republican presidential candidates or certainly from that side of the aisle in this house. They do not care about the uninsured in this country. they only care about the rich and the big insurance companies. That is who is getting protected.

This data bank that we are repealing would not be helpful in following our democratic precept of assurance that people have a fair chance to purchase insurance at a fair price.

Mr. PALLONE. Mr. Speaker, if the gentleman will yield further, that is the only point that I was trying to make, which is, and I think the gentleman from California said it well, that we may very well need data banks like this in order to ensure that more people are not taken off the rolls or be able to move from one job to another or denied health insurance because of preexisting conditions.

So that whatever happens here today under the corrections day calendar will not somehow get out into the general public as something that we will not need for other purposes, because we are determined as Democrats that we want to bring this Kennedy-Kassebaum bill to the floor and eliminate preexisting conditions as a reason for health coverage and also allow people to be able to carry their health insurance with them when they lose their job or go from one job to another.

Mr. DOGGETT. Mr. Speaker, if the gentleman will yield further, sharing the concern with the gentleman from New Jersey about those who lack health insurance, let me ask the gentleman about this particular bill, about this data bank which has been brought to the floor under an unusual procedure never used before by this Congress, that by the very nature of the procedure bringing it to the floor, we are as Members denied an opportunity to amend this bill to address some of these very real problems that relate to the health care and the lack of access to insurance that affect millions of working families across this country.

Mr. STARK. Mr. Speaker, reclaiming my time, if I may respond, the gentleman makes a very good point. These particular bills are brought to the floor under a euphemism referred to as ''correction day.'' Now, I think we need a correction week. As a matter of fact, for some folks we might need a correctional institution. The fact we are ignoring this piddling little data bank, which somebody had to fuss around to find to make into a bill to bring to the floor today, is not the important issue.

Data banks contain tremendous amounts of information. They contain information, for example, on quality in hospitals. A nonpartisan group of experts the other day, PROPAC, said that maintaining updates as low as the Republicans would do in their Medicare bill would have a severe impact on hospitals.

POINT OF ORDER

Mr. THOMAS. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point or order.

Mr. THOMAS. Mr. Speaker, I rise to this point of order with the understanding that apparently Members are no longer held to the rule of germaneness. The current dialog is nowhere near the intersection of nexus with the legislation, in this gentleman's opinion. I would ask a ruling of the Chair.

The SPEAKER pro tempore. The Chair would remind the Members that on November 14, 1995, the Chair sustained a similar point of order where a Member was unable to maintain a constant connection or nexus between the subject of the bill and his remarks on health care generally. The Chair would ask the Members to proceed with that in mind.

Mr. STARK. Mr. Speaker, I thank the chair for his admonition, and would request my colleagues to join with me in joining in the spirit of his request.

Mr. DOGGETT. Mr. Speaker, if the gentleman will yield further, in other words, this is a so-called corrections day bill, but it does not correct any of the real problems that affect the American families that are out there struggling to make ends meet.

Mr. STARK. Mr. Speaker, in the spirit, I happen to agree with the gentleman's statement, but I think that I cannot find the nexus for the gentleman of Texas's question.

Mr. DOGGETT. Mr. Speaker, if the gentleman will continue to yield, as far as the nexus, is there any nexus between this bill and any other bills that are pending there in the committee from whence this bill came that do deal with the very real problems of American families? Or is this just an isolated correction of some problem that is not really a problem?

Mr. STARK. Mr. Speaker, reclaiming my time, quite frankly, the committee that deals with this topic has not met, and it is responsible for Medicare, and it does nothing except worry and tell us that Medicare is going to go broke. It is in fact fiddling with this type of data bank, when the major data bank, which is the trust fund, is not being corrected. So there is a great deal of blame to justly be placed on the administration of the health committee under its current leadership.

□ 1445

Mr. DOGGETT. Well, I thank the gentleman for trying to put some perspective on the little bit that is being done here and the whole lot that is not getting any correction at all.

Mr. STARK. The other issue of data banks, Mr. Speaker, is in the field of insurance regulation. This data bank was designed to find a correlation between private insurance that an employee might have and Medicare.

We have further need for a data bank that would deal with the question of selling insurance that is duplicative. This is a rule that we have had to protect seniors, and it is being eliminated by the Republican Medicare bill.

The sales rules are also being eliminated. Now, without keeping a data bank on the unscrupulous sales practices of health insurers who sell Medigap, and allowing these duplicative policies to reappear, we will have no way of knowing how much harm is being done to the seniors. We estimate that several billions of dollars were paid prior to our passing the bill which eliminated duplicative Medigap sales to seniors, but we have not kept that data bank, assuming that those rules would be affected.

Without any prejudice to the ability to reinstate a data bank, I think it is necessary to point out that these seniors will need protection from the unscrupulous insurance agency and this bill——

POINT OF ORDER

Mr. THOMAS. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore (Mr. CAMP). The gentleman will state it.

Mr. THOMAS. Mr. Speaker, this gentleman is constrained once again to request that the Speaker, in this gentleman's opinion, understand that the simple mention of a data bank does not make the discussion germane to the bill in front of us, to the extent that it would allow the gentleman from California [Mr. STARK], who quite rightly is pushing the envelope as he is trying to do, to discuss the sales of Medigap policies and potential unscrupulous salesmen who might sell these products.

If, in fact, the Chair rules that that is germane, then these rules have no meaning at all, in the opinion of the gentleman from California.

The SPEAKER pro tempore. Would the gentleman from California [Mr. STARK] like to respond to the point of order?

Mr. STARK. Mr. Speaker, I certainly would, only to suggest to the Chair that in whichever way the Chair sees fit to rule, the Chair certainly understands the issues and has been extremely fair, and I would have no quarrel with him in any event.

The SPEAKER pro tempore. The notion of data banks generally and the notion of data banks as contained in the bill are not necessarily the same issue. Again, the Chair would ask the gentleman from California [Mr. STARK] to confine his remarks to the legislation at hand.

Mr. STARK. The Speaker's admonition is well received.

Mr. Speaker, I would like to return to the issue of the data banks collected by employers. Part of the reasoning behind repealing this data bank was the feeling that it was overly intrusive; that the Federal Government requiring an employer to do something for the common good is something that the Republicans find antithetical, requiring employers to obey OSHA rules or good labor relations is somehow overburdening them.

Thusly, this data bank was considered as intrusive and something difficult for the employers to maintain.

By the same token, there has been a resistance to say a COBRA extension. I would submit, Mr. Speaker, that the issue of collecting this health data in the data banks in H.R. 2685 was probably three or four times more expensive than keeping data for COBRA extensions for workers who have been laid off or disabled.

It is difficult for this gentleman to be enthusiastic about moving limited amounts of restrictions on employers when, as under COBRA, we have over 30 million Americans who have had their health insurance extended because we did that, and we have perhaps as many as 4 million, as we speak today, who have their health insurance under COBRA because we required those employers to maintain a small data bank.

Now, it escapes reason, or it does to this gentleman, why the Republicans should oppose extending COBRA. it costs no one anything. No Federal cost; no cost to the employer; no cost to the insurance company. It has been offered at 110 percent of the previous premium instead of the 102, and the data bank collection for that is so much simpler.

I do not want to see this correction take on a life of its own and be considered as a policy to remove any responsibility from employers when they are required by minor Federal regulations to do something that is in the public interest, something that would be for the good of all people.

Now, with these layoffs that are coming left and right, American Telephone laying off 40,000 people or whatever, and I am not about to suggest that the Republicans are responsible for that. I imagine the CEO's are Republicans but I do not blame that on the party.

But what I am suggesting is that underlying this bill, the unsung agenda is that there is something wrong with the Federal Government requiring an employer, or anybody, to do the right thing. That is wrong, Mr. Speaker.

The Federal Government, for example, provides Social Security. It has provided, happily, Medicare, and we do require some businesses or employers to keep records for that to make sure they are not stealing from us. That is a data bank. Under no circumstances would I like to have this bill considered as a precursor for removing other restrictions on collecting data.

For example, we are finally starting, this was a bipartisan bill when we used to have bipartisan Medicare bills, to collect outcomes research, a data bank. We are requiring hospitals, even profit hospitals, and physicians to begin to build a data bank about how health policy or health procedures work after 5 or 10 years. That is a vital part of health research, and in no way should that get mixed up with this kind of a data bank, which was not well conceived in the beginning. We have data banks that are useful.

There are other areas that, if I just might mention, as I suggested, the

Medigap rules, the question of block granting seniors without knowing if we do not have data banks, and somebody says, gee, this is intrusive, we may miss a chance to protect those seniors and those poorer citizens who do not have the option of being covered under major policies by their employers.

What I am suggesting is that this correction is worthy of taking care of. I am not sure it is worthy of spending as much money as we have assumed here today in printing costs. But I do think that it is a potential danger, that we ought not to let it set a standard that says just because we are asking private citizens or private businesses to collect information, do we feel that that is not something that could be useful.

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

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

Mr. DOGGETT. Mr. Speaker, I have just received a copy of the House Republican National Strategic Plan for 1996, and I am wondering if the gentleman has an opinion as to how this piece of legislation, which I believe is the first piece of legislation dealing specifically with any aspect of Medicare, might fit into that plan, which I will tell the gentleman specifically calls and says, and I quote, not you and me of course, but the Republicans ''will pursue a targeted inoculation strategy on Medicare.'' Does this bill have relevance to that targeted inoculation strategy on Medicare?

POINT OF ORDER

Mr. THOMAS. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. THOMAS. Mr. Speaker, the Speaker knows well my point of order. It is the subject matter and the content of the bill and the question propounded by the gentleman from Texas [Mr. DOGGETT], which has no relevance or germaneness, as we say in our rules, to the subject matter before us.

Mr. DOGGETT. Mr. Speaker, may I be heard on the point of order?

The SPEAKER pro tempore. The gentleman has propounded a point of order to the relevance of the matter at hand.

Mr. STARK. May I be heard on the point of order Mr. Speaker?

The SPEAKER pro tempore. The Chair will allow the gentleman from California [Mr. STARK] to respond.

Mr. STARK. Mr. Speaker, on the point of order, before you restate it, it is beyond the capacity of this gentleman to explain Republican strategy and whether or not it is germane. I would choose not to answer the question, because I am sure it is one of those mysteries of the universe that deny intelligent response.

However, inoculation is germane to this because many of these employers kept records or were to keep records of who was paying for the inoculations in the Republican Medicare plan, so many people will be denied inoculations. It is, in fact, very important that we point out that the inoculations they are talking about are not the same inoculations that little children are not going to get when the Medicaid cuts come down from the Republicans.

The SPEAKER pro tempore. In response to the point of order, the Chair cannot respond to the rhetorical nature of the question stated by the gentleman from Texas [Mr. DOGGETT] by necessarily ruling it irrelevant.

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

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

Mr. Speaker, the gentleman from Texas, apparently within the rules, propounded a question about the fact that this bill is being brought up under a procedure that we did not have in previous Congresses. Apparently it is clearly within the scope of germaneness, as ruled by the Speaker, for me to indicate that there are a lot of things that we are doing in this Congress that we did not do in previous Congresses.

For example we are auditing the books in this Congress. That was not done in previous Congresses. We have placed Members of Congress under the laws that apply to everyone else. That was not done in previous Congresses, and so there are a lot of things that we are doing in this Congress that were not done in previous Congresses.

Mr. Speaker, I do want to say that the gentlewoman from Florida [Mrs. FOWLER] has been very interested in this subject matter, and were it not for the primary in her State and district, the gentlewoman would be with us today.

Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. MCINTOSH], someone who has had an interest in this for a long time.

Mr. MCINTOSH. Mr. Speaker, I am pleased to rise in support of the bill of the gentleman from California [Mr. THOMAS] to repeal the Medicare-Medicaid data bank requirement. As cochairman of the Speaker's Advisory Committee on Corrections, I want to commend the gentleman and his committee for their work on this very good corrections bill.

Before I describe the bill and the reason the Corrections Committee supports it, let me pause for a moment and say the real issues here is one of jobs. Jobs, jobs, jobs.

The reason is that what we are doing is getting rid of an obsolete, unnecessary paperwork requirement that makes it more expensive for businesses, particularly small businesses, to create new jobs. It is the Republican hope, along with many Democrats who have supported this bill, that we will be able to help small businesses create jobs by passing this bill, eliminating unnecessary redtape and paperwork.

Now, this bill does just what a corrections bill should do. It eliminates a government-imposed paperwork burden that is not achieving any conceivable intended result.

The Medicare-Medicaid data bank was established in 1993 with good intentions, to compile data on secondary insurers for Medicare subscribers, to help identify those cases in which an employer-based insurance company should be the primary insurance provider rather than Medicaid. That is to say, if somebody needs additional coverage from the Medicare coverage they are receiving, should the government pay for it through Medicaid or should the employer pay for it through their primary insurance coverage for their employees?

□ 1500

Potentially this could have saved the government a great deal of money by identifying those cases where the government, under the Medicaid Program, would not need to pay for that secondary insurance. Unfortunately it has not, and will not, work. The Government Accounting Office has testified regarding this data bank that, and I will quote from their statement:

> Enormous administrative burden the data bank would place on the Health Care Financing Administration, known as HCFA here in Washington, and the Nation's employers likely would do little or nothing to enhance the current efforts to identify those beneficiaries who have other health insurance coverage, * * *

That is to say the health care Medicare-Medicaid data bank has not been able to do what it was supposed to do, which is streamline the process and make it less costly for the government.

There are several reasons to be against this program and the need for this bill. The first is it is a burden on the government itself. The Health Care Finance Administration has itself stated that the costs involved in collecting the information will outweigh the costs that may be recovered by the data bank. That is to say it frankly does not save the government any money whatsoever.

Second, it is a burden on citizens, particularly small businesses that have limited resources. They are currently required to compile the names and Social Security numbers of all of their employees and their immediate family and report this not only to the IRS, but also the HCFA. Now gathering and reporting this information takes time and money, and many small companies, quite frankly, just do not have it in their budgets to be able to do that. It is more redtape and does very little good.

And the third reason is that this system is a burden for the taxpayers. But at least Congress has had the wisdom, up until today, to make sure that we did not fund it. Given that wisdom, I think it is important that today we take the next step and repeal the requirement altogether.

Now the bill of the gentleman from California [Mr. THOMAS] will do away with the Medicare data bank, his bill will save employers across the Nation and the Federal Government time and money; as a corrections bill it is one of

the best that I have seen, and I want to commend the gentleman for his hard work and urge all of my colleagues to support H.R. 2685.

Mr. THOMAS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. HOUGHTON], a member of the House subcommittee of the Committee on Ways and Means.

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

Mr. HOUGHTON. Mr. Speaker, I am really at a loss of words because so much of what I wanted to say has already been stated. Maybe I can approach this from somebody who has been in business for a long time and understands what this Congress is trying to do is to extract the Government from onerous administrative tasks, which is hardly in keeping with what we are trying to do to relieve people and businesses to be able to create more jobs.

I have been around business a long time, and I know what data collection is; it is important. But when we take a look at this particular issue, clearly the data collected is highly expensive. The GAO has estimated that to create a data bank like this, it would be over $100 million. That is certainly not the intent of Congress, it is not something which is good for business, it is not something which is really good for the employees, and when we take a look at a variety of different businesses that have been contacted, they all agree that this is not necessary, that the administrative burden is onerous, it opens the door to tax retirees on values received, and so why report this?

As a matter of fact, I think we all agree with this. As a matter of fact, I do not think that there is any argument when we are talking about this issue, H.R. 2685. It is a good issue; we all agree it is a bipartisan approach. Where we get off the tracks is when we start getting political and we start messing around in this whole field of health reform.

We all are citizens of this country, we all want to do the right thing. It is not a Republican or a Democratic issue. It is something which we all ought to be concerned about. But today the narrow issue really is this data bank. I agree with the proposition, I think it makes a great deal of sense, it will reduce enormous administrative overburden, and it will save the Federal Government and the taxpayers of this country over $100 million.

Therefore, I support with the greatest strength I can H.R. 2685. We are not talking about health insurance reform, we are not talking about nexuses, we are not talking about inoculations, we are not talking about strategic plans. We are talking about this particular data bank issue, and I think it is a good one, and I support the resolution.

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

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

The gentleman from New York touched on an issue which I think it important. It is true that we will save employers a piddly little amount of money by doing away with this data. What the employer has to do is keep track of an employee's insurance other than Medicare. But if my colleagues want to talk about a cost to employers and a data bank that will choke the horse of business, talk about the data bank that the Republicans are requiring business to keep if they pass these silly MSA's. Under a medical savings account a business would be required in a data bank to keep track of every medical expenditure, it would be required——

POINT OF ORDER

Mr. THOMAS. Mr. Speaker, I have a point of order.

The SPEAKER pro tempore (Mr. CAMP). The gentleman is recognized for a point of order.

Mr. THOMAS. Notwithstanding his elegant eloquence, I believe the gentleman from California [Mr. STARK] has once again strayed from the germaneness under the rules of the House.

Mr. STARK. If I may be heard? I am talking about data base requirements by an employer, an issue raised by the previous speaker, and I believe it is quite germane as it deals with the requirements that employers may be faced with in keeping medical data banks as required by the Federal Government.

Mr. THOMAS. May I be heard on the point of order Mr. Speaker?

I thought the Speaker had already ruled that a discussion of data banks in general as a concept for collecting data is not necessarily germane to a specific data bank which is the subject of this bill.

The SPEAKER pro tempore. The gentleman is correct. The Chair will state again that on November 14, 1995, the Chair sustained a similar point of order where a Member was unable to maintain a constant nexus between the subject of the bill and the subject of health care generally. The Chair has at least three time today, and does again, sustain that point of order.

Mr. STARK. Mr. Speaker, I will confine my remarks to employers collecting data for a data bank that relates to Government insurance and private insurance, which I believe is specifically what the bill and I am suggesting; that while we are eliminating this, we are on the other hand creating an even bigger data bank, and perhaps we should prohibit data banks for things like MSA's which, by the way, exist without any new legislation.

MSA's are there today. It is, if we require the employer to keep track of who collects the money for an IRS exemption, he will then have to keep track of each specific payment to a doctor, and it has been estimated that it will cost the Government $4 billion to have these MSA's. Not only will it cost the employers, the gentleman from New York is concerned about more money, it is going to add $4 billion in costs.

So, as the Republicans have done, on the one hand they say let us save a nickel here, but let us spend a million dollars if it helps our rich friends in business, and this is a perfect example of, I think, being penny-wise and pound-foolish dealing, Mr. Speaker, with a data bank which is minuscule, which requires almost no record-keeping by business, while on the other hand ignoring those data banks that are being proposed to be imposed on business and private citizens, which increase the number of insured, increase the deficit and do no good to anyone.

This, unfortunately, is the litany and the inheritance of the Republican leadership as they have shown this——

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

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

Mr. HOUGHTON. Mr. Speaker, I would just like to ask the gentleman, does he support or does he not support H.R. 2685?

Mr. STARK. I am relatively indifferent, but I can find nothing to oppose it. If it came to a vote, I would vote for it.

Mr. THOMAS. Mr. Speaker, I yield myself 10 minutes.

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

Mr. THOMAS. Mr. Speaker, I want to begin a discussion of the repeal of this data bank with an underscoring of a point that the gentleman from California made, and that is that this measure was insisted upon by the Senate. This is not a work product that originated in the House. It was contained in the budget legislation that was passed in 1993 under the majority.

I want to go back to a quote, Mr. Speaker, that I used at the beginning to frame the debate about the repeal of this proposed data bank. This data bank was never put into effect. It was proposed. We are now proposing to make sure it never goes into effect.

In testimony before the Committee on Ways and Means by Sarah Jagger on February 23, 1995, representing a GAO study, she said that this proposed data bank would create an avalanche of unnecessary paperwork for both the Health Care Financing Administration and employers, and will likely achieve little or no savings while costing millions. That statement was made in February of 1995.

The reason we have this legislation before us today is because the need to save not only employers, but the Health Care Financing Agency, money is even more critical today than it was at the time that we took the testimony, because when we took that testimony in February of 1995, we had a trustees' report, those individuals who are charged with the responsibility of overseeing the Medicare trust fund reporting to us that the Medicare trust fund was sound through the year 2002. What we have now discovered is that

based upon real data, not projections, but real data, it is no longer protected until 2002. This was what was described to us as the prospective state of the Medicare trust fund at the time this testimony was delivered, that notwithstanding the continual drop in the trust fund, the Chairman of the Board of Trustees, the Secretary of the Treasury, Mr. Rubin, signed a document saying that there is going to be a reversal of this trend, that the Medicare trust fund will have more money in it at the end of 1995 than it did in 1994. We were concerned about saving money in February of 1995, but this was the projection given to us by the Clinton appointees who are the trustees of the Medicare trust fund.

This is now March of 1996, and the projections, the, if you will, more rosy scenario, simply did not obtain, and the reason this bill is before us today to repeal the proposed data bank and save not just employers, but the Federal Government, millions of dollars is because this is actually what happened; not projected, actually what happened. We actually went minus in the trust fund account for this fiscal year. That is the first time this has occurred since 1972.

In 1972 the Democrats were in the majority. They promptly raised the payroll tax. That was a response they used nine times in response to a shortage of funds. Rather than rethinking, reconceptualizing, protecting, preserving, and strengthening Medicare they simply raised the payroll tax.

□ 1515

This is what they said was going to happen. This is what actually happened. So we have begun an examination of legislation that we could bring to the floor which would guarantee that there would be no more hemorrhaging in the Medicare Trust Fund than was absolutely necessary. That is the purpose and the substance of bringing this bill to the floor today.

Perhaps even more chilling was the testimony not of the Secretary of the Treasury in his function as the Chairman of the trustees, but the Secretary of Health and Human Services. Dr. Shalala indicated, and numbers have now been produced, that at the same time the trust fund was a minus $36 million at the end of fiscal year 1995, in the first 4 months of that year there was $3.8 billion surplus. That is, over a 12-month period, they went from a $3.8 billion surplus to a $36 million deficit. As I said, this is the first time it has happened since 1972.

So my inquiry would be, of course, if this is what we look like in the first 4 months of fiscal year 1995, what do we look like in the first 4 months of fiscal year 1996, the year we are currently in? The information that now has been reported, not projections, not rosy projections to make it look good, but actual figures for fiscal year 1996, the first 4 months, are at a plus $133 million. Remember, when the first 4 months were at $3.8 billion we wound up with a $36 million deficit, the first time since 1972 that we had a minus number. If we have only brought in $133 million in the first 4 months of fiscal year 1996, what is it going to look like in hemorrhaging red ink in the trust fund without making the kinds of changes we are contemplating?

A number of people have complained that repealing this proposed data bank certainly seems like small potatoes. It certainly is a first step. We have to make sure, first of all, that the Government does not do stupid things. This proposal that was passed by the former Democratic Congress in 1993 is now universally agreed to be a stupid thing.

What we need to do is sit down and talk about additional changes that need to be made in the system. Republicans have been more than willing to do that on a bipartisan basis. In sitting down with a number of very responsible Democrats, normally known as the self-named blue-dog Democrats, we have moved forward a proposal, which I am hopeful we will be able to announce, achieves a bipartisan majority in making sure that we preserve, protect, and strengthen Medicare.

But we ought to take every opportunity. We ought not to pass up any opportunity for making changes in the system that will guarantee that not only employers but the Federal Government does not waste money. This is one of those efforts. We chose corrections day to do it, because there was no known opposition at all. This would be an expedited way to deal with this particular question. I find it interesting that notwithstanding all of the discussion that occurred on the side of the minority, no one is in evidence who opposes this legislation.

Our goal is to work in a bipartisan way to produce legislation that will make positive change, will create a new Medicare which will preserve, protect, and strengthen seniors in a prospective fashion, once we have cleaned up the errors that are left over from previous Democratic control.

I would urge an ''aye'' vote on this particular measure in front of corrections day.

Mr. POMEROY. Mr. Speaker, I rise to offer my strong support for repeal of the Medicare and Medicaid coverage data bank. This provision of law imposed an unfair and unreasonable burden on the businesses of North Dakota, and I believe it must be eliminated.

The data bank program was created to help prevent Medicare and Medicaid from paying claims that are the responsibility of an employer-based private insurer. Despite this laudable goal of saving Government funds, there have been fundamental flaws with this planned program from the beginning. First, under the program employers would be required to report information to the Federal Government which they did not routinely collect. Second, employers would be forced to report data on 100 percent of their work force even though only a tiny percentage of workers would be individuals whose claims might have been eligible for payment by Medicare or Medicaid. This is a classic example of the treatment being worse than the disease.

As can be seen, the data bank program imposes a reporting burden on employers which is far out of proportion to the Government's need for information. Such unnecessary burdens are particularly harmful to the many small businesses which dominate the North Dakota economy. This program is precisely the sort of inefficient approach which North Dakotans are demanding be eliminated from the Federal Government.

The reports from North Dakota businesses as to the anticipated burdens of the data bank program were verified in a thorough study by the General Accounting Office [GAO]. In a report issued on May 6, 1994, the GAO concluded that the data bank would create burdensome and unnecessary paperwork for both employers and the Federal Government and would achieve little or no cost savings while costing millions of dollars in administrative expense.

Mr. Speaker, at a time when many businesses too often labor under the burden of complex and sometimes unnecessary Federal regulation, the Federal Government should not add to this regulatory burden without a concrete benefit clearly in sight. While the data bank program was well intentioned, it has proven unworkable. The anticipated benefit is overwhelmed by the cost of compliance, and, consequently, the program should be eliminated. Elimination is also warranted by the harmful effect this program would have on the availability of health insurance to North Dakota's working families. When increasing numbers of families are finding themselves without health insurance, the Federal Government must not make it more expensive and difficult for employers to provide this insurance for their workers. The substantial administrative expense associated with the data bank program would have had precisely this counterproductive effect.

I urge my colleagues to join me in voting for repeal of this well intentioned but utterly unworkable program.

Mrs. FOWLER. Mr. Speaker, the Medicare/Medicaid data bank was established by the Omnibus Budget Reconciliation Act of 1993 with the intent of yielding savings to the Medicare and Medicaid Programs. Like so many big-government answers, however, it turned out that the data bank was more of a problem than a solution—impractical, inconvenient, and expensive. Had the data bank been implemented by the Health Care Financing Administration, it would have increased the administrative and paperwork burden on businesses; discouraged employers from providing health coverage to their employees; and created a bureaucratic nightmare for HCFA.

Fortunately, the enforcement of the data bank reporting requirements has been delayed, and now we have a chance to repeal it once and for all.

At first glance, it appears that the data bank law asks employers to provide routine information that is readily available. In truth, however, the reporting requirements ask employers to collect data which they could have never imagined compiling, such as the names and Social Security numbers of their employees' spouses and children.

In May 1994, the Government Accounting Office issued a report showing that the data

bank would yield little or no savings to Medicare and Medicaid. Additionally, the Health Care Financing Administration has no interest in administering the data bank. In fact, the Clinton administration estimates that the data bank would cost $25 to 30 million to operate each year.

The data bank sets a new standard for bad laws: It is bad for business, bad for workers; and even bad for bureaucrats. And it wouldn't accomplish what it was intended to do.

I want to thank Chairman THOMAS for bringing this measure to the House floor. In the 103d Congress, I introduced H.R. 4095, which would have repealed the data bank, and I reintroduced the same bill at the beginning of the 104th Congress. Recently, repeal of the data bank was also included in the Medicare Preservation Act which the President vetoed.

There are many of us who have been very disappointed by the President's unwillingness to deal with Medicare reform in a responsible manner. His veto of the Medicare Preservation Act not only threatens the long-term viability of the Medicare Program, but also means that employers still have to worry that HCFA might enforce the reporting requirements of the data bank.

This bill eliminates that concern and I hope that my colleagues will join me in support of H.R. 2685

The SPEAKER pro tempore (Mr. CAMP). Pursuant to the rule, the previous question is ordered.

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

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

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

The question as taken; and (three-fifths having voted in favor thereof) the bill was passed.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, March 8, 1996.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Friday, March 8th at 10:40 a.m. and said to contain a message from the President whereby he notifies the Congress of the continuance beyond March 15, 1996, of the national emergency with respect to Iran.

With warm regards,

ROBIN H. CARLE,
Clerk.

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 104–184)

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 International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Iran emergency declared on March 15, 1995, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) is to continue in effect beyond March 15, 1996, to the *Federal Register* for publication. This emergency is separate from that declared on November 14, 1979, in connection with the Iranian hostage crisis and therefore requires separate renewal of emergency authorities.

The factors that led me to declare a national emergency with respect to Iran on March 15, 1995, have not been resolved. The actions and policies of the Government of Iran, including its support for international terrorism, efforts to undermine the Middle East peace process, and its acquisition of weapons of mass destruction and the means to deliver them, continue to threaten the national security, foreign policy, and economy of the United States. Accordingly, I have determined that it is necessary to maintain in force the broad authorities that are in place by virtue of the March 15, 1995, declaration of emergency.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 8, 1996.*

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, March 11, 1996.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Monday, March 11th at 1:30 p.m. and said to contain a message from the President whereby he submits a 6-month periodic report on the national emergency with respect to Iran.

With warm regards,

ROBIN H. CARLE, *Clerk.*

REPORT ON NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 104–185)

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 International Relations and ordered to be printed:

To the Congress of the United States:

I hereby report to the Congress on developments concerning the national emergency with respect to Iran that was declared in Executive Order No. 12957 of March 15, 1995, and matters relating to the measures in that order and in Executive Order No. 12959 of May 6, 1995. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c) (IEEPA), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c). This report discusses only matters concerning the national emergency with respect to Iran that was declared in Executive Order No. 12957 and matters relating to that Executive order and Executive Order No. 12959.

1. On March 15, 1995, I issued Executive Order No. 12957 (60 *Fed. Reg.* 14615, March 17, 1995) to declare a national emergency with respect to Iran pursuant to IEEPA, and to prohibit the financing, management, or supervision by U.S. persons of the development of Iranian petroleum resources. This action was in response to actions and policies of the Government of Iran, including support for international terrorism, efforts to undermine the Middle East peace process, and the acquisition of weapons of mass destruction and the means to deliver them. A copy of the order was provided to the Congress on March 15, 1995.

Following the imposition of these restrictions with regard to the development of Iranian petroleum resources, Iran continued to engage in activities that represent a threat to the peace and security of all nations, including Iran's continuing support for international terrorism, its support for acts that undermine the Middle East peace process, and its intensified efforts to acquire weapons of mass destruction. On May 6, 1995, I issued Executive Order No. 12959 to further respond to the Iranian threat to the national security, foreign policy, and economy of the United States.

Executive Order No. 12959 (60 *Fed. Reg.* 24757, May 9, 1995) (1) prohibits exportation from the United States to Iran or to the Government of Iran of goods, technology, or services; (2) prohibits the reexportation of certain U.S. goods and technology to Iran from third countries; (3) prohibits transactions such as brokering and other dealing by United States persons in goods and services of Iranian origin or

owned or controlled by the Government of Iran; (4) prohibits new investments by United States persons in Iran or in property owned or controlled by the Government of Iran; (5) prohibits U.S. companies and other United States persons from approving, facilitating, or financing performance by a foreign subsidiary or other entity owned or controlled by a United States person of reexport, investment, and certain trade transactions that a United States person is prohibited from performing; (6) continues the 1987 prohibition on the importation into the United States of goods and services of Iranian origin; (7) prohibits any transaction by any United States person or within the United States that evades or avoids or attempts to violate any prohibition of the order; and (8) allowed U.S. companies a 30-day period in which to perform trade transactions pursuant to contracts predating the Executive order.

In Executive Order No. 12959, I directed the Secretary of the Treasury to authorize through specific licensing certain transactions, including transactions by United States persons related to the Iran-United States Claims Tribunal in The Hague, established pursuant to the Algiers Accords, and related to other international obligations and United States Government functions, and transactions related to the export of agricultural commodities pursuant to preexisting contracts consistent with section 5712(c) of title 7, United States Code. I also directed the Secretary of the Treasury, in consultation with the Secretary of State, to consider authorizing United States persons through specific licensing to participate in market-based swaps of crude oil from the Caspian Sea area for Iranian crude oil in support of energy projects in Azerbaijan, Kazakhstan, and Turkmenistan.

Executive Order No. 12959 revoked sections 1 and 2 of Executive Order No. 12613 of October 29, 1987, and sections 1 and 2 of Executive Order No. 12957 of March 15, 1995, to the extent they are inconsistent with it. A copy of Executive Order No. 12959 was transmitted to the Speaker of the House of Representatives and President of the Senate by letters dated May 6, 1995.

2. There were no amendments to the Iranian Transactions Regulations, 31 CFR Part 560 (the ''ITR'') during the reporting period.

3. During the current 6-month period, the Department of the Treasury's Office of Foreign Assets Control (FAC) made numerous decisions with respect to applications for licenses to engage in transactions under the ITR, issuing 54 licensing determinations—both approvals and denials. The majority of denials were in response to requests to extend contract performance beyond the time specified by Executive Order No. 12959 and by FAC general license. Licenses were issued authorizing the continued operation of Iranian diplomatic accounts, powers of attorney, extensions of standby letters of credit, payments for trade transactions pursuant to contracts prior to May 6, 1995, and exportation of certain agricultural products contracted for prior to May 6, 1995. The FAC continues to review under section 560.528 requests for authorization to export and reexport goods, services, and technology to ensure the safety of civil aviation and safe operation of U.S.-origin commercial passenger aircraft in Iran. In light of statutory restrictions applicable to goods and technology involved in these cases, Treasury continues to consult and coordinate with the Departments of State and Commerce on these matters, consistent with section 4 of Executive Order No. 12959.

During the reporting period, FAC administered provisions on services related to maintaining Iranian bank accounts and identified and rejected Iran-related payments not authorized under the ITR. United States banks were notified that they could not process transactions on behalf of accounts held in the name of the Government of Iran or persons in Iran, with the exception of certain transactions related to interest accruals, customary service charges, the exportation of information or informational material, travel-related remittances, donations of articles to relieve human suffering, or lump sum closures of accounts by payment to their owners. United States banks continue to handle certain dollar payment transactions involving Iran between third-country banks that do not involve a direct credit or debit to Iranian accounts. Noncommercial family remittances involving Iran must be routed to or from non-U.S., non-Iranian offshore banks.

The FAC continues to coordinate closely with the Federal Reserve Board, the Federal Reserve Bank of New York, and the California banking authorities concerning the treatment of three Iranian bank agencies—Banks Sepah, Saderat, and Melli. Licenses have been issued to the Iranian bank agencies authorizing them to pay overhead expenses under the supervision of the California and New York banking departments while meeting obligations incurred prior to May 6, 1995. Authorization expired at the end of December, which had enabled them to make payments to U.S. exporters under letters of credit advised prior to June 6, 1995, where the underlying exports were completed in accordance with the Regulations or a specific license issued by FAC. The FAC also had permitted the agencies to offer discounted advance payments on deferred payment letters of credit under the same conditions.

4. The U.S. Customs Service has continued to effect numerous seizures of Iranian-origin merchandise, primarily carpets, for violation of the import prohibitions of the ITR. Various enforcement actions carried over from previous reporting periods are continuing and new reports of violations are being aggressively pursued.

5. The expenses incurred by the Federal Government in the 6-month period from September 15, 1995, through March 14, 1996, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to Iran are approximately $965,000 most of which represents wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel), the Department of State (particularly the Bureau of Economic and Business Affairs, the Bureau of Near Eastern Affairs, the Bureau of Politico-Military Affairs, and the Office of the Legal Adviser), and the Department of Commerce (the Bureau of Export Administration and the General Counsel's Office).

6. The situation reviewed above continues to involve important diplomatic, financial, and legal interests of the United States and its nationals and presents an extraordinary and unusual threat to the national security, foreign policy, and economy of the United States. The declaration of the national emergency with respect to Iran contained in Executive Order No. 12957 and the comprehensive economic sanctions imposed by Executive Order No. 12959 underscore the United States Government's opposition to the actions and policies of the Government of Iran, particularly its support of international terrorism and its efforts to acquire weapons of mass destruction and the means to deliver them. The Iranian Transactions Regulations issued pursuant to Executive Orders No. 12957 and No. 12959 continue to advance important objectives in promoting the nonproliferation and antiterrorism policies of the United States. I shall exercise the powers at my disposal to deal with these problems and will report periodically to the Congress on significant developments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 11, 1996.*

COMMUNICATION FROM THE HONORABLE JOHN EDWARD PORTER, MEMBER OF CONGRESS

The Chair laid before the House the following communication from the Honorable JOHN EDWARD PORTER, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 1, 1996.

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

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that a member of my staff has been served with a subpoena issued by the Circuit Court of Cook County, Illinois.

After consultation with the General Counsel, I have determined that compliance with

the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

JOHN EDWARD PORTER.

COMMUNICATION FROM THE HONORABLE ED BRYANT, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable ED BRYANT, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 7, 1996.

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

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House of Representatives, that Woody Stickles, District Staff Assistant in my Clarksville, Tennessee office, has been served with a subpoena issued by the Montgomery County, Tennessee Circuit Court in the case of *Irvin* v. *Tennessee Management Co.*

After consultation with the Office of the General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

ED BRYANT.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today.

SECURITIES AND EXCHANGE COMMISSION AUTHORIZATION ACT OF 1996

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2972) To authorize appropriations for the Securities and Exchange Commission, to reduce the fees collected under the Federal securities laws, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2972

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 ''Securities and Exchange Commission Authorization Act of 1996''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to authorize appropriations for the Securities and Exchange Commission for fiscal year 1997; and

(2) to reduce over time the rates of fees charged under the Federal securities laws.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 35 of the Securities Exchange Act of 1934 is amended to read as follows:

''SEC. 35. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out the functions, powers, and duties of the Commission $317,000,000 for fiscal year 1997.''.

SEC. 4. REGISTRATION FEES.

Section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)) is amended to read as follows:

''(b) REGISTRATION FEE.—

''(1) RECOVERY OF COST OF SERVICES.—The Commission shall, in accordance with this subsection, collect registration fees that are designed to recover the costs to the government of the securities registration process, and costs related to such process, including enforcement activities, policy and rulemaking activities, administration, legal services, and international regulatory activities.

''(2) FEE PAYMENT REQUIRED.—At the time of filing a registration statement, the applicant shall pay to the Commission a fee that shall be equal to the sum of the amounts (if any) determined under the rates established by paragraphs (3) and (4). The Commission shall publish in the Federal Register notices of the fee rates applicable under this section for each fiscal year. In no case shall the fee required by this subsection be less than $200, except that during fiscal year 2002 or any succeeding fiscal year such minimum fee shall be $182.

''(3) GENERAL REVENUE FEES.—The rate determined under this paragraph is a rate equal to $200 for each $1,000,000 of the maximum aggregate price at which such securities are proposed to be offered, except that during fiscal year 2002 and any succeeding fiscal year such rate is equal to $182 for each $1,000,000 of the maximum aggregate price at which such securities are proposed to be offered. Fees collected during any fiscal year pursuant to this paragraph shall be deposited and credited as general revenues of the Treasury.

''(4) OFFSETTING COLLECTION FEES.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the rate determined under this paragraph is a rate equal to the following amount for each $1,000,000 of the maximum aggregate price at which such securities are proposed to be offered:

''(i) $103 during fiscal year 1997;

''(ii) $70 during fiscal year 1998;

''(iii) $38 during fiscal year 1999;

''(iv) $17 during fiscal year 2000; and

''(v) $0 during fiscal year 2001 or any succeeding fiscal year.

''(B) LIMITATION; DEPOSIT.—Except as provided in subparagraph (C), no amounts shall be collected pursuant to this paragraph (4) for any fiscal year except to the extent provided in advance in appropriations acts. Fees collected during any fiscal year pursuant to this paragraph shall be deposited and credited as offsetting collections in accordance with appropriations Acts.

''(C) LAPSE OF APPROPRIATIONS.—If on the first day of a fiscal year a regular appropriation to the Commission has not been enacted, the Commission shall continue to collect fees (as offsetting collections) under this paragraph at the rate in effect during the preceding fiscal year, until such a regular appropriation is enacted.''.

SEC. 5. TRANSACTION FEES.

(a) AMENDMENT.—Section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) is amended to read as follows:

''SEC. 31. TRANSACTION FEES.

''(a) RECOVERY OF COST OF SERVICES.—The Commission shall, in accordance with this subsection, collect transaction fees that are designed to recover the costs to the Government of the supervision and regulation of securities markets and securities professionals, and costs related to such supervision and regulation, including enforcement activities, policy and rulemaking activities, administration, legal services, and international regulatory activities.

''(b) EXCHANGE-TRADED SECURITIES.—Every national securities exchange shall pay to the Commission a fee at a rate equal to $33 for each $1,000,000 of the aggregate dollar amount of sales of securities (other than bonds, debentures, and other evidences of indebtedness) transacted on such national securities exchange, except that for fiscal year 2002 or any succeeding fiscal year such rate shall be equal to $25 for each $1,000,000 of such aggregate dollar amount of sales. Fees collected pursuant to this subsection shall be deposited and collected as general revenue of the Treasury.

''(c) OFF-EXCHANGE-TRADES OF EXCHANGE-REGISTERED SECURITIES.—Every national securities association shall pay to the Commission a fee at a rate equal $33 for each $1,000,000 of the aggregate dollar amount of sales transacted by or through any member of such association otherwise than on a national securities exchange of securities registered on such an exchange (other than bonds, debentures, and other evidences of indebtedness), except that for fiscal year 2002 or any succeeding fiscal year such rate shall be equal to $25 for each $1,000,000 of such aggregate dollar amount of sales. Fees collected pursuant to this subsection shall be deposited and collected as general revenue of the Treasury.

''(d) OFF-EXCHANGE-TRADES OF LAST-SALE-REPORTED SECURITIES.—

''(1) COVERED TRANSACTIONS.—Every national securities association shall pay to the Commission a fee at a rate equal to the dollar amount determined under paragraph (2) for each $1,000,000 of the aggregate dollar amount of sales transacted by or through any member of such association otherwise than on a national securities exchange of securities (other than bonds, debentures, and other evidences of indebtedness) subject to prompt last sale reporting pursuant to the rules of the Commission or a registered national securities association, excluding any sales for which a fee is paid under subsection (c).

''(2) FEE RATES.—Except as provided in paragraph (4), the dollar amount determined under this paragraph is—

''(A) $12 for fiscal year 1997;

''(B) $14 for fiscal year 1998;

''(C) $17 for fiscal year 1999;

''(D) $18 for fiscal year 2000;

''(E) $20 for fiscal year 2001; and

''(F) $25 for fiscal year 2002 or for any succeeding fiscal year.

''(3) LIMITATION; DEPOSIT OF FEES.—Except as provided in paragraph (4), no amounts shall be collected pursuant to this subsection (d) for any fiscal year beginning before October 1, 2001, except to the extent provided in advance in appropriations Acts. Fees collected during any such fiscal year pursuant to this subsection shall be deposited and credited as offsetting collections to the account providing appropriations to the Commission, except that any amounts in excess of the following amounts (and any amount collected for fiscal years beginning on or after October 1, 2001) shall be deposited and credited as general revenues of the Treasury:

''(A) $20,000,000 for fiscal year 1997;

''(B) $26,000,000 for fiscal year 1998;

''(C) $32,000,000 for fiscal year 1999;

''(D) $32,000,000 for fiscal year 2000;

''(E) $32,000,000 for fiscal year 2001; and

''(F) $0 for fiscal year 2002 and any succeeding fiscal year.

''(4) LAPSE OF APPROPRIATIONS.—If on the first day of a fiscal year a regular appropriation to the Commission has not been enacted, the Commission shall continue to collect fees (as offsetting collections) under this subsection at the rate in effect during the preceding fiscal year, until such a regular appropriation is enacted.

''(e) DATES FOR PAYMENT OF FEES.—The fees required by subsections (b), (c), and (d) of this section shall be paid—

''(1) on or before March 15, with respect to transactions and sales occurring during the period beginning on the preceding September 1 and ending at the close of the preceding December 31; and

''(2) on or before September 30, with respect to transactions and sales occurring during the period beginning on the preceding January 1 and ending at the close of the preceding August 31.

''(f) EXEMPTIONS.—The Commission, by rule, may exempt any sale of securities or any class of sales of securities from any fee imposed by this section, if the Commission finds that such exemption is consistent with the public interest, the equal regulation of markets and brokers and dealers, and the development of a national market system.

''(g) PUBLICATION.—The Commission shall publish in the Federal Register notices of the fee rates applicable under this section for each fiscal year.''.

(b) EFFECTIVE DATES; TRANSITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by subsection (a) shall apply with respect to transactions in securities that occur on or after January 1, 1997.

(2) OFF-EXCHANGE TRADES OF LAST SALE REPORTED TRANSACTIONS.—The amendment made by subsection (a) shall apply with respect to transactions described in section 31(d)(1) of the Securities Exchange Act of 1934 (as amended by subsection (a) of this section) that occur on or after September 1, 1996.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect the obligation of national securities exchanges and registered brokers and dealers under section 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee) as in effect prior to the amendment made by subsection (a) to make the payments required by such section on March 15, 1997.

SEC. 6. TIME FOR PAYMENT.

Section 4(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(e)) is amended by inserting before the period at the end thereof the following: ''and the Commission may also specify the time that such fee shall be determined and paid relative to the filing of any statement or document with the Commission''.

SEC. 7. SENSE OF THE CONGRESS CONCERNING FEES.

It is the sense of the Congress that—

(1) the fees authorized by the amendments made by this Act are in lieu of, and not in addition to, any fees that the Securities and Exchange Commission is authorized to impose or collect pursuant to section 9701 of title 31, United States Code; and

(2) in order to maintain the competitiveness of United States securities markets relative to foreign markets, no fee should be assessed on transactions involving portfolios of equity securities taking place at times of day characterized by low volume and during non-traditional trading hours.

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

The Chair recognizes the gentleman from Ohio [Mr. OXLEY].

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

(Mr. OXLEY asked and was given permission to include extraneous material.)

Mr. OXLEY. Mr. Speaker, today I am pleased to rise in support of H.R. 2972, the SEC Reauthorization Act of 1996. This legislation provides a long-term mechanism for funding the SEC. In addition, it reduces the fees charged by the SEC by over $751 million dollars through 2002. Members of both parties have expressed concern with the amount of fee revenue collected by the SEC, which currently is more than double the cost of running the agency. Currently the SEC takes in over $600 million in fees annually, and costs approximately $300 million to run. This surplus in fee revenue over the cost of running the agency amounts to a tax on capital paid by all investors—including small investors investing in individual retirement accounts for their retirement. Members of both parties are rightly concerned with promoting savings and growth, and this tax on capital represents an impediment to that growth. With the cooperation of Chairman ROGERS of the Commerce, Justice, State, and Judiciary Subcommittee of the Appropriations Committee, and Chairman ARCHER of the Ways and Means Committee, we have been able to work out a sensible plan to reduce these fees. We also have agreed on a procedure for more orderly and certain funding of the SEC. I am pleased that the legislation has the support and cosponsorship of my friends, JOHN DINGELL, ranking member of the Commerce Committee, and ED MARKEY, ranking member of the Telecommunications and Finance Subcommittee of the Commerce Committee. Additionally, I have received a letter from Chairman LEVITT of the SEC endorsing the legislation.

Mr. Speaker, I include for the RECORD this letter from Chairman Levitt, and letters addressed to the chairman of the committee, the gentleman from Virginia [Mr. BLILEY].

U.S. SECURITIES AND EXCHANGE COMMISSION,
Washington, DC, February 27, 1996.

Hon. THOMAS J. BLILEY, Jr.,
Chairman, Committee on Commerce,
Washington, DC.

DEAR TOM: I write to offer my support and endorsement of the ''Securities and Exchange Commission Authorization Act of 1996.'' Thank you for your strong leadership and the support of Chairman Fields, Rogers and Archer in designing a creative approach to the SEC's funding both on a short-term and long term basis.

Your proposed resolution to the perennial problem of SEC funding and fees is perhaps the most important aspect of the ''Securities and Exchange Commission Authorization Act of 1996.'' The funding mechanism for the SEC would reduce Section 6(b) fees over a five-year period and expand existing securities transaction fees to the over-the-counter market, recognizing that the Commission also oversees those markets. Under your proposal, the SEC also has agreed to act to eliminate fees that it collects pursuant to the Independent Offices Appropriation Act of 1952 (''IOAA fees''), which include a fee of $250 that must be paid in connection with filings of annual reports and certain periodic filings. Finally, the SEC would gradually move from reliance on increased offsetting fees towards full appropriation status. The Commission believes that adoption of this approach provides a long-term solution to the SEC's funding problems.

Finally, the premier aspects of the SEC Authorization Bill is that it enables us to maintain our vigorous programs to both protect investors and ensure that the capital formation system in the U.S. markets is efficient. This legislation will help the agency avoid the funding problems it has had in the past, and enable the SEC to be funded entirely through appropriations by the year 2001.

David Cavicke has been extremely helpful in this important initiative. We look forward to working with you and your staff toward final passage of this authorization legislation.

Sincerely,

ARTHUR LEVITT.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, March 8, 1996.

Hon. THOMAS J. BLILEY, Jr.,
Chairman, Committee on Commerce,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you today to thank you for working with me on issues of jurisdictional concern to the Committee on Ways and Means regarding H.R. 2972, the Securities and Exchange Commission Authorization Act of 1996. In light of the agreement reached between you, Chairman Rogers, and me to phase down the rate of certain SEC fees, I am proud to cosponsor this legislation with you.

As you know, I am strongly committed to protecting the jurisdictional interests of the Committee on Ways and Means and to ensuring that all revenue measures are properly referred to this Committee. To this end, the Committee on Ways and Means relies upon the statement issued by Speaker Foley in January 1991 (and reiterated by Speaker Gingrich on January 4, 1995) regarding the jurisdiction of the House Committees with respect to fees and revenue measures. Pursuant to that statement, the Committee on Ways and Means generally will not assert jurisdiction over ''true'' regulatory fees that met the following requirements:

(i) The fees are assessed and collected solely to cover the costs of specified regulatory activities (not including public information activities and other activities benefiting the public in general);

(ii) The fees are assessed and collected only in such manner as may reasonably be expected to result in an aggregate amount collected during any fiscal year which does not exceed the aggregate amount of the regulatory costs referred to in (i) above;

(iii) The only persons subject to the fees are those who directly avail themselves of, or are directly subject to, the regulatory activities referred to in (i) above; and

(iv) The amounts of the fees (a) are structured such that any person's liability for such fees is reasonably based on the proportion of the regulatory activities which relate to such person, and (b) are nondiscriminatory between foreign and domestic entities.

Additionally, pursuant to the Speaker's statement, the mere reauthorization of a preexisting fee that had not historically been considered a tax would not necessarily require a sequential referral to the Committee on Ways and Means. However, if such a preexisting fee were fundamentally changed, it properly should be referred to the Committee on Ways and Means.

The fees described in H.R. 2972 clearly do not meet all four requirements set forth above. If they were being newly created or were fundamentally different from existing fees, the Committee on Ways and Means would ask that they be referred to it, in accordance with its jurisdictional prerogative. However, the Committee on Ways and Means understands that these fees have been in place for many decades and are not being fundamentally changed by H.R. 2972. Further, H.R. 2972 provides that the fee structure eventually will reflect the four requirements set forth above. Therefore, it is not necessary for the Committee on Ways and Means to assert its jurisdictional interest at this time.

However, I would emphasize that, if the fee structure set forth in H.R. 2972 is modified in

the future, the Committee on Ways and Means will take all action necessary to protect its proper jurisdictional interest. For example, the Committee on Ways and Means will view any modification as falling within its jurisdiction if such modification would result in fee collections in excess of the amount required to fund the relevant regulatory activities of the Securities and Exchange Commission.

With regard to budgetary issues, I am concerned about any legislation that may worsen the pay-as-you-go accounts, thus threatening a sequester. I understand that the Congressional Budget Office believes that H.R. 2972 will not create a debit on the pay-go accounts or a potential sequester of entitlement programs. I also understand that H.R. 2972 will not increase the deficit within the current budget window. I very much appreciate your cooperation in solving these budgetary problems for purposes of House consideration of H.R. 2972.

Finally, I would respectfully request that you include a copy of this letter in the Record during consideration of H.R. 2972 on the Floor. I wish to thank you again, Mr. Chairman, for your full cooperation and the cooperation of your staff. With best personal regards,

Sincerely,

BILL ARCHER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, March 12, 1996.

Hon. THOMAS J. BLILEY, Jr.,
Chairman, Committee on Commerce,
Washington, DC.

DEAR MR. CHAIRMAN. As you know, I am a cosponsor of H.R. 2972, the Securities and Exchange Commission Authorization Act of 1996. I believe it is important that, working together, we find a way to end the uncertainty about the SEC's funding that has been a continuing problem in the past several years.

H.R. 2972 provides for a gradual reduction in the amount of SEC fees that will be available to support the SEC's operating budget over a six year period. This will require that the amount of discretionary funds required just to support the SEC's budget at its current level will have to be increased by an estimated $25–35 million each year.

This amount of an increase each year will be a challenge, during an era when the amount of overall discretionary funds available to the Appropriations Committee will be declining, as we seek to balance the budget in seven years. Nonetheless, the Committee is prepared to try to the best of our ability to make that happen, in the interest of bringing to a closure the past years of uncertainty about how the SEC will be funded.

However, I believe that this is the maximum amount we will be in a position to attempt to accomplish. As this bill moves forward, in working with the Senate, I would simply make the point that a more rapid phase-out in the amount of fees available to support the SEC budget would probably be unworkable.

I appreciate the opportunity to work with you and Chairman Archer, and I congratulate you on bringing this bill to the floor. I would respectfully request that you include a copy of this letter in the Record during consideration of H.R. 2972 on the Floor.

With best regards,

Sincerely,

HAROLD ROGERS,
Chairman, Subcommittee on the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies.

Mr. OXLEY. Mr. Speaker, I also want to pay special tribute to Chairman Levitt for his leadership on this very important issue. Without his help and guidance, Mr. Speaker, we would not be here today with this I think very historic legislation.

Mr. Speaker, pursuant to this legislation, SEC fees are reduced by $751 million between fiscal years 1997 to 2002. Thereafter, SEC fees will be at least $256 million lower per annum than they would be under current law.

Of equal importance is the fact that Chairman ROGERS has agreed to work with us to provide a more stable funding mechanism for the SEC, so the Commission can focus on doing its important work rather than devoting time to the problems of funding its operations. As SEC fees are reduced, the SEC will be increasingly funded by an appropriation. By 2002, the SEC will be entirely funded by means of an appropriation. Fees collected by the SEC will approximately equal the cost of running the agency, and will be deposited in the Treasury as general revenue.

This legislation will begin to solve the problems associated with funding the SEC. It will also eliminate the surplus in SEC fees which constitutes a tax on our capital markets. I urge its support by the House.

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

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

Mr. Speaker, I am pleased to rise this afternoon to join with Commerce Committee Chairman BLILEY, Subcommittee Chairman JACK FIELDS, and the ranking Democrat on the Commerce Committee, JOHN DINGELL, in support of the Securities and Exchange Commission's authorization for fiscal year 1997. Each of them deserve praise for their efforts to develop a solution to the persistent problem of how to provide a stable funding mechanism for the SEC—an agency long recognized by Members of both parties as one of the most effective, efficient and essential anywhere in Government.

The funding mechanism contemplated by the bill is workable and responsible, and deserves broad bipartisan support. Most significantly, it removes the temptation that has seduced administrations, past and present, to view securities registration fees as a source of general revenues. Especially during the bull market of the last 6 years, these fees have greatly exceeded the size of the SEC's overall budget.

I am, of course, reluctant to see revenues cut at a time when some are seeking to slash the resources made available to support our children's education, our elderly's right to retire with dignity, and every person's right to a clean environment. At the same time however, we must be certain that the gamesmanship that has surrounded SEC budget deliberations for the last several years is ended permanently.

Notwithstanding my support for the bill coming before us today, I continue to believe that the mission of the Securities and Exchange Commission—to protect the Nation's 100 million investors and to ensure fair and orderly markets—is so vital to our national interests that the Commission should be self-funded, subject to annual Congressional approval of its budget. Although I will continue to support the self-funding concept, I am satisfied that the proposal before us today is a significant step in the right direction, and I am pleased to endorse it.

I am somewhat less sanguine about the size of the SEC budget as contemplated by the legislation. In light of the record levels of investment in our markets, the unprecedented number of new investors attracted to them, the complexity of many of the securities that are sold, the increasingly sophisticated marketing techniques used to sell them, and the growing volatility the market is experiencing as we attempt to adjust to the remarkable altitudes we have recently reached, the commitment of additional resources to this remarkable agency would certainly be justified.

Here are some facts and figures worth keeping in mind when thinking about the SEC's budget. In 1940, the SEC had 1,400 full-time staff. Fifty-six years later, the SEC has 2,800 full-time staff. In 1940, the typical daily trading volume on the New York Stock Exchange could be counted in the thousands. Today, an average day involves 400 million shares, and the New York Stock Exchange has increased its capacity to handle well over a billion shares a day. Another 450 million shares are traded on the NASDAQ, representing interests in more than 5,000 companies.

Of course the NASDAQ didn't even exist in 1940—it was invented in 1972. Derivatives didn't exist in 1940 either—nor did money market funds, mortgage-backed securities, bond funds, hedge funds, junk bonds, penny stocks, stock options, program trading, financial futures, poison pills, or triple witching hours.

I've addressed the funding mechanism in the bill as well as my concern about the SEC budget. Let me briefly touch upon why the soundness of our system of securities regulation is so important, and why trendy proposals to sweep away important aspects of securities laws need to be considered carefully, lest they lead to unintended and possibly devastating consequences.

For a rapidly growing number of Americans, and a vastly higher percentage of the population than in 1940, hopes for the future—dreams of being able to send a child to college, to buy a new home, or to retire in dignity—are increasingly dependent on the stability, integrity, and success of our financial markets. Indeed, this growing dependence by individuals on the success of the market may be a stealth contributor to middle class Americans' growing anxiety about the future.

For tens of millions of Americans with stakes in the market through a

pension plan or mutual fund, the effectiveness and safety of our markets, and the existence of a vital and vigorous SEC, is neither an abstract nor an ideological issue.

The important bill brought before us today recognizes the crucial role that the SEC plays in promoting fair, honest, and successful capital markets.

□ 1530

Again, I applaud the work of the gentleman from Virginia [Mr. BLILEY], chairman, the gentleman from Texas [Mr. FIELDS], chairman, and all on the majority side who worked in a bipartisan fashion, especially the gentleman from Ohio [Mr. OXLEY], so that we could bring this bill out here today. I speak for the gentleman from Michigan [Mr. DINGELL], the distinguished ranking member, in extending our plaudits to the majority for their work.

This has been done in a bipartisan fashion, working in close cooperation with Chairman Levitt of the Securities and Exchange Commission and their staff to ensure that we could produce a budget that would give predictable sources of revenue to the SEC for their very important mission, especially in these coming months and years when the aerodynamics of the existing market may in fact come into question and we have to ensure that we have got an agency there that can manage the consequences at that time.

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

Mr. OXLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington [Mr. WHITE].

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

Mr. Speaker, this House and in particular our committee this year has seen many hard bills but I am happy to say that this is an easy bill. It is easy because it eliminates a surplus that the SEC is collecting, saves a little money for the taxpayers. It makes sure that the SEC is included under the appropriations process, as it ought to be and as I think is appropriate.

It is a bipartisan bill which we have been able to work on with our Democratic colleagues, and that is always a step in the right direction and, last but not least, it does some great things for my district. We consider ourselves in the Seattle area to be the capital formation capital of the Pacific Northwest and of the entire Northwest United States. This will help us do in Seattle what we need to do to make sure we prosper and keep those capital markets running.

I was very happy to support this bill in committee, and I am delighted to support it here on the floor. I would urge all my colleagues to do the same.

Mr. RICHARDSON. Mr. Speaker, I rise in support of H.R. 2972, the Securities and Exchange Commission Reauthorization Act of 1996. I would like to commend Commerce Chairman BLILEY, Telecommunications and Finance Subcommittee Chairman FIELDS, Ranking Member DINGELL and Mr. MARKEY of Massachusetts for their work on this piece of legislation that meets this Congress' objectives of proper market oversight and fiscal prudence.

H.R. 2972 is an excellent example of good government crafted with bipartisan interests taken into account. I would like to commend SEC Chairman Arthur Levitt for accepting the challenges that this tight budget will impose upon an agency that watches over a larger herd than ever.

As more and more Americans choose the securities markets to augment their incomes, it is necessary to maintain the safeguards that make U.S. markets the best.

This bill ensures that our regulatory structure remains sensible, reasonable and cost-effective so that the U.S. marketplace remains vigorous, efficient and attractive to capital formation. I am confident that the SEC will maintain a regulatory environment that encourages capital formation for small entrepreneurial businesses, which drive the U.S. economy in most states like New Mexico.

Finally, the reliance on U.S. equity markets to play a role in the income of average Americans requires vigilant enforcement of sound rules that ensure investor protection and the maintenance of the integrity and honesty of the U.S. capital markets.

In July of 1993, Chairman Levitt requested approximately $317 million for fiscal year 1995. It is noteworthy and, indeed, a credit to the Chairman and the administration's efforts to "reinvent" government that we sit here today and request the same amount of money for fiscal year 1997. Clearly, this stands as evidence that we can get better government for less money.

The SEC has prepared itself for difficult fiscal times ahead by doubling its commitment to working with industry to provide cost-effective, efficient regulation in partnership with the private sector. Despite tight budgetary limits, the Commission has focused on the essentials by fostering small businesses who need capital formation to survive and grow.

Our actions today signal to the American people that periodic review of agency operations like that of the SEC can yield efficiency without drastic overhauls designed for political appeal. The leadership of the subcommittee and committee deserve our sport for endeavors of this nature.

Mr. OXLEY. Mr. Speaker, as an original cosponsor of the bill, I rise in support of this reauthorization. I'm pleased to be considering it on today's suspension calendar.

This bipartisan measure is a credit to its author, Chairman TOM BLILEY, and the subcommittee chairman, JACK FIELDS. It brings coherence and stability to the issue of Securities and Exchange Commission funding, while at the same time providing well-deserved tax relief to investors. It has the support of SEC Chairman Arthur Levitt.

Currently, the SEC has a budget of approximately $300 million, but it collects nearly twice that in fees annually. These are filing fees paid by pension funds, start-up companies, and individual investors. The excess fees amount to a tax on capital formation.

This reauthorization puts the Commission on-budget and phases out the surplus fees, saving investors more than $750 million over the next 5 years. In so doing, it will promote investment, capital formation, and job creation.

Again, Mr. Speaker, I urge support for the bill, and I yield back the balance of my time.

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

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

The SPEAKER pro tempore (Mr. CAMP). The question is on the motion offered by the gentleman from Ohio [Mr. OXLEY] that the House suspend the rules and pass the bill. H.R. 2972, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2972, the bill just passed.

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

There was no objection.

FEDERAL AVIATION ADMINISTRATION REVITALIZATION ACT OF 1995

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2276), as amended, to establish the Federal Aviation Administration as an independent establishment in the executive branch, and for other purposes.

The Clerk read as follows:

H.R. 2276

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 "Federal Aviation Administration Revitalization Act of 1995".

SEC. 2. AMENDMENT OF TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act 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 title 49, United States Code.

SEC. 3. ESTABLISHMENT OF FEDERAL AVIATION ADMINISTRATION.

Subtitle II is amended by adding at the end the following:

"CHAPTER 13—FEDERAL AVIATION ADMINISTRATION

"SUBCHAPTER I—GENERAL PROVISIONS

"1301. Definitions.

"SUBCHAPTER II—ORGANIZATION AND ADMINISTRATIVE

"1311. Establishment.
"1312. Federal Aviation Board.
"1313. Officers.
"1314. Personnel management program.
"1315. Management Advisory Committee.
"1316. Authority to carry out certain transferred functions, duties, and powers.

"SUBCHAPTER III—AUTHORITY

"1331. Functions.

''1332. Regulations.
''1333. Finality of decisions; appeals.
''1334. Procurement program.
''1335. Judicial review of actions in carrying out certain transferred duties and powers.

''SUBCHAPTER I—GENERAL PROVISIONS

''§ 1301. Definitions

''In this chapter, the following definitions apply:

''(1) ADMINISTRATION.—The term 'Administration' means the Federal Aviation Administration established by section 1311.

''(2) AERONAUTICS, AIR COMMERCE, AND AIR NAVIGATION FACILITY.—The terms 'aeronautics', 'air commerce', and 'air navigation facility' have the same meanings given those terms in section 40102(a) of this title.

''(3) AIRPORT AND AIRWAY TRUST FUND.—The term 'Airport and Airway Trust Fund' means the Airport and Airway Trust Fund established by section 9502 of the Internal Revenue Code of 1986.

''(4) BOARD.—The term 'Board' means the Federal Aviation Board established by section 1312.

''(5) CHIEF EXECUTIVE OFFICER.—The term 'Chief Executive Officer' means the Chief Executive Officer of the Federal Aviation Administration.

''SUBCHAPTER II—ORGANIZATION AND ADMINISTRATIVE

''§ 1311. Establishment

''There is established in the executive branch as an independent establishment the Federal Aviation Administration. The Administration shall succeed the Federal Aviation Administration of the Department of Transportation in existence on the day before the effective date of this section.

''§ 1312. Federal Aviation Board

''(a) IN GENERAL.—There is established a Federal Aviation Board which shall serve as the head of the Administration.

''(b) FUNCTIONS.—

''(1) IN GENERAL.—The Board shall be responsible for the major policy functions of the Administration, including the following:

''(A) The appointment and removal of the Chief Executive Officer and the approval of other senior officers of the Administration under section 1313.

''(B) The approval and submission to Congress of major contracts under section 1334(d).

''(C) The approval of major regulatory actions under section 1332(b).

''(D) The issuance of letters of intent under section 47110(e).

''(E) The approval and submission to Congress of the Administration's plans for personnel management and acquisition management programs under sections 1314 and 1334.

''(F) The approval of the agency's annual budget submission.

''(G) Long-range and strategic planning for the Administration.

''(H) The representation of the Administration at public events to the extent practicable.

''(I) Such other significant actions as the Board considers appropriate.

''(2) NONDELEGABLE FUNCTIONS.—The Board may not delegate the functions described in subparagraphs (A) through (F) of paragraph (1).

''(3) NOT SUBJECT TO ENTITIES CREATED BY EXECUTIVE ORDER.—The Administration shall not submit decisions for the approval of, and shall not be bound by the decisions or recommendations of, any committee, board, or other organization established by Executive order.

''(c) MEMBERSHIP.—

''(1) VOTING MEMBERS.—The Board shall be composed of 3 voting members to be appointed by the President, by and with the advice and consent of the Senate. The initial members of the Board shall be appointed as soon as practicable after the date of the enactment of the Federal Aviation Administration Revitalization Act of 1995.

''(2) NON-VOTING MEMBERS.—The Secretary of Transportation (or the Secretary's designee) and the Secretary of Defense (or the Secretary's designee) shall serve as non-voting members of the Board.

''(d) QUALIFICATIONS.—

''(1) IN GENERAL.—Members appointed to the Board under subsection (c)(1) shall represent the public interest and shall be selected from individuals who are knowledgeable in aviation. Members of the Board may not—

''(A) have a pecuniary interest in, or own stock in or bonds of, an aeronautical enterprise;

''(B) engage in another business, vocation, or employment; and

''(C) be a member of any organization a substantial part of whose activities are for the purpose of influencing aviation-related legislation.

''(2) DEFINITION.—In this subsection, the term 'influencing legislation' has the meaning such term has under section 4911(d) of the Internal Revenue Code of 1986 (26 U.S.C. 4911(d)).

''(e) TERMS.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), each member of the Board appointed under subsection (c)(1) shall be appointed for a term of 7 years.

''(2) TERMS OF INITIAL APPOINTEES.—As designated by the President at the time of appointment, of the members first appointed under subsection (c)(1)—

''(A) 1 shall be appointed for a term of 3 years;

''(B) 1 shall be appointed for a term of 5 years; and

''(C) 1 shall be appointed for a term of 7 years.

''(3) VACANCIES.—Any member appointed under subsection (c)(1) to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

''(f) REMOVAL.—Members of the Board appointed under subsection (c)(1) may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

''(g) CHAIRPERSON.—The Chairperson of the Board shall be appointed by the President, by and with the advice and consent of the Senate. At the time of such appointment, the President shall establish the term of the Chairperson. Such term may not exceed the term of the Chairperson's appointment to the Board.

''(h) QUORUM.—Two members of the Board appointed under subsection (c)(1) shall constitute a quorum for carrying out the duties and powers of the Board.

''(i) BASIC PAY.—

''(1) CHAIRPERSON.—The Chairperson of the Board shall be paid at a rate equal to the rate of basic pay payable for level II of the Executive Schedule.

''(2) OTHER MEMBERS.—The other voting members of the Board shall be paid at a rate equal to the rate of basic pay payable for level III of the Executive Schedule.

''§ 1313. Officers

''(a) CHIEF EXECUTIVE OFFICERS.—

''(1) APPOINTMENT.—The Board shall appoint a Chief Executive Officer.

''(2) DUTIES.—The Board shall delegate to the Chief Executive Officer the responsibility for managing the day-to-day operation of the Administration, including (except as provided in section 1312(b)) the hiring and firing of employees, acquisition of facilities and equipment, issuance of rules, airworthiness directives, and advisory circulars, preparation of the annual budget submission, the awarding of grants, and such other functions as the Board considers appropriate.

''(3) REMOVAL.—The Chief Executive Officer shall serve at the pleasure of the Board; except that the Board shall make every effort to ensure stability and continuity in the leadership of the Administration.

''(4) BASIC PAY.—Subject to section 1314(f), the Chief Executive Officer shall be paid at a rate to be determined by the Board.

''(b) OTHER OFFICERS.—Subject to the approval of the Board, the Chief Executive Officer shall appoint other senior officers who shall each have such duties as the Chief Executive Officer may prescribe.

''(c) CHIEF COUNSEL.—Subject to the approval of the Board, the Chief Executive Officer shall appoint a Chief Counsel who shall be the chief legal officer for all legal matters arising from the activities of the Administration.

''(d) INSPECTOR GENERAL.—There shall be in the Administration an Inspector General who shall be appointed in accordance with the Inspector General Act of 1978 (5 U.S.C. App.).

''(e) AIRCRAFT NOISE OMBUDSMAN.—

''(1) ESTABLISHMENT.—There shall be in the Administration an Aircraft Noise Ombudsman who shall be appointed by the Board.

''(2) DUTIES AND RESPONSIBILITIES.—The Ombudsman shall—

''(A) serve as a liaison with the public on issues regarding aircraft noise; and

''(B) be consulted when the Administration proposes changes in aircraft routes so as to minimize any increases in aircraft noise over populated areas.

''§ 1314. Personnel management program

''(a) EXEMPTION FROM CERTAIN PROVISIONS OF TITLE 5, UNITED STATES CODE.—

''(1) IN GENERAL.—Except as otherwise provided in this Act, the Administration shall be exempt from parts II and III of title 5.

''(2) EFFECTIVE DATE.—The exemption provided by paragraph (1) shall not take effect until the expiration of the 180-period described in subsection (d)(2).

''(b) DEVELOPMENT OF PERSONNEL MANAGEMENT SYSTEM.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Federal Aviation Administration Revitalization Act of 1995, the Board shall develop a personnel management system for the Administration.

''(2) CONSULTATION AND NEGOTIATION.—In developing the personnel management system, the Board shall negotiate with the exclusive bargaining representatives of employees of the Administration certified under section 7111 of title 5 and other employees of the Administration and shall consult with nongovernmental experts in personnel management systems. The negotiation with the exclusive bargaining representatives shall be completed on or before the 90th day after the date of enactment referred to in paragraph (1).

''(3) MEDIATION.—If the Board does not reach an agreement under paragraph (2) with the exclusive bargaining representatives on any provision of the personnel management system, the services of the Federal Mediation and Conciliation Service shall be used to attempt to reach such agreement. If the services of the Federal Mediation and Conciliation Service do not lead to an agreement, the Board shall include in the plan to be submitted to Congress under subsection (d) the

objections of the exclusive bargaining representatives and the reasons for the objections.

''(4) CONTINUATION OF AGREEMENTS.—Collective bargaining agreements and labor management relations under chapter 71 of title 5 shall remain in effect for the Administration until amended or modified under the personnel management system.

''(5) GOALS.—The goal of the personnel management system to be developed by the Board under paragraph (1) shall be to provide, consistent with the requirements of this section, the Administration with the ability—

''(A) to hire and fire employees as in the private sector;

''(B) to promote and pay employees based on merit;

''(C) to provide market-based salaries (designed to attract the best qualified employees) within available resources;

''(D) to provide pay increases and other incentives to staff facilities that are difficult to staff;

''(E) to move personnel to those facilities where they are most needed; and

''(F) to provide an opportunity for collective bargaining and other consultation with employees concerning terms and conditions of employment.

''(6) SAFEGUARDS.—The personnel management system shall include safeguards to ensure that travel expenses of employees of the Administration (including meal and lodging expenses) are not excessive.

''(c) EXPERTS EVALUATION.—The arrangements entered into by the Board with the experts consulted by the Board under subsection (b) shall provide for those experts to evaluate the personnel management system developed by the Board and submit to Congress the results of such evaluation before the last day of the 180-day period referred to in subsection (b)(1).

''(d) NOTICE TO CONGRESS.—

''(1) IN GENERAL.—Upon development of the personnel management system under subsection (b), the Board shall submit to Congress a comprehensive plan describing the personnel management system, along with all existing or proposed rules or regulations relevant to the system.

''(2) IMPLEMENTATION.—The Board may begin to implement the personnel management system only after the expiration of the 180-day period that begins on the date of submission of the plan to Congress under paragraph (1).

''(e) EMPLOYEE RIGHTS AND BENEFITS.—Nothing in this section shall be construed as exempting the Administration and employees of the Administration from any of the following provisions of title 5:

''(1) Section 2302(b)(8) (relating to whistleblower protection) and related enforcement provisions.

''(2) Sections 3308 through 3320 (relating to veterans preference).

''(3) Sections 7311(3) and 7311(4) (relating to limitations on the right to strike).

''(4) Sections 2302(b)(1) and 7204 (relating to antidiscrimination) and related enforcement provisions and provisions of law referred to in section 2302(b)(1).

''(5) Chapter 71 (relating to labor-management relations).

''(6) Chapter 73 (relating to suitability, security, and conduct).

''(7) Chapter 81 (relating to compensation for work injuries).

''(8) Chapter 83 (relating to retirement).

''(9) Chapter 84 (relating to the Federal Employees' Retirement System).

''(10) Chapter 85 (relating to unemployment compensation).

''(11) Chapter 87 (relating to life insurance).

''(12) Chapter 89 (relating to health insurance).

''(f) PAY RESTRICTIONS.—

''(1) MAXIMUM RATE OF PAY.—No officer (including the Chief Executive Officer) or employee of the Administration may receive annual pay in excess of the annual rate of basic pay payable for level II of the Executive Schedule unless the Board provides written notification to Congress of such higher rate of pay and 30 days (excluding Saturdays, Sundays, and holidays, and any day on which neither House of Congress is in session because of an adjournment sine die, a recess of more than 3 days, or an adjournment of more than 3 days) have elapsed since the date of such notification.

''(2) PERCENTAGE OF EMPLOYEES ABOVE LEVEL ES–1 OF SENIOR EXECUTIVE SERVICE.—Not more than 0.35 percent of the officers (including members of the Board and the Chief Executive Officer) and employees of the Administration may be paid at a rate which equals or exceeds the rate payable for level ES–1 of the Senior Executive Service.

''(3) RAISES AND BONUSES.—No officer (including the Chief Executive Officer) or employee of the Administration who is paid at a rate which exceeds the rate payable for level ES–1 of the Senior Executive Service may receive in a calendar year raises or bonuses (excluding cost-of-living increases and increases that are the results of a promotion) that total more than 15 percent of the annual rate of pay of the officer or employee on the day before the first day of such calendar year.

''(g) CONTRACTS BETWEEN FAA AND FORMER FAA EMPLOYEES.—Before the Administration may enter into a contract with an individual who has been employed by the Administration at any time during the 2-year period preceding the expected date of entry into the contract or with a corporation, partnership, or other entity in which such a former employee is a partner, principal officer, or majority stockholder or which is otherwise controlled or predominantly staffed by 1 or more of such former employees, the Board must first approve of the entry into the contract as being essential to the mission of the Administration.

''(h) USE OF UNOBLIGATED AMOUNTS FOR BONUSES AND DEFICIT REDUCTION.—

''(1) IN GENERAL.—Of amounts available to the Administration specifically for administrative expenses for a fiscal year beginning after September 30, 1996, that the Administration estimates on September 1 of that fiscal year will not be obligated by an office of the Administration before the end of the fiscal year—

''(A) the Board may use up to 50 percent to pay bonuses to personnel of such office of the Administration; and

''(B) the remainder shall be divided between and deposited in—

''(i) the general fund of the Treasury and used exclusively for deficit reduction; and

''(ii) the Airport and Airway Trust Fund;

in the same ratio that amounts appropriated for operations of the Administration for that fiscal year from the General Fund of the Treasury bears to amounts appropriated from the Airport and Airway Trust Fund for that fiscal year.

''(2) REPORTS.—The Director of the Office of Management and Budget shall submit a report to Congress by not later than December 31 of each year on the implementation of this subsection in the preceding fiscal year, describing the effectiveness of this subsection in reducing the deficit.

''§ 1315. Management Advisory Committee

''(a) ESTABLISHMENT.—There is established an advisory committee which shall be known as the Federal Aviation Management Advisory Committee (hereinafter in this section referred to as the 'Management Advisory Committee').

''(b) MEMBERSHIP.—The Management Advisory Committee shall consist of 17 members, who shall be appointed as follows:

''(1) 1 member appointed by the Speaker of the House of Representatives;

''(2) 1 member appointed by the minority leader of the House of Representatives;

''(3) 1 member appointed by the majority leader of the Senate;

''(4) 1 member appointed by the minority leader of the Senate;

''(5) 13 members appointed by the Board 12 of whom shall represent 1 of the following interests:

''(A) Airline passengers.

''(B) General aviation and sport aviation.

''(C) Business aviation.

''(D) Hub airports.

''(E) Non-hub and general aviation airports.

''(F) Major airlines and national airlines.

''(G) Regional airlines and air taxis.

''(H) Cargo airlines and charter airlines.

''(I) Aircraft manufacturers.

''(J) Airline employees.

''(K) Federal Aviation Administration employees.

''(L) State aviation officials.

''(c) FUNCTIONS.—The Management Advisory Committee shall provide advice and counsel to the Administration on issues which affect or are affected by the operations of the Administration. The Management Advisory Committee shall hold quarterly meetings. The Administration shall give the Management Advisory Committee access to internal documents (other than proprietary information and documents relating to on-going litigation) and personnel of the Administration. The Management Advisory Committee shall function as an oversight resource for management, policy, spending, and regulatory matters under the jurisdiction of the Administration.

''(d) CHAIRMAN.—The Management Advisory Committee shall elect a chairman of the Management Advisory Committee from among its members.

''(e) TERMS OF MEMBERS.—

''(1) MEMBERS APPOINTED BY CONGRESS.—Members appointed under subsections (b)(1) through (b)(4) shall be appointed for a term of 2 years.

''(2) MEMBERS APPOINTED BY THE BOARD.—Members appointed under subsection (b)(5) shall be appointed for a term of 3 years.

''(f) TRAVEL AND PER DIEM.—Each member of the Management Advisory Committee shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from his or her usual place of residence, in accordance with section 5703 of title 5.

''(g) UTILIZATION OF PERSONNEL FROM FAA.—The Administration shall make available to the Management Advisory Committee such staff, information, and administrative services and assistance as may reasonably be required to enable the Management Advisory Committee to carry out its responsibilities under this section.

''(h) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Management Advisory Committee shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.); except that section 14(a)(2)(B) of such Act (relating to the termination of advisory committees) shall not apply to the Committee.

''§ 1316. Authority to carry out certain transferred functions, duties, and powers

''Except as otherwise provided in this chapter, in carrying out a function, duty, or power transferred under the Federal Aviation Administration Revitalization Act of

1995 (including the amendments made by such Act), the Administration has the same authority that was vested in the department, agency, or instrumentality of the United States Government carrying out the function, duty, or power immediately before the transfer. An action of the Administration in carrying out the function, duty, or power has the same effect as when carried out by the department, agency, or instrumentality.

''SUBCHAPTER III—AUTHORITY

''§ 1331. Functions

''(a) IN GENERAL.—The functions of the Federal Aviation Administration shall be all functions vested in the Board, the Chief Executive Officer, or the Federal Aviation Administration by this title or by law enacted after the date of the enactment of this chapter. Such functions include functions of the Administration, the Board, and the Chief Executive Officer under the following provisions of this title:

''(1) Section 308(b).
''(2) Section 353.
''(3) Section 1114(d).
''(4) Section 1131(c).
''(5) Subsections (c) and (d) of section 1132.
''(6) Section 1135.
''(7) Section 1153(c).
''(8) Subsections (a), (c), and (d) of section 40101.
''(9) Section 40102(a)(8).
''(10) Section 40103(b).
''(11) Section 40104.
''(12) Section 40105.
''(13) Section 40106(a).
''(14) Section 40107.
''(15) Section 40108.
''(16) Section 40109(b).
''(17) Subsections (a) and (b) of section 40110.
''(18) Section 40111.
''(19) Section 40112.
''(20) Section 40113.
''(21) Section 40114.
''(22) Section 40115.
''(23) Section 40117.
''(24) Section 40119.
''(25) Section 41714.
''(26) Chapter 441.
''(27) Chapter 443.
''(28) Chapter 445.
''(29) Chapter 447.
''(30) Chapter 449.
''(31) Chapter 451.
''(32) Chapter 453.
''(33) Chapter 461.
''(34) Section 46301.
''(35) Section 46302.
''(36) Section 46303.
''(37) Section 46304.
''(38) Section 46306.
''(39) Section 46308.
''(40) Section 46311.
''(41) Section 46313.
''(42) Section 46315.
''(43) Section 46316.
''(44) Chapter 465.
''(45) Chapter 471.
''(46) Chapter 473.
''(47) Chapter 475.
''(48) Chapter 481.
''(49) Chapter 491.

''(b) INCIDENTAL FUNCTIONS.—In addition, the functions of the Administration shall include all functions of the Department of Transportation on the effective date of this section which the Administration determines are incidental to, helpful to, or necessary for the performance of the functions referred to in subsection (a) or which relate primarily to those functions.

''§ 1332. Regulations

''(a) GENERAL AUTHORITY.—The Administration may issue, rescind, and amend such regulations as are necessary to carry out its functions.

''(b) APPROVAL OF BOARD.—

''(1) GENERAL RULE.—The Administration may only issue a proposed regulation, final regulation, airworthiness directive, or advisory circular that may result in the expenditure by State, local, and tribal governments in the aggregate, or by the private sector, of $10,000,000 or more (adjusted annually for inflation) in any 1 year if the Board first approves of the issuance of such regulation, directive, or circular.

''(2) EMERGENCY ACTION.—In an emergency, the Chief Executive Officer may issue a regulation, directive, or circular described in paragraph (1) without prior Board approval but subject to Board ratification following issuance.

''(c) REVIEW BY DOT.—

''(1) SUBMISSION.—Before the Administration issues any proposed or final regulation—

''(A) the Administration shall submit a copy of the regulation to the Secretary of Transportation;

''(B) the Administration shall provide the Secretary with a period of 5 days (excluding Saturdays, Sundays, and holidays) beginning on the date of such submission to determine whether or not the regulation is likely to have a significant effect on other modes of transportation in the national transportation system or the Secretary's aviation responsibilities, including national defense responsibilities; and

''(C) if the Secretary determines, before the last day of such 5-day period, that the regulation is likely to have such a significant effect, the Administration shall provide the Secretary with an additional period of 45 days to assess the effect of the regulation on other modes of transportation in the national transportation system and the Secretary's aviation responsibilities, including national defense responsibilities.

''(2) RECOMMENDATIONS.—The Secretary may recommend to the Administration modifications of a proposed or final regulation necessary to minimize the adverse effect of such regulation on other modes of transportation in the national transportation system or the Secretary's aviation responsibilities, including national defense responsibilities. The Administration may make any modifications recommended by the Secretary. If the Administration does not make a modification recommended by the Secretary, the Administration shall include in the publication of the proposed or final regulation a description of the recommended modification and the reasons for not making the modification.

''(3) EXCEPTIONS.—This subsection shall not apply to the following types of regulations:

''(A) Regulations pertaining to agency organization, procedure, or practice.

''(B) Regulations pertaining solely to navigational aids.

''(C) Regulations pertaining solely to airspace designations and configurations.

''(D) Regulations pertaining solely to standard instrument approach procedures.

''(E) Regulations pertaining solely to aircraft design.

''(F) Regulations pertaining to the personnel management system developed under section 1314.

''(G) Regulations pertaining to the acquisition management system developed under section 1334.

''(4) EMERGENCY ACTION.—In an emergency, a regulation may take effect for the duration of the emergency and before the Secretary completes review of the regulation under this subsection, as determined necessary by the Chief Executive Officer or the Board.

''(d) AUTOMATIC TERMINATION DATE.—Any regulation issued by the Administration after the effective date of this section which is likely to result in the annual expenditure by State, local, and tribal governments in the aggregate, or by the private sector, of $25,000,000 or more (adjusted annually for inflation) in any 1 year must contain an automatic termination date. The termination date shall also apply to any advisory circular issued by the Administration and pertaining solely to such regulation.

''(e) EMERGENCY DEFINED.—In this section, the term 'emergency' means a situation where there is good cause for finding that consideration by the Board or by the Department of Transportation is impracticable or contrary to the public interest.

''§ 1333. Finality of decisions; appeals

''Decisions of the Administration made pursuant to the exercise of the functions enumerated in subtitle VII of this title shall be administratively final, and appeals as currently authorized by law shall be taken directly to the National Transportation Safety Board or to any court of competent jurisdiction, as appropriate.

''§ 1334. Procurement program

''(a) EXEMPTION FROM PROCUREMENT LAWS.—

''(1) IN GENERAL.—The following laws and regulations shall not apply to the Federal Aviation Administration:

''(A) Title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251–266).

''(B) The Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.).

''(C) The Federal Acquisition Streamlining Act of 1994 (Public Law 103–355).

''(D) The Small Business Act (15 U.S.C. 631 et seq.); except that the Administration shall provide reasonable opportunities to small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals to be awarded contracts.

''(E) Subchapter V of chapter 35 of title 31 (relating to the procurement protest system).

''(F) The Brooks Automatic Data Processing Act (40 U.S.C. 759).

''(G) Section 3709 of the Revised Statutes of the United States (41 U.S.C. 5).

''(H) The Federal Acquisition Regulation and any laws not listed in subparagraphs (A) through (G) providing authority to promulgate regulations in the Federal Acquisition Regulation.

''(2) EFFECTIVE DATE.—The exemption provided by paragraph (1) shall not take effect until the expiration of the 180-day period referred to in subsection (c)(2).

''(b) DEVELOPMENT OF ACQUISITION MANAGEMENT SYSTEM.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Federal Aviation Administration Revitalization Act of 1995, the Federal Aviation Board, in consultation with such nongovernmental experts in acquisition management systems as the Board may employ, shall develop an acquisition management system for the Administration.

''(2) CONSULTATION.—In developing the acquisition management system, the Board shall consult nongovernmental experts in acquisition management systems.

''(3) GOALS.—The acquisition management system to be developed by the Board under paragraph (1) shall be designed—

''(A) to ensure that services are procured and new equipment is installed and certified as quickly as possible without sacrificing principles of fairness and protection against waste, fraud, and abuse; and

''(B) to ensure a common interoperable air traffic control system with the military.

''(4) EXPERTS EVALUATION.—The arrangements entered into by the Board with the experts consulted by the Board under paragraph (2) shall provide for those experts to evaluate the acquisition management system developed by the Board and submit to Congress the results of such evaluation before the last day of the 180-day period referred to in paragraph (1).

''(c) NOTICE TO CONGRESS.—

''(1) IN GENERAL.—Upon the development of the acquisition management system, the Board shall submit a comprehensive plan describing the acquisition management system to Congress, along with all existing or proposed rules or regulations relevant to the system.

''(2) IMPLEMENTATION.—The Administration may begin to implement the acquisition management system only after the expiration of the 180-day period that begins on the date on which the plan is submitted to Congress under paragraph (1). The acquisition management system shall apply to contracts entered into after the expiration of such 180-day period.

''(d) CONTRACTS.—

''(1) APPROVAL OF CERTAIN CONTRACTS.—The Administration may only enter into a contract that has a total contract value, including all options, of an amount greater than $100,000,000 if the Board first approves of the entry into the contract.

''(2) NOTICE TO CONGRESS OF CERTAIN CONTRACTS.—In addition to complying with paragraph (1), the Administration may only enter into a contract that has a total contract value, including all options, of an amount greater than $250,000,000 if the Board provides written notice to Congress of the proposed entry into the contract, together with a description of the contract and at least 30 calendar days elapse after the date of such notification.

''§ 1335. Judicial review of actions in carrying out certain transferred duties and powers

''(a) JUDICIAL REVIEW.—An action of the Administration in carrying out a duty or power transferred under the Department of Transportation Act (Public Law 89–670) and under the Federal Aviation Administration Revitalization Act of 1995 and an action of the Administrator of the Federal Aviation Administration in carrying out a duty or power specifically assigned to the Administrator by the Department of Transportation Act and transferred to the Administration by the Federal Aviation Administration Revitalization Act of 1995 may be reviewed judicially to the same extent and in the same way as if the action had been an action by the department, agency, or instrumentality of the United States Government carrying out the duty or power immediately before the transfer.

''(b) APPLICATION OF PROCEDURAL REQUIREMENTS.—A statutory requirement related to notice, an opportunity for a hearing, action on the record, or administrative review that applied to a duty or power transferred by the Acts referred to in subsection (a) applies to the Administration when carrying out the duty or power.''.

SEC. 4. BUDGET OF ADMINISTRATION.

(a) IN GENERAL.—Section 48109 of title 49, United States Code, is amended to read as follows:

''§ 48109. Budget information and legislative recommendations and comments

''(a) PREPARATION.—Subject to approval of the Federal Aviation Board, the Chief Executive Officer shall prepare an annual budget for the Administration.

''(b) SUBMISSION OF BUDGET TO DOT.—

''(1) IN GENERAL.—At the same time that agencies of the Department of Transportation having jurisdiction over other modes of transportation are required to submit their budgets to the Secretary of Transportation, the Administration shall submit to the Secretary the budget prepared by the Administration and approved by the Board. The Secretary shall review the budget and may recommend to the Administration modifications in the budget necessary to ensure that the budget is consistent with the needs of the national transportation system and the Secretary's aviation responsibilities. The Administration may modify the budget to adopt any recommendation made by the Secretary.

''(2) OPPORTUNITY FOR COMMENT.—At least 30 days before submitting a budget to the Secretary under paragraph (1), the Administration shall submit a draft of the budget to the Management Advisory Committee established by section 1315 for comment.

''(c) SUBMISSION OF BUDGET TO CONGRESS.—

''(1) IN GENERAL.—When the Board submits to the President or the Director of the Office of Management and Budget any budget information, legislative recommendation, or comment on legislation about amounts authorized in section 48101 or section 48102, the Board concurrently shall submit a copy of the information, recommendation, or comment to the Speaker of the House of Representatives, the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives, the President of the Senate, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate.

''(2) SPECIAL RULE WITH RESPECT TO ANNUAL BUDGETS.—The annual budget of the Administration submitted to Congress shall include—

''(A) budget requests and Airport and Airway Trust Fund estimates for the ensuing 4 fiscal years;

''(B) a numerical ranking, by degree of importance to the national airspace system, of the Administration's requests for funding of air traffic control modernization projects under section 48101;

''(C) the total number of man-years of direct effort the Administration estimates it will use under support service contracts (including professional, technical, engineering, site preparation, and installation and other services comparable to those performed by Government employees, but not including maintenance as part of a supply contract, janitorial, research and development, or construction services or services incidental to supply contracts) during the fiscal year for which the budget is being submitted;

''(D) any modifications made by the Administration under subsection (b) with respect to the budget; and

''(E) if the Administration does not adopt a recommendation made by the Secretary under subsection (b), a description of the recommendation and the reasons for not adopting the recommendation.

Subparagraph (C) shall take effect with the budget submission for fiscal year 1997. The estimate under subparagraph (C) for such budget submission shall include for comparison the estimated total number of man-years of direct effort the Administration used under such support service contracts in each of fiscal years 1992 and 1995.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 481 is amended by striking the item relating to section 48109 and inserting the following:

''48109. Budget information and legislative recommendations and comments.''.

SEC. 5. COST-BENEFIT ANALYSIS FOR MINIMUM SAFETY STANDARDS.

Section 44701 is amended by adding at the end the following:

''(f) COST-BENEFIT ANALYSIS.—

''(1) IN GENERAL.—For any regulation or standard to be issued under subsection (a) or (b) that is likely to result in annualized compliance costs in excess of $25,000,000, the Administration shall, in addition to other requirements in law, identify and publish together with such regulation or standard the following:

''(A) The benefits of the regulation or standard, quantified where appropriate and feasible, and otherwise qualitatively described, including in appropriate cases, the nature and number of deaths or injuries that the regulation or standard is designed to prevent.

''(B) The approximate number of aircraft, airports, airmen, or cabin crew affected by the regulation or standard.

''(C) The probable cost of fulfilling the requirements of the regulation or standard, quantified where appropriate and feasible, and otherwise qualitatively described, including in appropriate cases any adverse effects on competition or disruption or dislocation of air service or other commercial practices engaged in by the entities affected by such requirements.

''(D) Alternative means of achieving the objective of the regulation or standard while minimizing the costs, adverse effects on competition, and the disruption or dislocation of air service or the commercial practices affected by the regulation or standard and a statement as to why the Administration chose the regulation or standard adopted in preference to the alternatives considered.

''(2) EMERGENCY.—In the case of an emergency, the Chief Executive Officer or the Board may suspend the application of this subsection for the duration of the emergency.

''(3) NONAPPLICABILITY TO ADVISORY CIRCULARS.—This subsection shall not apply to advisory circulars.''.

SEC. 6. AMENDMENT TO INSPECTOR GENERAL ACT OF 1978.

Section 11 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1) by inserting ''or Federal Aviation Administration'' after ''Community Service''; and

(2) in paragraph (2) by inserting ''the Federal Aviation Administration,'' after ''United States Information Agency,''.

SEC. 7. PASSENGER FACILITY CHARGES.

(a) FEE RETAINED BY AIRLINES.—

(1) DEADLINE FOR RESPONSE TO PETITION.—Not later than 75 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a notice of a proposed rulemaking or a denial of the petition in Docket 27791 of the Federal Aviation Administration (relating to increasing the fee that airlines retain in collecting passenger facility charges).

(2) EFFECT OF FAILURE TO RESPOND.—If the Administrator does not respond to the petition in the docket referred to in paragraph (1) as required by paragraph (1), the fee increase sought by the petitioner in such docket shall become effective after the 75th day referred to in paragraph (1) until such date as the Administrator responds to such petition.

(b) REVIEW OF PROGRAM.—The Secretary of Transportation shall complete the review required by section 121 of the Federal Aviation Administration Reauthorization Act of 1994 (108 Stat. 1581) not later than the 75th day following the date of the enactment of this Act.

SEC. 8. SELECT PANEL TO REVIEW INNOVATIVE FUNDING MECHANISMS.

(a) ESTABLISHMENT.—The Federal Aviation Board shall establish a select panel to review

and report to Congress regarding innovative financing mechanisms for ensuring adequate funding for existing and future aviation infrastructure needs and for funding the operations of the Federal Aviation Administration in a manner that would provide for future growth in the Nation's air traffic system, improve the management and performance of the air traffic control system, and make the Administration more efficient and effective. The financing mechanisms to be reviewed shall include, but not be limited to, loan guarantees, financial partnerships with for-profit private sector entities, multi-year appropriations, revolving loan funds, mandatory spending authority, authority to borrow, and restructured grant programs.

(b) APPOINTMENT OF MEMBERS.—Not later than 90 days after the date of the appointment of at least 2 members of the Board, the Board shall appoint members to the panel established under this section. Such members shall consist of appropriate Federal Government officials and representatives of the aviation industry, Administration employees, the financial community, and State and local governments.

(c) INDEPENDENT AUDIT.—Immediately following appointment of the panel, and utilizing funds appropriated for Federal Aviation Administration headquarters operations, the panel shall contract with an entity independent of the Federal Aviation Administration and the Department of Transportation to conduct a complete audit of the financial requirements of the agency, including anticipated air traffic forecasts, other workload measures, and estimated productivity gains which lead to budgetary requirements. The independent audit shall be completed no later than 180 days after contract award and shall be submitted to the panel.

(d) TRAVEL AND PER DIEM.—Each member of the panel established under this section shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from his or her usual place of residence, in accordance with section 5703 of title 5, United States Code.

(e) APPLICABILITY OF FEDERAL ADVISORY COMMITTEES ACT.—The select panel established under this section shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(f) REPORT.—Not later than 1 year after the date of the appointment of the last member to the panel under subsection (b), the panel shall submit to Congress and the Federal Aviation Administration a report on the results of the review conducted under this section.

SEC. 9. TRANSFER OF PERSONNEL, PROPERTY, RECORDS, AND FUNDS.

So much of the personnel, property, records, funds, accounts, and unexpended balances of appropriations, allocations, and other funds of the Department of Transportation and the Federal Aviation Administration as are employed, used, held, available, or to be made available, in connection with the functions which under this Act (including the amendments made by this Act) are made functions of the Federal Aviation Administration established by section 1311 of title 49, United States Code, are transferred to the Federal Aviation Administration.

SEC. 10. SAVINGS PROVISIONS.

(a) ORDERS, REGULATIONS, CONTRACTS, AND CERTIFICATES.—All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective by the President or any Federal department or agency or official thereof or by a court of competent jurisdiction, on or after the effective date of this section in regard to functions which under this Act (including the amendments made by this Act) are made functions of the Federal Aviation Administration established by section 1311 of title 49, United States Code; and

(2) which are in effect on the effective date of this section,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Federal Aviation Board, or other authorized officials, by a court of competent jurisdiction, or by operation of law.

(b) PROCEEDINGS AND APPLICATIONS.—The provisions of this Act (including the amendments made by this Act) shall not affect any proceedings or any application for any license, permit, certificate, or financial assistance pending on the effective date of this section, and such proceedings and applications, to the extent that they relate to functions under this Act that are made functions of the Administration, shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the extent that such proceeding could have been discontinued or modified if this Act had not been enacted.

(c) SUITS.—

(1) EFFECT ON PENDING SUITS.—The provisions of this Act (including the amendments made by this Act) shall not affect suits commenced prior to the effective date of this section.

(2) PROCEDURES.—In all suits commenced prior to the effective date of this section, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this Act had not been enacted.

(d) ADMINISTRATOR.—If the Chief Executive Officer of the Federal Aviation Administration is not appointed by the Federal Aviation Board on the effective date of this section, the person serving as the Administrator of the Federal Aviation Administration on the day before such effective date shall act as the Chief Executive Officer until the Chief Executive Officer is appointed as provided in section 1313 of title 49, United States Code. While so acting, such person shall receive compensation at the rate such person was receiving on the day before such effective date.

(e) AGREEMENTS WITH DEPARTMENT OF DEFENSE.—Any agreement between the Federal Aviation Administration and the Department of Defense in effect on the day before the date of the enactment of this Act shall remain in effect until terminated in accordance with the terms of such agreement.

SEC. 11. LAWS AND REGULATIONS.

Except to the extent otherwise provided in this Act (including the amendments made by this Act), all laws, rules, regulations, and executive orders in effect and applicable to the Federal Aviation Administration of the Department of Transportation and to the Administrator of such Administration on the day before the effective date of this Act shall, on and after such effective date, be applicable to the Federal Aviation Administration and the Federal Aviation Board established by this Act (including the amendments made by this Act), until such law, rule, regulation, or executive order is repealed or otherwise modified or amended.

SEC. 12. TERMINATION OF FAA OF DOT.

The Federal Aviation Administration of the Department of Transportation is terminated.

SEC. 13. CORRESPONDING REDUCTIONS IN OFFICE OF SECRETARY.

The Secretary of Transportation shall terminate 200 employee positions in the Office of the Secretary to reflect reductions in the aviation responsibilities in the Office of the Secretary by enactment of this Act.

SEC. 14. CONFORMING AMENDMENTS.

(a) FEDERAL AVIATION ADMINISTRATION IN DOT.—

(1) IN GENERAL.—Subject to paragraph (2), subsections (a) through (j) of section 106 are repealed.

(2) TECHNICAL ADJUSTMENTS.—

(A) IN GENERAL.—Subchapter II of chapter 13 (as inserted by section 3 of this Act) is amended—

(i) by adding at the end the following new section heading:

"§ 1317. Civil Aeromedical Institute"; and

(ii) by inserting the text of section 106(j) as an undesignated paragraph under such section heading.

(B) CHAPTER ANALYSIS AMENDMENT.—The analysis for such chapter is amended by adding after the item relating to section 1316 the following:

''1317. Civil Aeromedical Institute.''.

(3) AUTHORIZATION OF APPROPRIATIONS FOR FAA OPERATIONS.—

(A) FISCAL YEAR 1996.—Section 106(k) is amended by—

(i) striking ''(k) AUTHORIZATION OF APPROPRIATIONS FOR OPERATIONS.—''; and

(ii) by striking ''Secretary of Transportation'' and inserting ''Federal Aviation Administration''.

(B) CONFORMING AMENDMENT.—Effective September 30, 1996, section 106, as amended by this subsection, and the item relating to section 106 in the analysis for chapter 1 are repealed.

(b) GENERAL DUTIES AND POWERS OF THE DEPARTMENT OF TRANSPORTATION.—

(1) LEADERSHIP, CONSULTATION, AND COOPERATION.—Section 301(6) is amended by striking '', with particular attention to aircraft noise, and including'' and inserting ''and''.

(2) POLICY ON LANDS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES.—Section 303 is amended—

(A) in subsection (b) by inserting ''and the Federal Aviation Administration'' after ''of Transportation''; and

(B) in subsection (c) by inserting ''and Administration'' after ''Secretary''.

(3) REPORTS.—Section 308(b) is amended—

(A) by striking ''Secretary'' the 1st place it appears and inserting ''Federal Aviation Board'';

(B) by striking ''Department'' and inserting ''Federal Aviation Administration''; and

(C) by striking ''Secretary'' the 2nd and 3rd places it appears and inserting ''Board''.

(4) MEMBERS OF THE ARMED FORCES.—Section 324 is amended—

(A) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) FAA.—The Federal Aviation Administration, to ensure that national defense interests are safeguarded properly and that the Administration is advised properly about the needs and special problems of the armed forces, shall provide for participation of members of the armed forces in carrying out the duties and powers of the Administration related to the regulation and protection of air traffic, including providing for, and research and development of, air navigation facilities, and the allocation of airspace.

''(2) SECRETARY OF TRANSPORTATION.—The Secretary of Transportation may provide for participation of members of the armed forces in carrying out other duties and powers of the Secretary.''; and

(B) in subsection (d) by inserting after ''Transportation'' each place it appears the following: ''or Federal Aviation Administration''.

(5) JUDICIAL REVIEW.—Section 351(a) is amended—

(A) by striking ''An'' and inserting ''Subject to section 1335, an''; and

(B) by striking '', the Federal Highway Administration, or the Federal Aviation Administration'' and inserting ''or the Federal Highway Administration''.

(6) AUTHORITY TO CARRY OUT CERTAIN TRANSFERRED DUTIES AND POWERS.—Section 352 is amended by striking '', the Federal Highway Administration, and the Federal Aviation Administration'' and inserting ''and the Federal Highway Administration''.

(7) TOXICOLOGICAL TESTING.—Section 353(a) is amended—

(A) by inserting before ''conducts'' the following: ''or the Federal Aviation Administration'';

(B) by inserting after ''Department'' the second place it appears ''or Administration''; and

(C) by inserting before ''shall'' each place it appears ''or Chief Executive Officer of the Administration''.

(c) FUNCTIONS OF FAA.—

(1) NATIONAL TRANSPORTATION SAFETY BOARD.—

(A) DISCLOSURE OF DRUG TEST INFORMATION TO NTSB.—Section 1114(d)(1) is amended—

(i) by inserting before ''shall'' the following: ''and the Federal Aviation Administration'';

(ii) in subparagraph (A) by inserting before ''under post-accident'' the following: ''or the Administration''; and

(iii) in subparagraph (A) by inserting before '', when'' the following: ''or the Administration''.

(B) INVESTIGATION OF CERTAIN ACCIDENTS.—Section 1131(c)(1) is amended by inserting ''or the Federal Aviation Administration, as the case may be,'' after ''Transportation''.

(C) CIVIL AIRCRAFT ACCIDENT INVESTIGATIONS.—Section 1132 is amended—

(i) in the heading to subsection (c) by striking ''SECRETARY'' and inserting ''FEDERAL AVIATION ADMINISTRATION'';

(ii) in subsection (c) by striking ''Secretary of Transportation'' and inserting ''Federal Aviation Administration'';

(iii) in subsection (c) by striking ''Secretary'' the 2nd and 3rd places it appears and inserting ''Administration''; and

(iv) in subsection (d) by striking ''Secretary'' each place it appears and inserting ''Administration''.

(D) REVIEW OF OTHER AGENCY ACTION.—Section 1133(1) is amended by striking ''Secretary of Transportation'' and inserting ''Federal Aviation Administration''.

(E) RESPONSES TO SAFETY RECOMMENDATIONS.—Section 1135 is amended—

(i) by striking the section heading and inserting the following:

''§ 1135. DOT's and FAA's responses to safety recommendations'';

(ii) in subsection (a) by inserting after ''Secretary of Transportation'' the following: ''or the Federal Aviation Administration'';

(iii) in subsection (a) by inserting ''or the Administration'' after ''Secretary'' the 2nd and 3rd places it appears;

(iv) in subsection (d) by striking ''shall'' and inserting ''and the Administration shall each'';

(v) in subsection (d) by inserting before ''during'' the following: ''or Administration''; and

(vi) in subsection (d) by inserting after ''Secretary's'' the following: ''or Administration's''.

(F) JUDICIAL REVIEW.—Section 1153(c) is amended—

(i) in the subsection heading by striking ''ADMINISTRATOR'' and inserting ''ADMINISTRATION'';

(ii) by striking ''the Administrator of''; and

(iii) by striking ''Administrator'' the second and third places it appears and inserting ''Administration''.

(G) CONFORMING AMENDMENT.—The analysis to chapter 11 is amended by striking the item relating to section 1135 and inserting the following:

''1135. DOT's and FAA's responses to safety recommendations.''.

(2) INTERMODAL TRANSPORTATION ADVISORY BOARD.—Section 5502(b) is amended to read as follows:

''(b) MEMBERSHIP.—The Board consists of—

''(1) the Secretary, who serves as chairman;

''(2) the Chief Executive Officer of the Federal Aviation Administration or the Chief Executive Officer's designee; and

''(3) the Administrator, or the Administrator's designee, of—

''(A) the Federal Highway Administration;

''(B) the Maritime Administration;

''(C) the Federal Railroad Administration; and

''(D) the Federal Transit Administration.''.

(3) GENERAL PROVISIONS RELATING TO AIR COMMERCE AND SAFETY.—

(A) POLICY.—Section 40101 is amended—

(i) in subsection (a) by inserting after ''Secretary of Transportation'' the following: ''and the Federal Aviation Administration'';

(ii) in subsection (c) by striking ''Administrator of the''; and

(iii) in subsection (d) by striking ''Administrator'' and inserting ''Administration''.

(B) DEFINITIONS.—Section 40102(a) is amended—

(i) in paragraphs (8)(B) and (37) by striking ''the Administrator of'';

(ii) in paragraph (20) by striking ''Administrator'' and inserting ''Federal Aviation Administration''; and

(iii) by moving the second sentence of paragraph (37) 2 ems to the left.

(C) SOVEREIGNTY AND USE OF AIR SPACE.—Section 40103 is amended—

(i) in subsection (a)(2) by inserting after ''Secretary of Transportation'' the following: ''and the Federal Aviation Administration''; and

(ii) in subsection (b)—

(I) by striking ''Administrator of the''; and

(II) by striking ''Administrator'' each place it appears after the first and inserting ''Administration''.

(D) PROMOTION OF CIVIL AERONAUTICS AND AIR COMMERCE.—Section 40104 is amended—

(i) in subsection (a) by striking ''Administrator of the'';

(ii) in subsection (a) by striking ''Administrator'' each place it appears after the first and inserting ''Administration''; and

(iii) in subsection (b) by striking ''Secretary of Transportation'' and inserting ''Administration''.

(E) INTERNATIONAL NEGOTIATIONS, AGREEMENTS, AND OBLIGATIONS.—Section 40105 is amended—

(i) in subsection (a) by striking ''Administrator of the'';

(ii) in the heading to subsection (b) by striking ''ADMINISTRATOR'' and inserting ''ADMINISTRATION'';

(iii) in subsection (b)(1) by striking ''Administrator'' and inserting ''Administration''; and

(iv) in subsection (c)(1) by inserting before the semicolon ''and the Federal Aviation Administration''.

(F) EMERGENCY POWERS.—Section 40106 is amended—

(i) in subsection (a)—

(I) in paragraph (1) by striking ''Administrator of the''; and

(II) in paragraph (2) by striking ''Administrator'' and inserting ''Administration''; and

(ii) in subsection (b)(2) by inserting after ''Secretary of Transportation'' the following: ''or the Federal Aviation Administration''.

(G) PRESIDENTIAL TRANSFERS.—Section 40107 is amended—

(i) in subsection (a) by striking ''Administrator of the''; and

(ii) by striking ''Administrator'' each place it appears after the first and inserting ''Administration''.

(H) TRAINING SCHOOLS.—Section 40108 is amended—

(i) in subsection (a) by striking ''Administrator of the''; and

(ii) by striking ''Administrator'' each place it appears after the first and inserting ''Administration''.

(I) AUTHORITY TO EXEMPT.—Section 40109(b) is amended—

(i) by striking ''Administrator of the''; and

(ii) by striking ''Administrator'' the second place it appears and inserting ''Administration''.

(J) GENERAL PROCUREMENT AUTHORITY.—Section 40110 is amended—

(i) in subsection (a) by striking ''Administrator of the'';

(ii) in subsection (a)(1) by striking ''Administrator'' and inserting ''Administration'';

(iii) in subsection (b) by striking ''Administrator of'' the first place it appears and inserting ''Chief Executive Officer of'';

(iv) in subsection (b)(2)(E) by striking ''Administrator of the''; and

(v) in subsection (b)(2)(E) by striking ''Administrator;'' and inserting ''Administration;''.

(K) MULTIYEAR PROCUREMENT CONTRACTS FOR SERVICES AND RELATED ITEMS.—Section 40111 is amended—

(i) in subsection (a) by striking ''Administrator of the''; and

(ii) in subsections (b) and (c) by striking ''Administrator'' each place it appears and inserting ''Administration''.

(L) MULTIYEAR PROCUREMENT CONTRACTS FOR PROPERTY.—Section 40112 is amended—

(i) in subsection (a) by striking ''Administrator of the'';

(ii) in subsections (b), (c), and (e)(2) by striking ''Administrator'' each place it appears and inserting ''Administration''; and

(iii) by adding at the end the following:

''(g) LIMITATION.—This section and section 40111 shall not be effective to the extent they are inconsistent with the acquisition management system being implemented under section 1334.''.

(M) ADMINISTRATIVE.—Section 40113 is amended—

(i) in subsection (a) by striking ''(or the Administrator of'' and inserting ''and'';

(ii) in subsection (a) by striking ''Administrator)'' and inserting ''Administration'';

(iii) in subsection (a) by striking ''Administrator'' the last place it appears and inserting ''Administration'';

(iv) in subsection (b) by striking ''has'' the 1st place it appears and inserting ''and the Administration have'';

(v) in subsection (c) by striking ''The Secretary'' and all that follows through ''Administrator)'' and inserting ''In carrying out aviation safety functions, duties, and powers, the Federal Aviation Administration'';

(vi) in subsection (c) by striking ''to assist the Secretary or Administrator of'' and inserting ''to assist'';

(vii) in subsection (d) by striking ''Administrator of the'';

(viii) in subsection (d) by striking ''Administrator'' the last place it appears and inserting ''Administration'';

(ix) in subsection (e) by striking ''Administrator'' each place it appears and inserting ''Administration''; and

(x) by adding at the end the following:

''(f) EXEMPTIONS.—

''(1) FAA REVIEW OF REGULATIONS.—Prior to issuing any regulation or granting any exemption to a regulation issued under this chapter that affects the transportation of hazardous materials by air, the Secretary shall provide the Administration an opportunity for review, and the Administration may disapprove such action if the Administration determines that there would be an adverse effect on aviation safety.

''(2) PROPOSED CHANGES.—The Administration may, in the interest of aviation safety, propose to the Secretary regulatory changes affecting the transportation of hazardous materials by air.

''(3) ENFORCEMENT.—Enforcement actions for violations of this chapter or of any regulations issued under this chapter that affect the transportation of hazardous materials by air shall be brought by the Administration.''.

(N) REPORTS AND RECORDS.—Section 40114 is amended—

(i) in subsection (a)(1) by striking ''(or the Administrator of'' and inserting ''and'';

(ii) in subsection (a)(1) by striking ''Administrator)'' and inserting ''Administration'';

(iii) in subsection (a)(1) by striking ''Administrator'' the last place it appears and inserting ''Administration'';

(iv) in subsection (a)(2) by striking ''(or the Administrator'' and inserting ''and the Administration'';

(v) in subsection (a)(2) by striking ''Administrator)'' and inserting ''Administration''; and

(vi) in subsection (a)(2) by striking ''Administrator'' the last 2 places it appears and inserting ''Administration''.

(O) WITHHOLDING INFORMATION.—Section 40115(a) is amended by inserting after ''Secretary of Transportation'' each place it appears the following: ''or Federal Aviation Administration''.

(P) PASSENGER FACILITY FEES.—Section 40117 is amended—

(i) in subsection (b)(1) by striking ''Secretary of Transportation'' and inserting ''Federal Aviation Administration''; and

(ii) in subsections (c) through (i) by striking ''Secretary'' each place it appears and inserting ''Administration''.

(Q) SECURITY AND RESEARCH AND DEVELOPMENT ACTIVITIES.—Section 40119 is amended—

(i) in subsection (a) by striking ''Administrator of the''; and

(ii) in subsections (b) and (c) by striking ''Administrator'' each place it appears and inserting ''Administration''.

(4) NAVIGATION OF FOREIGN CIVIL AIRCRAFT.—Section 41703 is amended—

(A) in subsection (a)(3) by inserting '', after consultation with the Federal Aviation Administration,'' after ''Secretary of Transportation''; and

(B) in subsection (b) by inserting '', after consultation with the Federal Aviation Administration,'' after ''Secretary'' the 2nd place it appears.

(5) SLOTS.—Section 41714 is amended—

(A) in subsection (a)(1) by striking ''Secretary of Transportation'' and inserting ''Federal Aviation Administration'';

(B) in subsections (a)(2), (a)(3), (a)(4), (b)(1), (b)(2), (c), (d), (f), and (g) by striking ''Secretary'' and ''SECRETARY'' each place they appear and inserting ''Administration'' and ''ADMINISTRATION'', respectively;

(C) in subsection (b)(3) by striking ''Secretary'' the first place it appears and inserting ''Administration'';

(D) in subsection (b)(3) by inserting after ''Secretary'' the second place it appears the following: ''of Transportation'';

(E) in subsection (h)(2) by striking ''Administrator'' and inserting ''Administration''; and

(F) by adding at the end the following:

''(i) CONSULTATION WITH DOT.—In making determinations with respect to essential air service, exceptional circumstances, and the public interest, the Administration shall consult with the Secretary of Transportation.''.

(6) REGISTRATION AND RECORDATION OF AIRCRAFT.—Chapter 441 (other than section 44109) is amended—

(A) by striking ''Administrator of the'' each place it appears;

(B) by striking ''Administrator'' each place it appears (other than a place to which subparagraph (A) applies and the 3rd place it appears in section 44111(d)) and inserting ''Administration''; and

(C) in section 44102(b) by striking ''Secretary of Transportation'' and inserting ''Federal Aviation Administration''.

(7) INSURANCE.—Chapter 443 is amended—

(A) by striking ''Secretary of Transportation'' each place it appears and inserting ''Federal Aviation Administration''; and

(B) by striking ''Secretary'' each place it appears (other than a place to which subparagraph (A) applies, the 2nd, 3rd, and 5th places it appears in section 44305(b), the 1st place it appears in section 44307(a)(1), the 2nd place it appears in section 44307(b), and the 3rd place it appears in section 44307(d)) and inserting ''Administration''.

(8) FACILITIES, PERSONNEL, AND RESEARCH.—Chapter 445 is amended—

(A) by striking ''Administrator of the'' each place it appears (other than the 1st place it appears in section 44501(c)(2)(B) and the last place it appears in section 44502(c)(1));

(B) by striking ''Administrator'' each place it appears (other than a place to which subparagraph (A) applies, the 1st place it appears in section 44501(c)(2)(B), the last place it appears in section 44502(c), and in section 44507(3)) and inserting ''Administration'';

(C) in section 44506(b) by striking ''Administrators of the Federal Aviation Administration and'' and inserting ''Federal Aviation Administration and the Administrator of the'';

(D) in section 44506(c) by striking ''Department of Transportation'' and inserting ''Administration'';

(E) in section 44506(d) by striking ''Public Works and Transportation'' and inserting ''Transportation and Infrastructure'';

(F) in section 44507—

(i) by striking ''106(j)'' and inserting ''1317''; and

(ii) by striking ''the Administrator'' in paragraph (3) and inserting ''the Federal Aviation Board'';

(G) in section 44514(b) by striking ''Secretary and the'';

(H) by striking ''Secretary of Transportation'' each place it appears and inserting ''Federal Aviation Administration''; and

(I) by striking ''Secretary'' each place it appears (other than in sections 44501(b)(1)(B), 44502(c)(1), and 44505(a)(3) and a place to which subparagraphs (G) and (H) apply) and inserting ''Administration''.

(9) SAFETY REGULATION.—Chapter 447 is amended—

(A) by striking ''Administrator of the'' each place it appears (other than the 2nd place it appears in section 44714, the 2nd place it appears in section 44715(a)(2), the 1st, 4th, 7th, 9th, 10th, and 11th places it appears in section 44715(c), the 1st and 3rd places it appears in section 44715(d)(1), the 2nd place it appears in section 44715(d)(2), the 1st, 3rd, and 5th places it appears in section 44715(e), and the 2nd, 4th, and 6th places it appears in section 44715(f));

(B) by striking ''Administrator'' each place it appears (other than a place to which subparagraph (A) applies, the 3rd place it appears in section 44703(f)(2), the 3rd place it appears in section 44713(d)(2), the 2nd place it appears in section 44714, the 2nd place it appears in section 44715(a)(2), the 1st, 4th, 7th, 9th, 10th, and 11th places it appears in section 44715(c), the 1st and 3rd places it appears in section 44715(d)(1), the 2nd place it appears in section 44715(d)(2), the 1st, 3rd, and 5th places it appears in section 44715(e), the 2nd, 4th, and 6th places it appears in section 44715(f), and in section 44720(b)(2)) and inserting ''Administration'';

(C) in section 44702(d)(3) by striking ''Administrator's'' and inserting ''Administration's'';

(D) in the subsection heading to section 44709(b) by striking ''ADMINISTRATOR'' and inserting ''ADMINISTRATION'';

(E) in section 44720(b)(2) by striking ''Administrator'' each place it appears and inserting ''Federal Aviation Administration'';

(F) by striking ''Secretary of Transportation'' each place it appears (other than in sections 44712(b)(2) and 44723) and inserting ''Federal Aviation Administration'';

(G) in section 44723 by striking ''Secretary of Transportation'' and inserting ''Federal Aviation Board''; and

(H) by striking ''Secretary'' each place it appears (other than in sections 44712(b)(2) and 44720 and a place to which subparagraph (F) or (G) applies) and inserting ''Administration''.

(10) SECURITY.—Chapter 449 is amended—

(A) by striking ''Administrator of the'' each place it appears;

(B) by striking ''Administrator'' each place it appears (other than a place to which subparagraph (A) applies, the 1st two places it appears in section 44932(a), the 1st place it appears in section 44932(b), the 1st place it appears in section 44932(c), the 5th place it appears in section 44933(a), and each place it appears in section 44934(b)) and inserting ''Administration'';

(C) in section 44933(b)(4) by striking ''Administrator's'' and inserting ''Administration's'';

(D) by striking the heading for section 44932 and inserting ''**Civil aviation security**'';

(E) by striking subsection (a) of section 44932 and redesignating subsections (b) and (c) as subsections (a) and (b), respectively;

(F) in section 44932(a), as redesignated by subparagraph (E), by striking ''Assistant Administrator'' and inserting ''officer designated by the Chief Executive Officer of the Federal Aviation Administration'';

(G) in section 44932(b), as redesignated by subparagraph (E), by striking ''Assistant Administrator'' and inserting ''Administration'';

(H) in sections 44933(a) and 44934(b) by striking ''Assistant Administrator for Civil Aviation Security'' and inserting ''officer designated by the Chief Executive Officer of the Administration'';

(I) in section 44934(b)(1) by striking ''Assistant Administrator'' and inserting ''Administration'';

(J) by striking ''Secretary of Transportation'' each place it appears (other than in sections 44903(b)(1), 44907(d)(1)(C), 44907(d)(3), 44907(e), 44907(f), 44911(b), 44912(a)(3), 44931, and 44938(a)) and inserting ''Federal Aviation Administration'';

(K) by striking ''Secretary'' each place it appears (other than a place to which subparagraph (J) applies, the 1st place it appears in section 44903(d), in section 44903(b)(1), the 2nd place it appears in section 44907(b), the 3rd place it appears in section 44907(c), in section 44907(d)(1)(C), the 3rd place it appears in section 44907(d)(2)(A)(ii), the 2nd and 3rd places it appears in section 44907(d)(2)(B), in section 44907(d)(3), the 2nd place it appears in section 44907(d)(4), in sections 44907(e) and 44907(f), the 4th place it appears in section 44908(a), the 1st place it appears in section 44908(b), the 2nd place it appears in section 44909(a), and in sections 44910, 44911, 44912(a)(3), 44931, 44934, and 44938(a)) and inserting ''Administration'';

(L) in section 44905(g) by striking ''Department of Transportation'' and inserting ''Federal Aviation Administration'';

(M) in sections 44907(d)(1)(C), 44907(d)(3), 44907(e), and 44907(f) by inserting ''or Federal Aviation Administration'' after ''of Transportation'';

(N) in section 44907(d)(3) by inserting ''or Administration'' after ''Secretary'' the 2nd place it appears; and

(O) in the chapter analysis by striking the item relating to section 44932 and inserting the following:

''44932. Civil aviation security.''.

(11) ALCOHOL AND CONTROLLED SUBSTANCES TESTING.—Chapter 451 is amended—

(A) by striking ''Administrator of the'' each place it appears; and

(B) by striking ''Administrator'' each place it appears (other than a place to which subparagraph (A) applies) and inserting ''Administration''.

(12) FEES.—Chapter 453 is amended—

(A) by striking ''Administrator of the'' each place it appears;

(B) by striking ''Administrator'' each place it appears (other than a place to which subparagraph (A) applies) and inserting ''Administration'';

(C) in section 45301(a) by inserting after ''Secretary of Transportation'' the following: ''and the Federal Aviation Administration, as the case may be,''; and

(D) in section 45301(c)(4) by striking ''Administrator's'' and inserting ''Administration's''.

(13) INVESTIGATIONS AND PROCEEDINGS.—Chapter 461 is amended—

(A) in sections 46101(a)(1), 46102(a), 46103(a)(1), and 46104(a)—

(i) by striking ''(or the Administrator of'' and inserting ''(or''; and

(ii) by striking ''Administrator)'' and inserting ''Administration)'';

(B) by striking ''Administrator of the'' each place it appears (other than a place to which subparagraph (A)(i) applies and in section 46101(b));

(C) by striking ''Administrator'' each place it appears (other than a place to which subparagraph (A) or (B) applies) and inserting ''Administration'';

(D) in section 46109 by inserting ''or the Federal Aviation Administration'' after ''Transportation''; and

(E) in the subsection heading to section 46107(c) by striking ''ADMINISTRATOR'' and inserting ''ADMINISTRATION''.

(14) PENALTIES.—Chapter 463 is amended—

(A) in section 46301(c)—

(i) by inserting ''by other than air'' after ''transportation'' in paragraph (1)(D);

(ii) by redesignating paragraph (2) as paragraph (3);

(iii) by inserting after paragraph (1) the following:

''(2) FAA NOTICE AND HEARING.—The Federal Aviation Administration may impose a civil penalty for violations under subsection (a)(1) of this section related to the transportation by air of hazardous material only after notice and an opportunity for a hearing.'';

(iv) by inserting ''or Administration, as appropriate,'' after ''Secretary'' in paragraph (3), as so redesignated; and

(v) by striking ''paragraph (1) of'' in such paragraph (3).

(B) in section 46301(d)(2) by striking ''Administrator of the'';

(C) in subsections (d) and (e) of section 46301—

(i) by striking ''Administrator'' each place it appears (other than a place to which subparagraph (A) applies) and inserting ''Administration''; and

(ii) by striking ''Secretary'' each place it appears and inserting ''Administration'';

(D) in section 46301(f) by inserting ''or Administration, as the case may be,'' after ''Secretary'';

(E) in section 46301(g) by inserting ''and an order of the Administration'' before ''imposing'';

(F) in section 46301(h)(2) by striking the parenthetical phrase and inserting ''or Administration, as appropriate,'';

(G) in section 46302(b) by striking ''Secretary of Transportation'' and inserting ''Federal Aviation Administration'';

(H) in section 46303—

(i) by striking ''Secretary of Transportation'' and inserting ''Federal Aviation Administration''; and

(ii) by striking ''Administrator of the'';

(I) in section 46304—

(i) by striking ''Administrator of the''; and

(ii) by striking ''Administrator'' each place it appears (other than a place to which clause (i) applies) and inserting ''Administration'';

(J) in section 46306 by striking ''Administrator of the'' each place it appears;

(K) in section 46308(2) by striking ''Administrator of the'';

(L) in section 46311—

(i) by striking ''Administrator of the''; and

(ii) by striking ''Administrator'' each place it appears (other than a place to which clause (i) applies) and inserting ''Administration'';

(M) in section 46313—

(i) by striking ''Administrator of the''; and

(ii) by striking ''Administrator'' the 2nd place it appears and inserting ''Administration'';

(N) in section 46315(b)(1) by striking ''Administrator of the''; and

(O) in section 46316(a)—

(i) by striking ''Administrator of the''; and

(ii) by striking ''Administrator'' the 2nd place it appears and inserting ''Administration''.

(15) SPECIAL AIRCRAFT JURISDICTION OF UNITED STATES.—Section 46505(d)(2) is amended by striking ''Administrator of the''.

(16) AIRPORT DEVELOPMENT.—Chapter 471 is amended—

(A) by striking ''Secretary of Transportation'' each place it appears (other than in section 47102(1)(A)) and inserting ''Federal Aviation Administration'';

(B) by striking ''Secretary'' each place it appears (other than a place to which subparagraph (A) applies, in sections 47101(h), 47102(1)(A), 47102(1)(B)(i), 47103(a), 47103(c), 47106(c)(2), 47107(j)(4), 47110(e), and 47112(b), and the 2nd and 3rd places it appears in section 47153(b)) and inserting ''Administration'';

(C) in section 47106(c)(1)(B)(ii) by inserting ''of the Environmental Protection Agency'' after ''Administrator'';

(D) in section 47106(c)(2) by striking ''Secretary'' and inserting ''Federal Aviation Administration'';

(E) in sections 47106(c)(3) and 47110(d)(2)(B) by striking ''Secretary's'' and inserting ''Administration's'';

(F) in section 47107(k) by striking ''Public Works and Transportation'' and inserting ''Transportation and Infrastructure'';

(G) in section 47110(e)—

(i) by striking ''Secretary'' each place (other than the 2nd and 6th places) it appears and inserting ''Federal Aviation Board''; and

(ii) by striking ''Secretary'' the 2nd and 6th places it appears and inserting ''Federal Aviation Administration'';

(H) in the heading for each of sections 47117(h), 47129(a)(3), and 47129(c) by striking ''SECRETARY'' and inserting ''ADMINISTRATION'';

(I) in the subsection heading for section 47129(a) by striking ''SECRETARY'S'' and inserting ''ADMINISTRATION'S''; and

(J) in section 47130 by striking ''Administrator of the''.

(17) INTERNATIONAL AIRPORT FACILITIES.—Chapter 473 is amended—

(A) in section 47302—

(i) by striking ''Secretary of Transportation'' in subsection (a)(1) and inserting ''Federal Aviation Administration''; and

(ii) by striking ''Secretary of Transportation or'' in subsection (c) and inserting ''Federal Aviation Administration or the Secretary of'';

(B) in section 47303—

(i) by striking ''Secretary of Transportation or'' and inserting ''Federal Aviation Administration or the Secretary of''; and

(ii) in paragraph (1) by striking ''Secretary'' and inserting ''agency head'';

(C) in section 47304—

(i) by striking ''Secretary of Transportation or'' in subsection (a) and inserting ''Federal Aviation Administration or the Secretary of'';

(ii) by striking ''Secretary'' the 2nd and 3rd places it appears in subsection (a) and inserting ''agency head'';

(iii) by striking ''Secretary of Transportation'' the 1st place it appears in subsection (b) and inserting ''Federal Aviation Administration'';

(iv) by striking ''Secretary of Transportation or'' in subsection (b)(2) and inserting ''Chief Executive Officer of the Federal Aviation Administration or the Secretary of'';

(v) by striking ''Secretary of Transportation'' each place it appears in subsection (c) and inserting ''Federal Aviation Administration''; and

(vi) by striking ''Secretary of Transportation or'' in subsection (d)(2) and inserting ''Chief Executive Officer of the Federal Aviation Administration or the Secretary of'';

(D) in section 47305—

(i) by striking ''Secretary of Transportation'' in subsection (a) and inserting ''Federal Aviation Administration'';

(ii) by striking ''Secretary'' the 3rd and 4th places it appears in subsection (a) and inserting ''agency head''; and

(iii) by striking ''Secretary of Transportation or'' in subsection (b) and inserting ''Chief Executive Officer of the Federal Aviation Administration or the Secretary of''; and

(E) in section 47306 by striking ''Secretary of Transportation'' and inserting ''Federal Aviation Administration''.

(18) NOISE.—Chapter 475 is amended—

(A) by striking ''Administrator of the'' each place it appears (other than the 1st place it appears in section 47502, the 2nd place it appears in section 47509(a), the 2nd place it appears in section 47509(c), the 2nd place it appears in section 47509(d), and the 2nd place it appears in section 47509(e));

(B) by striking ''Administrator'' each place it appears (other than a place to which subparagraph (A) applies, the 1st place it appears in section 47502, the 2nd place it appears in section 47509(a), the 2nd place it appears in section 47509(c), the 2nd place it appears in section 47509(d), and the 2nd place it appears in section 47509(e)) and inserting ''Administration'';

(C) by striking ''Secretary of Transportation'' each place it appears and inserting ''Federal Aviation Administration''; and

(D) by striking ''Secretary'' each place it appears (other than a place to which subparagraph (C) applies) and inserting ''Administration''.

(19) FINANCING.—Chapter 481 (other than section 48109) is amended—

(A) by striking ''Administrator of the'' each place it appears;

(B) by striking ''Administrator'' each place it appears (other than a place to which subparagraph (A) applies) and inserting ''Administration'';

(C) by striking ''Secretary of Transportation'' each place it appears and inserting ''Federal Aviation Administration'';

(D) by striking ''Secretary'' each place it appears (other than a place to which subparagraph (C) applies and the 1st place it appears in section 48105) and inserting ''Administration'';

(E) in section 48102(d)(2) by striking ''Public Works and Transportation'' and inserting ''Transportation and Infrastructure''; and

(F) in section 48108(b)(2) by striking ''Department of Transportation'' and inserting ''Federal Aviation Administration''.

(20) MISCELLANEOUS.—Chapter 491 is amended—

(A) by striking ''Administrator of the'' each place it appears;

(B) by striking ''Administrator'' each place it appears (other than a place to which subparagraph (A) applies) and inserting ''Administration'';

(C) by striking ''Secretary of Transportation'' each place it appears and inserting ''Federal Aviation Administration''; and

(D) by striking ''Secretary'' each place it appears (other than a place to which subparagraph (C) applies and in section 49103(b)(1)) and inserting ''Administration''.

(21) COMMERCIAL SPACE LAUNCH ACTIVITIES.—Subtitle IX is amended—

(A) by striking ''Secretary of Transportation'' each place it appears and inserting ''Federal Aviation Administration'';

(B) by striking ''Secretary'' each place it appears (other than a place to which subparagraph (A) applies, the 1st place it appears in section 70109(a), the 2nd place it appears in each of sections 70109(b), 70109(c), 70112(a)(2), and 70112(b)(2), the 2nd and 3rd places it appears in each of sections 70116(a) and 70116(b), in section 70117(b)(2), and the 2nd place it appears in each of sections 70303(b)(2) and 70304(a)) and inserting ''Administration''; and

(C) in the subsection heading to section 70111(c) by striking ''SECRETARY'' and inserting ''ADMINISTRATION''.

(d) TITLE 5, UNITED STATES CODE.—

(1) EXECUTIVE SCHEDULE PAY RATES.—

(A) ADMINISTRATOR.—Section 5313 of title 5, United States Code, is amended by striking ''Administrator, Federal Aviation Administration.''.

(B) DEPUTY ADMINISTRATOR.—Section 5315 of such title is amended by striking ''Deputy Administrator, Federal Aviation Administration.''.

(2) DEFINITIONS.—Section 2109 of title 5, United States Code, is amended—

(A) by striking ''Department of Transportation'' each place it appears and inserting ''Federal Aviation Administration''; and

(B) by striking ''Secretary of Transportation'' and inserting ''Chief Executive Officer of the Federal Aviation Administration''.

(3) EXPENSE OF TRAINING.—Section 4109(c) of title 5, United States Code, is amended by striking ''Administrator, Federal Aviation Administration,'' and inserting ''Federal Aviation Administration''.

(4) REDUCTION IN RETIREMENT PAY FOR FORMER MEMBERS OF UNIFORM SERVICES.—Section 5532(f) of title 5, United States Code, is repealed.

(5) DIFFERENTIAL PAY.—Chapter 55 of title 5, United States Code, is amended—

(A) in the heading to section 5546a by striking ''**the Federal Aviation Administration and**'';

(B) in section 5546a(a) by striking ''Administrator of the Federal Aviation Administration (hereafter in this section referred to as the 'Administrator') and the'';

(C) in subsections (a)(1), (a)(2), (c), (d), (e), and (f)(1) of section 5546a—

(i) by striking ''Administrator or the'' each place it appears; and

(ii) by striking ''the Federal Aviation Administration or'' each place it appears;

(D) by striking ''; and'' at the end of section 5546a(a)(2) and inserting a period;

(E) by striking paragraph (3) of section 5446a(a);

(F) in section 5546a(f)—

(i) by striking ''(1)''; and

(ii) by striking paragraph (2); and

(G) in the item relating to section 5546a of the analysis for such chapter by striking ''the Federal Aviation Administration and''.

(e) COAST GUARD COOPERATION.—Chapter 5 of title 14, United States Code, is amended—

(1) in the heading to section 82 by striking ''**Administrator of**'';

(2) in sections 81, 82, and 90(b) by striking ''the Administrator of'' each place it appears;

(3) in section 90(b) by striking ''Administrator may'' and inserting ''Administration may''; and

(4) in the item relating to section 82 of the analysis for such chapter by striking ''Administrator of''.

(f) ACCESS TO NATIONAL DRIVER REGISTER.—Section 30305(b)(3) of title 49, United States Code, is amended—

(1) by striking ''the Administrator of''; and

(2) by striking ''Administrator'' each place it appears after the first and inserting ''Administration''.

(g) WOLF TRAP FARM PARK.—The Wolf Trap Farm Park Act (16 U.S.C. 284–284j) is amended—

(1) in section 4(e)—

(A) by striking ''Administrator of the''; and

(B) by striking ''Administrator'' each place it appears after the first and inserting ''Administration''; and

(2) in section 8(b) by striking ''Administrator of the'' each place it appears.

(h) CERTIFICATION OF FIREARMS.—Section 922(p)(5)(A) of title 18, United States Code, is amended by striking ''the Administrator of''.

(i) NATIONAL AIR AND SPACE MUSEUM ADVISORY BOARD.—Section 1(a) of the Act entitled ''An Act to establish a national air museum, and for other purposes'', approved August 12, 1946 (20 U.S.C. 77(a)), is amended by striking ''Administrator of the Federal'' and all that follows through the first succeeding comma and inserting ''Chief Executive Officer of the Federal Aviation Administration,''.

(j) FEDERAL PROPERTY.—Section 602(d)(14) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 474(d)(14)) is amended by striking ''Administrator of the'' and all that follows through ''or'' and inserting ''Federal Aviation Administration or''.

(k) NOISE CONTROL.—The Noise Control Act of 1972 (42 U.S.C. 4901–4918) is amended—

(1) in section 12(a)(2)(B) (42 U.S.C. 4911(a)(2)(B))—

(A) by striking ''Administrator of the'';

(B) by striking ''611 of the Federal Aviation Act of 1958'' and inserting ''44709(b)(1)(B) or 44715 of title 49, United States Code,''; and

(C) by striking ''such Administrator'' each place it appears and inserting ''such Administration'';

(2) in the last sentence of section 12(a) by striking ''such Administrator'' and inserting ''the agency'';

(3) in section 12(b)(1)(A) by striking ''Administrator'' the 2nd place it appears and inserting ''Administration'';

(4) in sections 12(b)(1)(B) and 12(e) by striking ''Administrator'' and inserting ''agency'';

(5) in section 12(c)—

(A) by striking ''Administrator of the'' the 2nd place it appears; and

(B) by striking ''611 of the Federal Aviation Act of 1958,'' and inserting ''44715 of title 49, United States Code,'';

(6) in section 16(a) (42 U.S.C. 4915(a))—

(A) by striking ''Administrator of the'' the 2nd place it appears;

(B) by striking ''611 of the Federal Aviation Act of 1958'' and inserting ''44715 of title 49, United States Code,''; and

(C) by striking ''Administrator'' the 3rd place it appears and inserting ''agency'';

(7) in section 16(b)—

(A) by inserting ''the Federal Aviation'' before ''Administration''; and

(B) by striking ''Administrator'' each place it appears after the 1st and inserting ''agency''; and

(8) in section 16(c) by striking ''Administrator'' and inserting ''agency''.

(l) PHASE-OUT OF HALON.—Section 604(d)(3) of the Clean Air Act (42 U.S.C. 7671c(d)(3)) is amended by striking ''Administrator of the'' each place it appears.

SEC. 15. REFERENCES.

A reference in any law, regulation, document, record, map, or other paper of the United States to the Secretary of Transportation (and any reference to the Administrator of the Federal Aviation Administration) with respect to a function which under this Act (including the amendments made by this Act) is made a function of the Federal Aviation Administration established by section 1311 of title 49, United States Code, shall be deemed to be a reference to the Federal Aviation Administration established by such section.

SEC. 16. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this Act (including the amendments made by this Act) shall take effect on the 90th day following the date of the enactment of this Act.

(b) EXCEPTIONS.—Section 1312 of title 49, United States Code, and section 7 of this Act shall take effect on the date of the enactment of this Act. The amendments made by section 14(d)(5) of this Act, relating to differential pay, shall take effect on the date the Federal Aviation Board begins implementation of the personnel management system for the Federal Aviation Administration under section 1314(d)(2) of title 49, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from Minnesota [Mr. OBERSTAR] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. SHUSTER].

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

Mr. Speaker, I rise in strong support of the FAA Revitalization Act. This is

legislation which will put us in a position to move into the next century with a modern air traffic control system, with a system that will provide America and the world with the best FAA and the best air traffic control.

I am very pleased that we have 62 cosponsors. This is bipartisan legislation. The gentleman from Minnesota [Mr. OBERSTAR], the distinguished ranking member of the full committee; the gentleman from Illinois [Mr. LIPINSKI], the distinguished ranking member of the subcommittee; the gentleman from Tennessee [Mr. DUNCAN], the distinguished ranking member of the subcommittee; and myself all are among those 62 bipartisan cosponsors. This is legislation whose time has come.

Since airline deregulation in 1978, passenger traffic has more than doubled to now over 500 million passengers a year. Even more significantly, commercial air travel is increasing at a rate of between 4.5 and 5 percent a year, which means that as we move into the next century, we will soon experience 1 billion, that is with a B, commercial air travelers a year.

The 10 largest U.S. airlines conduct nearly 15,000 flights a day. If we add commuter, military and general aviation flights, there are over 107,000 flights per day. This is expected to increase by about another 20,000 flights a day by the year 2002. The FAA's existing structure simply does not give it the flexibility to cope, not only with the current situation, let alone this future growth.

As some of my colleagues know, my background is in the electronic computer industry. I was absolutely stunned to realize that vacuum tubes are still used in approximately 500 of the FAA air traffic control facilities. In fact, in 1994 the FAA spent nearly $50 million on the purchase of vacuum tubes. Most businesses replaced their vacuum tube computers many, many years ago.

Further, the FAA's cumbersome procurement process results in these aging computers constantly breaking down. In fact, there have been at least 6 failures at the air traffic control center in Leesburg, VA. The longest was a 28-hour outage just last June 7.

FAA officials say that computers failed 20 times during a 4-month period at very important centers such as Chicago, Washington, Dallas, Cleveland, and New York. Failures have also been reported at Boston, Kansas City, Atlanta, San Juan, Houston, Oakland, and Miami.

Indeed, beyond this very serious problem which must be corrected, the FAA's bureaucratic personnel system results in some air traffic control facilities being overstaffed while others are understaffed. Indeed, under the FAA's funding systems, users pay into the trust fund with no assurance of getting their money back in the form of proposed infrastructure investments. Indeed, GAO has stated that the FAA's management structure has often been unable to fully cope with all the problems.

The good news, however, Mr. Speaker, is that there is a solution. The solution is this legislation, which exempts the agency from current personnel and procurement laws and gives the FAA an opportunity to develop procurement and personnel systems best suited to its own unique mission. Further, this legislation makes the FAA independent so it would not be subject to the bureaucratic interference from DOT.

It creates a board to oversee the operation of the new independent agency. The board would select a CEO to actually run the agency. Indeed, this legislation is the answer to modernizing the FAA so that we can be in a position, as we move into the next century, to provide the kind of both safety and efficiency which is so necessary,

This legislation will make air travel safer. New computers, a rational personnel system, and quicker decisions will all make air travel safer.

It will also make flying more affordable. Today our airlines are experiencing delays which have an added cost of $2.5 billion a year. Savings from reductions in these delays can be passed on to passengers, so this will permit facilities to be more efficient all across the country.

Indeed, this legislation will reform and streamline bureaucracy. At least 200 positions at DOT can be eliminated, whose only job is to oversee the FAA. This legislation will reduce the regulatory burden on the aviation industry. There are provisions in this bill to ensure that the FAA considers the costs to air travelers as well as the benefits of major new regulatory initiatives.

For all these reasons, I would urge my colleagues to vote for this bipartisan legislation. It passed by voice vote without a single dissenting vote out of our committee, has strong bipartisan support, and I urge the passage of this legislation.

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

□ 1545

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

Mr. Speaker, today marks a watershed day that I have long looked forward to since, in fact, 1987 when I introduced the first independent FAA bill, then with bipartisan support as we have today. But this is the first time in all the years that I have introduced and reintroduced that bill that it has made its way to the floor. For that, I salute our chairman of the full committee, the gentleman from Pennsylvania [Mr. SHUSTER], for his splendid cooperation, his willingness to move this legislation along as a high priority item for our committee. For that I salute our chairman of the Subcommittee on Aviation, the gentleman from Tennessee [Mr. DUNCAN], who has taken on the burdensome task of learning all the intricacies of aviation, learning the importance of this agency and its role in modern aviation not only in the U.S. but worldwide and who has become a champion of aviation in the brief tenure that he has had as our chairman, and to our ranking Democratic member, the gentleman from Illinois [Mr. LIPINSKI], who, though a longtime member of the Subcommittee on Aviation, has just recently assumed the role of the leader on our side for the Subcommittee on Aviation and who likewise has devoted himself and plunged in with great enthusiasm into this subject matter, and I am very grateful to the gentleman for the job he has done and for the workload and responsibility that he has shouldered.

For many years of hearings of inquiry into the FAA, of safety in the field of aviation, one issue has jumped out, and that is the role of the FAA within this huge Department of Transportation subjugated to the interest to the will, to the changing of the leadership at the top of this department, and consequently with effects upon the FAA itself, have oftentimes gone months without an administrator under both Democratic and Republican administrations, without regard to which party was in control of the government. The FAA continued to have a back door sort of relationship with the Department of Transportation and yet one in which the Secretary of Transportation was all too willing to insert himself or herself into the internal affairs of this safety-conscious agency.

It became so painfully clear to me that what Congress did in response to the Johnson administration's initiative in 1966, bringing all modes together in one Department of Transportation, was flawed in this respect: that the Federal Aviation Administration should not be included in that department, that it should be, as it rightfully ought to be, an independent agency. It ought to have its own independent status because that is the status of aviation. It stands separately in our national picture. It is at the heart of a $600 billion sector of our national economy. Ten percent of our gross domestic product is related to aviation.

The FAA ought to stand on a par, frankly, with the other departments of government and not be subsumed under one. At the hearings that we had on FAA reform, all but one of the living former administrators of FAA endorsed a concept of an independent agency. Those former administrators served over a 30-year period from 1961 to 1991 in which there was a revolution in technology in the field of aviation. They served in Democratic and Republican administrations from President Kennedy to President Bush. They served at a time when FAA was independent and at a time when it was part of the Department of Transportation, and every one of them said the FAA should be independent.

Now, the present Secretary of Transportation does not support that concept, and I understand no sitting Secretary of Transportation ever wanted

to see the FAA become an independent agency. Of course, if the FAA is out from under DOT, the Secretary loses it as the majority of the Department of Transportation's total work force. And that is another problem that has disturbed me very much in this past year and a half when the FAA took more like 70 percent of the personnel reductions that the Department of Transportation experienced. That is unfair and unreasonable. They should not have had that kind of reduction.

Another concern that I have is in the rulemaking, particularly in the safety rulemaking side of the FAA's responsibility. And that I consider its primary responsibility. There are 15 signoffers on a rulemaking from the time it emanates from the office of certification until it becomes a rule, and more than half of that time spent in signoffs is the regulation marching its way through the Department of Transportation.

Well, as Chairman SHUSTER said a moment ago, there will be personnel savings if the FAA is moved out from under the department. There will be efficiency savings. There will be ability for the FAA to move ahead more effectively, more dynamically on modernization of the air traffic control system. And I think the whole aviation community in the United States and worldwide will have a greater sense of appreciation and respect for this autonomous, independent agency.

I use the word autonomous because the antidote for an independent FAA is a proposal to give the agency more flexibility or autonomy within the department. Friends, believe me, it will not happen. As long as the FAA is within the Department of Transportation, that agency, that department, is going to exert every measure of control that it can over the FAA, and doing business will simply be as it always has been.

We need a change. We need dynamic, progressive, forward-looking change in personnel, in procurement, in management of the safety function of the FAA, and being the leader worldwide in aviation, and restoring to FAA a leadership role as an independent agency will put it back in charge. And that is what we achieve with this legislation.

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

Mr. SHUSTER. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. DUNCAN], the distinguished chairman of our subcommittee.

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

Mr. DUNCAN. Mr. Speaker, I thank the distinguished chairman of our full committee for yielding me this time. And let me pay a special tribute to the gentleman from Pennsylvania [Mr. SHUSTER], for his outstanding leadership in helping move this legislation through our committee and to the floor today, and particularly for the really tremendous job he is doing as chairman of our full committee.

H.R. 2276 is an outstanding bill that enjoys widespread bipartisan support here in the House. It will help bring long overdue and needed reforms to the Federal Aviation Administration.

I want to also thank my ranking member, the ranking member of my subcommittee, the gentleman from Illinois [Mr. LIPINSKI]. I do not think anyone could have a kinder ranking member than I do on our subcommittee, and we have really worked well together. I want to also though mention for a few moments the gentleman from Minnesota [Mr. OBERSTAR], because I do not think that anyone in the entire Congress knows aviation issues better than the gentleman from Minnesota [Mr. OBERSTAR]. He serves as chairman of this subcommittee for many years, and he has really worked well with me in so many different ways, and I thank him for all of that and for this strong support of this legislation.

It would not be right though to go any further without mentioning our colleague from Iowa, Mr. JIM ROSS LIGHTFOOT. The gentleman from Iowa [Mr. LIGHTFOOT] really wrote the bulk, or a large portion of this bill, and his activities in regard to this legislation have also been tremendously meaningful in carrying this legislation forward.

Last year, the Subcommittee on Aviation held several days of hearings on various proposals to restructure our Nation's air traffic control system. From these hearings, it became very clear that a consensus of members as well as the aviation community supported a independent FAA. This process of which I am very proud has enabled us to develop an outstanding bill that has been endorsed by more than 30 leading aviation groups.

No other legislation in regard to aviation has ever had this kind of support. This bill has been endorsed by the Aircraft Owners' and Pilots' Association, the National Air Traffic Controllers' Association, the General Aviation Manufacturers' Association, the National Business Aircraft Association, the National Air Transportation Association, and many, many others.

I believe this legislation could be the most dramatic change in aviation since at least the Airline Deregulation Act of 1978, and perhaps since the Federal Aviation Act of 1958. I think we have a bill that the American people can and will support strongly.

I want the Members to know that this legislation is supported probably by every facet of the aviation community, business, labor, and all others.

Mr. Speaker, H.R. 2276 enjoys support from those representing general aviation, aircraft manufacturers, our Nation's small aircraft owners, the FAA air traffic controllers and many, many others. Also, as the gentleman from Minnesota [Mr. OBERSTAR] just pointed out, every living FAA former administrator, except for one who has not taken a position, supports this legislation. Since airline deregulation in 1978, air passenger traffic has doubled and is now over 500 million per year. According to several aviation experts, traffic is expected to top at least 800 million and maybe even a billion by the year 2002.

The 10 largest U.S. airlines conduct almost 15,000 flights per day at airports all across this country. If you add in commuter, military and general aviation, there are over 107,000 flights every day. Unfortunately the FAA's existing structure does not give it the flexibility to cope with even the existing situation let alone future growth. The FAA's cumbersome procurement process brought on by years of bureaucratic inertia have resulted in aging computers and 30-year-old, air traffic control equipment that constantly breaks down. Their antiquated equipment causes airplanes to be delayed and certainly shakes public confidence in the safety of flying. In fact, air traffic computers have failed and continue to fail at centers all across this country.

Let me also say, Mr. Speaker, this legislation creates a new agency. It simply removes the FAA from the cumbersome bureaucracy and interference of the department of Transportation. This agency will create a board that will also include three members, but will include also the Secretaries of Transportation and Defense. The board would select a chief executive officer to manage FAA's day-to-day operations.

For too long, the FAA's management structure has been stymied by outdated rules and big government policies that have not allowed for innovative management styles used by successful companies in the private sector. Today nearly every Federal independent agency, almost 30, are managed by boards. The only exceptions are law enforcement-type agencies.

Basically, Mr. Speaker, just to sum up, this legislation will really bring the FAA into the 21st century. It is very needed. Almost everyone who has looked at this agrees with this legislation. I am very proud of the product of our subcommittee and our full committee, and I urge the support by our members.

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. LIPINSKI], the distinguished leader for our side on the Subcommittee on Aviation.

Mr. LIPINSKI. Mr. Speaker, I thank the ranking member of the committee, whom I affectionately call ''Mr. Aviation,'' for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 2276, the Federal Aviation Administration Revitalization Act. I want to thank the chairman of the subcommittee, the gentleman from Tennessee, for all his work on this important legislation and for his leadership with the Aviation Subcommittee. I have enjoyed working with him and look forward to continuing to do so throughout the rest of the year.

I also want to commend the chairman of the full committee, the gentleman from Pennsylvania, and the

ranking member of the full committee—my predecessor as the ranking member on this subcommittee—the gentleman from Minnesota. I know that this legislation is the product of considerable effort on all of their parts. I look forward to working with them to see this bill enacted into law.

Mr. Speaker, H.R. 2276 directly addresses the problems at the FAA that we unfortunately see spelled out on the nightly news on a regular basis. The bill recognizes that the problems at the FAA are systematic and not related to, or greatly affected by, any particular individual's management style or philosophy. It is time to make changes at the agency so that the very capable people leading the FAA can have flexibility, resources, and management tools to anticipate and develop policies for the changes coming in the highly dynamic aviation industry.

This bipartisan legislation has strong support within the Transportation and Infrastructure Committee and currently has 62 cosponsors. It is what the FAA needs to operate effectively and efficiently to meet the needs of the 21st century.

Mr. Speaker, I urge support of the legislation.

□ 1600

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Pennsylvania [Mr. CLINGER], the distinguished senior member of our committee.

Mr. CLINGER. Mr. Speaker, I thank the chairman very much for yielding this time to me, and want to commend him for his outstanding leadership in helping shape this important piece of legislation and bringing it to the floor today in an expedited fashion. In fact, I want to commend all of those who have been involved in shaping this legislation. As the gentleman from Minnesota [Mr. OBERSTAR] said, this is indeed an exciting day, sort of a landmark day for the entire aviation community, and I am pleased to rise in very strong support of this extremely important piece of legislation.

Mr. Speaker, I did serve for 6 years as the ranking Republican on the Subcommittee on Aviation working with my good friend and mentor, and most of what I have learned about aviation matters came from JIM OBERSTAR. We worked very hard and held countless hearings about the enormously, enormously complex regulations under which FAA has to operate to build and install a new air traffic control system.

The FAA is a case book example, Mr. Speaker, of Government regulation run amok. The result has been a monumental bungling of one of the most critically needed initiatives ever undertaken by the FAA, which is the development and purchase of an advanced automation system, This system was to have replaced our 1950's era air traffic control system. No matter the FAA began in the early 1980's to replace this outdated system, today, 25 years later 26 years later, they are still relying on the same vacuum-tube equipment to keep aircraft moving through our airways, and this is just really one example.

Mr. Speaker, I spent much of last year pursuing fundamental governmentwide procurement reform, and I am pleased in February the President signed the DOD Authorization Act, which included many of the procurement reforms I have been seeking for some time. Unfortunately, the final outcome of that legislation fell somewhat short of our initial expectations. What I had hoped for was bold procurement reform for every agency of the Federal Government.

With H.R. 2276, we have an opportunity at least to give the FAA an opportunity to make those bold reforms in procurement and personnel management. This is long overdue. Before we waste many more years and many hundreds of millions of dollars developing systems, we should enact this legislation. I urge my colleagues to support H.R. 2276.

Mr. SHUSTER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. WELLER] the vice chairman of the Subcommittee on Aviation.

Mr. Speaker, I want to note that the hearing we held in Illinois at the request and urging of the gentleman from Illinois [Mr. WELLER] to examine the power outages at the air traffic control center in Aurora outside of Chicago, was very instrumental in helping us to develop the legislation which is before us today, and I want to thank the gentleman for his very significant contribution to this legislation.

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

Mr. WELLER. Mr. Speaker, I do want to commend the gentleman from Pennsylvania, Chairman SHUSTER, and the gentleman from Tennessee, Chairman DUNCAN, and the ranking members for this bipartisan effort on an issue that is so very important. This legislation, frankly, is sorely needed.

Mr. Speaker, at the Aurora air traffic control center serving the world's busiest airport, Chicago-O'Hare, there are 30-year-old computers that are still programmed with computer punch cards, and today the FAA is still the world's largest purchaser of vacuum tubes. Clearly these technologies, computer punch cards and vacuum tubes, are technologies that have been abandoned by the private sector decades ago. This is clearly an illustration of why we need to bring the FAA into the 21st century.

Mr. Speaker, I rise in support of H.R. 2276, the FAA Revitalization Act. Recent computer shutdowns at various air traffic control centers have brought to the forefront an issue of grave concern regarding air traffic safety. Aurora air traffic control center, which serves the world's busiest airport, Chicago O'Hare, is equipped with a 1960's vintage IBM 9020 E computer.

Last year this computer was shut down at least 10 times. In fact, at one time in August this computer was shut down for 29 hours, delaying air operations throughout the country. Five other major air traffic control centers are equipped with this same computer. There have been over 50 failures among these five sites within the past year. It is clear that this outdated and antiquated equipment is more prone to experience problems and outages, and it is time to bring the FAA into the 21st century.

Unfortunately, the FAA today is operating under burdensome, cumbersome procurement personnel procedures that make it difficult to replace outdated equipment and ensure that facilities are properly staffed.

I would like to touch briefly on the situation we are facing with the replacement computers known as the Advanced Automation System. This new computer system, which was to be installed in Chicago and other centers, is 10 years behind schedule and an estimated $4 billion over budget. The FAA has made a commitment to put in place interim computers at these centers. However they will not be operational at least for a year and a half. Mr. Speaker, I urge that this legislation be adopted.

Mr. SHUSTER. Mr. Speaker I am pleased to yield 2 minutes to the gentleman from Iowa [Mr. LIGHTFOOT], one of the architects of this legislation.

Mr. OBERSTAR. Mr. Speaker, I yield 15 seconds to the gentleman from Iowa.

The SPEAKER pro tempore [Mr. CAMP]. The gentleman from Iowa [Mr. LIGHTFOOT] is recognized for 2¼ minutes.

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

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

Mr. LIGHTFOOT. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, I wish to pay compliment to the gentleman from Iowa [Mr. LIGHTFOOT] for the long years of work that he has devoted in the field of aviation and to this issue of an independent FAA. The gentleman has been a strong voice and a consistent voice, a strong point of support, and I salute him for all his contributions to the formulation of this legislation and getting us to the point where we are today.

Mr. LIGHTFOOT. Mr. Speaker, reclaiming my time, I thank the gentleman for his kind comments and would like to return the favor as well, because part of what we put together the gentleman drew the original blueprint for.

Mr. Speaker, I rise today in support of H.R. 2276, the FAA Revitalization Act. At the outset, let me commend Chairmen SHUSTER and DUNCAN and ranking members OBERSTAR and LIPINSKI for bringing forward this important legislation for our consideration today. Let me also congratulate the staff of

the Aviation Subcommittee on its hard work getting us here.

Last year, the Secretary of Transportation, Federico Peña, testified that the Clinton administration proposal for a Government owned air traffic control corporation was the only solution to the problems that exist at the FAA. I was very skeptical of this proposal because I personally do not believe we should separate the FAA's safety oversight function from the operation of the air traffic control system. Further, the General Accounting Office concluded that some of the financial assumptions used by the administration made the corporation proposal look superficially attractive to those of us trying to balance the Federal budget—but were not necessarily realistic.

In response to the problems we all agree on, that FAA needs personnel, procurement, and financial reforms, I introduced H.R. 1392, legislation restoring FAA to independent agency status. Frankly, very little in this town is original and my proposal owed a great deal to previous work on this issue by folks like JIM OBERSTAR, WENDELL FORD, and Barry Goldwater.

Shortly thereafter, the chairman of the Aviation Subcommittee, Representative DUNCAN, concluded his extensive series of hearings on FAA reform and also concluded that restoring FAA to independent agency status was the best alternative for reform. In September, working as a bipartisan team, we introduced the bill before the House today.

H.R. 2276 largely resembles my original legislation. It restores the FAA to independent agency status. It permanently exempts FAA from certain onerous procurement and personnel regulations. However, the legislation also establishes a Federal Aviation Board to make major decisions and a Management Advisory Committee composed of high level industry representatives to advise the FAA on certain management, policy, spending, and regulatory matters. I am certain these provisions will help make the FAA become a more businesslike agency.

I share the concerns expressed by Mr. LIVINGTON, Mr. WOLF, and others about the ''off-budget'' provisions originally included in this bill. As you all know, the issue of whether to take the trust funds off budget is a difficult and divisive one. I commend Mr. SHUSTER and Mr. DUNCAN for dropping those provisions, temporarily I am sure, so as to allow this bill to move forward today.

However, the bill does contain language creating a select panel to review innovative funding mechanisms such as loan guarantees and restructured grant programs, to ensure funds are available for future improvements in the Nation's aviation infrastructure. I hope the panel will look closely at the concept of linked funding, developed by the Aircraft Owners and Pilots Association, which will link aviation taxes collected to aviation funding. I am currently drafting legislation to implement this concept to see if it may hold part of the solution to our trust fund difficulties.

Just as importantly, the bill will allow us to terminate 200 positions at the Department of Transportation—eliminating duplicative bureaucracy that wastes taxpayer dollars. Taxpayer dollars which could be better spent funding priority transportation needs.

In closing, I would like to comment on the Secretary of Transportation's position regarding this legislation. The Secretary's opposition to an independent FAA is understandable. FAA represents most of his budget and employees.

But the Secretary chooses to deliberately misrepresent this legislation. He portrays this legislation as creating a new bureaucracy. Far from it, as we have already shown, this legislation will reduce over 200 duplicative positions within DOT. In fact, it is my hope this legislation will start another debate—about the future of the Department of Transportation.

When it became clear there was no support for the administration's ATC corporation proposal, the Secretary suddenly decided that aviation faced an imminent funding crisis. So now, the administration proposes we abandon the current system of aviation excise taxes and set up an entirely new system of aviation taxes—taxes to be determined by the administration and raised as it sees fit.

The basis of the administration's so-called funding crisis comes from a projection of FAA's future spending needs versus an extrapolation of future funding based on recommendations made by the joint budget resolution.

But this funding crisis is, in my opinion, a phony one. At the request of the Transportation Appropriations Subcommittee, the GAO has been looking into the methods and assumptions associated with this so-called funding crisis. An interim report delivered to the Transportation Subcommittee last week indicates the Administration, in documenting the so-called crisis, is once again rigging the financial assumptions to get a predetermined answer.

As an example Mr. Speaker, the administration forgot to include the $2.4 billion in savings over the next 5 years which it estimates will come from the personnel and procurement reforms included in this legislation and last year's transportation appropriations bill. If we didn't know better, we would think this phony funding crisis was just another scare tactic from an administration whose resistance to a 7-year balanced budget is well known.

Because of the administration's ongoing practice of cooking the books to get a predetermined answer and as a means of further resolving any doubt about the future funding needs of the FAA, the bill now includes a provision directing an independent audit of the FAA. This proposal, first advanced by my friend from the other body, Senator STEVENS, will also help Congress establish how much, if any, of a funding shortfall might lie ahead for the agency.

Companion legislation in the other body would pursue drastic measures to deal with a perceived crisis. GAO is already showing this funding shortfall may be based on unreliable information provided by the administration. In the past few years, you have heard a lot of rhetoric from the FAA about making the agency run more like a business. Well no business should be based on the sloppy propaganda we have gotten from the administration about this so-called funding crisis.

Mr. Speaker, this bill does not create the Secretary of Transportation's Government-owned corporation, or as I call it, the Postal Service of the Skies. It also does not give the Secretary the new taxes he wanted because they simply are not justified. What we have here on the floor today is a bill that everyone should support. A bill which has the support of the entire aviation community and a bill which will satisfy your constituents' demand for a safe and efficient air transportation system. I urge all my colleagues to support this legislation.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from New Jersey [Mr. FRANKS], a very important member of our committee.

Mr. FRANKS of New Jersey. Mr. Speaker, first I want to congratulate the gentleman from Pennsylvania, Chairman SHUSTER, the gentleman from Tennessee, Chairman DUNCAN, the gentleman from Illinois, Mr. LIPINSKI, and the gentleman from Minnesota, Mr. OBERSTAR, for their excellent work in bringing this bill to the floor today.

Mr. Speaker, today I rise in strong support of H.R. 2276, the Federal Aviation Administration Revitalization Act of 1995. Although this bill contains many worthwhile provisions that will modernize and improve the FAA, I want to bring to my colleagues' attention an amendment I offered in full committee that is of particular importance to my constituents, many of whom have been severely impacted by aircraft noise. Specifically, my amendment would establish the position of aircraft noise ombudsman within the FAA.

The idea of an aircraft noise ombudsman is long overdue. In my home State of New Jersey, the FAA has either arrogantly dismissed or totally ignored the pleas from my constituents for relief. After the Expanded East Coast Plan [EECP] was implemented by the FAA in 1987, it took years for the FAA to even react to the significant increase in aircraft noise over New Jersey that resulted from their policies. By passing this bill today, Congress will ensure that there will be an advocate in the FAA bureaucracy who will represent the concerns of residents affected by airline flight patterns.

This amendment also gives citizens someone to turn to should they have a

comment, complaint, or suggestion dealing with aircraft noise. As the experience in New Jersey demonstrates, the FAA views the very real concerns of our constituents regarding aircraft noise as nothing more than a minor inconvenience. For example, when the FAA was flooded by telephone calls from irate citizens after the EECP was implemented, their response was to belatedly install an answering machine on a single telephone line which was constantly jammed and to which citizens were unable to get through. The American people deserve better treatment when it comes to the decisions that directly affect their quality of life.

Moreover, by requiring the ombudsman be appointed by the FAA Board, and not by the Administrator, Congress will be assured that the position will be filled by a fair and independent individual, and not simply serve as a mouthpiece for the FAA bureaucracy. Ideally, I believe an aircraft noise activist from New Jersey would be the perfect candidate for this new position. After all, no group of citizens are more familiar with aircraft noise or the FAA bureaucracy than my constituents.

Mr. Speaker, my amendment is extremely important to the people of New Jersey, and to the residents of any area of the Nation affected by aircraft noise. I urge my colleagues to demonstrate to their constituents that Congress is genuinely interested in mitigating the effects of aircraft noise by passing this excellent bill.

Mr. SHUSTER. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Virginia [Mr. WOLF] the distinguished chairman of the Subcommittee on Transportation of the Committee on Appropriations.

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

Mr. Speaker, I understand that the gentleman has proposed an amendment in the nature of a substitute which differs in numerous ways from the bill, H.R. 2276, that was reported out. I am told the most significant of these changes involved the deletion of the off budget provisions. Is that accurate?

Mr. SHUSTER. Mr. Speaker, if the gentleman will yield, the gentleman is correct.

Mr. WOLF. Mr. Speaker, I thank the chairman for that. The other thing, for purposes of clarity, would the gentleman briefly describe what are some of the other changes that were made from the bill?

Mr. SHUSTER. I would yield to the distinguished chairman of the subcommittee, the gentleman from Tennessee, [Mr. DUNCAN], for an answer.

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

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

Mr. DUNCAN. Mr. Speaker, the main provision was to take the off budget proposal out. We have another insertion there that would allow any savings from the FAA from their appropriation to be used, half to go to bonuses for FAA employees and half to be applied to the deficit. This was simply a way to try to encourage some savings by a Federal agency as a way to help in a small way the deficit. But I can assure the gentleman we meant in no way to try to sneak this through or pull anything over on the Committee on Appropriations. I can assure the gentleman that we will work with the gentleman to remove any objections that either the gentleman from Virginia or the Committee on Appropriations would have in regard to this particular provision.

Mr. MARTINI. Mr. Speaker, I rise today in support of the Federal Aviation Administration Revitalization Act of 1995, H.R. 2276. As a member of the House Transportation Subcommittee on Aviation and a cosponsor of this bill, I recognize the strong need to revamp and modernize the FAA to provide the safest, most efficient, and most cost-effective delivery of service available.

It is clear that as the aviation industry grows, the FAA's existing structure does not have the flexibility to grow with it. This is a responsible bill and exemplifies our efforts to maximize resources. First, it will modernize this outdated bureaucratic structure. Next, it will help make air travel—a key component of our economy—more productive, allowing the FAA to design its own personnel rules and avoid interference within the Department of Transportation. Last, with this new structure in place, Federal dollars can finally be used for new equipment and aviation personnel, not Government bureaucrats.

Of specific concern to me and thousands of my constituents in northern New Jersey is aircraft noise. What has happened over the last 5 to 8 years has been disheartening to say the least. We have seen the FAA, a Federal bureaucracy seemingly so set in its ways, virtually dismiss the concerns raised by homeowners affected by Federal policies which have increased overhead noise. Mr. Speaker, imagine the frustration felt by the taxpaying citizens of Montclair, NJ, who continue to be ignored and watch as the quality of their life erodes in the wake of thunderous jet engines. Perhaps the FAA's ears have grown deaf to concerns from the very noise they have created.

The people of New Jersey need someone within the FAA who is receptive to legitimate noise of concerns. By supporting this important piece of legislation, Congress will ensure the residents of New Jersey that their concerns will have a seat at the policymaking table. And while I believe H.R. 2276 is a giant step in the right direction, I will continue to closely monitor all FAA policies which could adversely affect my constituents. From this time on the FAA will be accountable for its decisions.

I urge my colleagues to join me in support of this bill and give the American people what they deserve—safe and effective air travel.

Mr. BURTON of Indiana. Mr. Speaker, I rise in strong support of H.R. 2276, the Federal Aviation Administration Revitalization Act. This well-crafted bill, introduced by Congressman LIGHTFOOT and House Aviation Subcommittee Chairman JOHN DUNCAN Jr., was unanimously approved by the Aviation Subcommittee and the full House Transportation Committee, and enjoys strong bipartisan support. Moreover, it is widely supported by the general aviation industry.

H.R. 2276 presents an opportunity to change and improve our Nation's aviation system. For years, those in the aviation industry have stressed the crucial need for FAA reform, and the need for the FAA to acquire state-of-the-art equipment in a timely manner. H.R. 2276 accomplishes this goal. This bill makes the FAA independent of the Department of Transportation, allowing the FAA to manage and regulate the safety of the air traffic control system without second-guessing or interference by the Department of Transportation, it frees the FAA from burdensome Federal procurement and personnel rules, and it establishes a commonsense management structure for the FAA.

By passage of H.R. 2276, Congress is demonstrating its commitment to strengthening the FAA and supporting general aviation and other segments of the aviation industry. I urge the prompt passage of this legislation so that we can ensure a safer and more efficient aviation system for America and its air travelers.

Mr. RAHALL. Mr. Speaker, I rise in strong support of H.R. 2276, the Federal Aviation Administration Revitalization Act which is before us today.

This bill, briefly, calls for the strengthening of the FAA by creating it as a separate agency, and will make other meaningful and much needed changes in the management of this most critical of Federal agencies.

Important to our consideration of this bill, and I call it to the attention of all my colleagues, is that it provides for the implementation of numerous reforms of the Agency's procurement and personnel management practices. When enacted, this bill will provide the FAA and its employees the necessary framework within which equipment modernization, cost savings, and labor-management teamwork can be fostered and will serve as a model for other Federal agencies.

It is urgent also that we enact this legislation in order to protect and preserve the applicability to the FAA of certain portions of title 5 of the U.S. Code critical to ensure that FAA employees can continue to have the statutory authority to be represented before the Agency and closely work with management to further implement needed reforms in a cohesive, structured fashion.

Many other changes to the Agency's structure, leadership, and operation are contained in the bill, and are equally important to ensure the continued safety of the Nation's air transportation system.

As many of my colleagues are aware, H.R. 2276 originally contained a provision to remove the aviation trust funds off-budget, but in an agreement with the Republican leadership, this portion of the bill has been removed in order for it to be considered under suspension of the rules. I remain committed to this change, and will hope for consideration of a free-standing bill, H.R. 842, that will take both aviation, highway, and other trust funds off budget later this session.

The importance of this bill is second only, in my view, of our need to increase spending on our aviation infrastructure, rather than continue the reductions in spending for such as the Airport Improvement Program [AIP] we have seen over the past several funding cycles. It is my hope that we can, through the aviation

funding study authorized in the bill, be provided useful information on innovative financing mechanisms that could be used to fund FAA operations and the development of aviation infrastructure. In the meantime, I believe that the dedicated funds, which are now in surplus, contained in the trust fund for aviation purposes should be spent for the purpose intended.

Mr. EWING. Mr. Speaker, I want to thank Chairman SHUSTER and Aviation Subcommittee Chairman DUNCAN for the expert leadership they have demonstrated in bringing this much-needed fundamental FAA reform legislation before the House of Representatives today. As a member of the Aviation Subcommittee, and as a frequent flyer, I am committed to ensuring that our Nation's aviation system remains the safest and most efficient in the world. H.R. 2276, the FAA Revitalization Act, is sound bipartisan legislation that will strengthen and improve U.S. aviation.

H.R. 2276 will restore efficiency and accountability to the FAA by removing FAA from U.S. Department of Transportation control and establishing it as an independent agency. The new FAA will have a corporate structure, with a five-member Board of Directors, and a chief executive officer from the aviation industry who will oversee the Agency's daily operation. This arrangement will provide direct accountability and improve FAA's responsiveness to the aviation community. It will also save taxpayers money by eliminating 200 FAA oversight positions in DOT.

However, the reforms contained in H.R. 2276 are not just structural. The bill implements desperately needed personnel and procurement reforms. Under current rules, the FAA does not have the flexibility to sufficiently allocate employees to facilities that are chronically understaffed, like the Chicago en route center, while other facilities are over staffed. H.R. 2276 grants FAA private sector-like powers to hire and dismiss employees, a well as the additional flexibility to offer incentives to employees for accepting jobs in hard to staff facilities. This personnel flexibility is achieved with the support of each major FAA employee union, and without weakening employee's rights to collectively bargain.

Finally, H.R. 2276 implements critical FAA procurement reforms. Current Federal procurement rules are so inefficient and cumbersome that new equipment is often outdated by the time it is installed. This problem not only deprives the traveling public and the aviation community of the latest and best equipment, but it frequently results in substantial Government waste and chronically over-budget projects. For example, the FAA's plans to replace its aging en route traffic control computers with the new advanced automation system [AAS] is nearly 10 years behind schedule and approximately $4 billion over its original budget. These cost overruns and delays are clearly unacceptable by any reasonable standards.

Mr. Speaker, H.R. 2276 is true reform legislation. It will fundamentally improve and restructure the FAA, which will benefit anyone who flies in the United States. For all the reasons I have outlined above, I urge all of my colleagues to support passage of H.R. 2276.

Mr. FRELINGHUYSEN. Mr. Speaker, today I rise in support of H.R. 2276, the Federal Aviation Revitalization Act of 1996. This legislation assures that an independent Federal agency will assume the current powers of the Federal Aviation Administration [FAA], for aviation safety, air traffic control, airway modernization, and yes, aircraft noise mitigation. As a Nation we are very dependent on aviation for movement of our citizens and movement of many goods and products. We need an agency that is responsible to the aviation industry, air travelers, as well as all taxpayers across our Nation.

In my view and the view of many aviation professionals, the stonewalling and arrogance which characterize the FAA's response to noise complaints, reflects the culture, attitudes, and philosophy of its parent bureaucracy, the U.S. Department of Transportation [DOT]. Making the FAA independent of the massive DOT bureaucracy, as well as the creation of the Management Advisory Committee and the Aircraft Noise Ombudsman, will enable the FAA to better represent the taxpayers. In a streamlined and independent agency, no decisionmaker will be able to hide behind layers of DOT bureaucracy. The three members of the Federal Aviation Board, who will administer the FAA, will be more visible and publicly accountable.

My colleague from New Jersey, Congressman BOB FRANKS, and his constituents, have experienced the same frustrations as I have with the FAA bureaucracy in the DOT. His successful effort to include in this legislation the creation of an Aircraft Noise Ombudsman directly addresses the needs for the taxpayers to have an advocate for their concerns regarding the very important issue of aircraft noise mitigation. The success of the Aircraft Noise Ombudsman will depend on the degree to which the FAA changes its approach toward communicating with taxpayers and Congress. The establishment of the FAA as an independent agency provides a positive starting point.

Consequently, Mr. Speaker, I ask that my colleagues support H.R. 2276 and give the American taxpayers a more responsive and efficient Federal Aviation Administration.

Ms. BROWN of Florida. Mr. Speaker, Chairman SHUSTER, Congressman OBERSTAR, Congressman DUNCAN, Congressman LIPINSKI, and I want to commend and congratulate you for working together in a bipartisan fashion to bring a good bill to the House floor.

H.R. 2276, the FAA Revitalization Act, addresses FAA's serious bureaucracy and procurement problems while ensuring that Congress keeps an important oversight role. H.R. 2276 makes the FAA an independent agency separate from DOT but still part of the executive branch. H.R. 2276 exempts the Agency from personnel and procurement systems, subject to congressional review. However, this bill does require FAA to develop new personnel and procurement systems tailored to meet the FAA's specific needs while still maintaining important employee rights such as whistleblowers protection, labor-management relations, and laws prohibiting discrimination. That's why it is important that H.R. 2276 be enacted into law before April 1.

If this bill is not enacted into law before April 1, then the fiscal year 1996 Transportation Appropriations Act's requirement that the FAA establish new personnel and procurement rules will go into effect. Unfortunately, the Appropriations Act does not require the FAA to adhere to employee rights that are clearly stated in H.R. 2276, especially the protection of labor-management relations. For the last several months, I have been hearing from FAA employees in my district who are very concerned that Congress will not meet its April 1 deadline and that they will lose their rights to negotiate with the FAA about the new personnel system. These employees have a great deal at stake. Let's get this bill enacted before it's too late.

Again, I commend my colleagues on their fine work and would ask my colleagues to support this bill.

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

Mr. OBERSTAR. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time, and ask all Members to support this very important landmark legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. SHUSTER] that the House suspend the rules and pass the bill, H.R. 2276, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2276, as amended.

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

There was no objection.

□ 1615

BI-STATE DEVELOPMENT AGENCY, BY THE STATES OF MISSOURI AND ILLINOIS

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 78), to grant the consent of the Congress to certain additional powers conferred upon the Bi-State Development Agency by the States of Missouri and Illinois, as amended.

The Clerk read as follows:

H.J. RES. 78

Whereas the Congress in consenting to the compact between Missouri and Illinois creating the Bi-State Development Agency and the Bi-State Metropolitan District provided that no power shall be exercised by the Bi-State Agency under the provisions of article III of such compact until such power has been conferred upon the Bi-State Agency by the legislatures of the States to the compact and approved by an Act of Congress; and

Whereas such States have now enacted certain legislation in order to confer certain additional powers on such Bi-State Development Agency: Now, therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the consent of Congress is hereby given to the additional powers conferred on the Bi-State Development Agency of the Compact Between Missouri and Illinois approved under the Joint Resolution of August 31, 1950 (64 Stat. 568) by

section 70.378 of the Act of May 26, 1993 (1993 Mo. Laws 382) and section 5 of Public Act 88–611, Laws of Illinois 1994.

(b) The powers consented to in subsection (a) and conferred by the laws referred to in such subsection shall take effect on January 1, 1995.

SEC. 2. The provisions of the Joint Resolution of August 31, 1950 (64 Stat. 568) shall apply to the additional powers approved under this joint resolution to the same extent as if such additional powers were conferred under the provisions of the compact consented to in such Joint Resolution.

SEC. 3. The right to alter, amend, or repeal this joint resolution is expressly reserved.

SEC. 4. The right is hereby reserved to the Congress to require the disclosure and furnishings of such information or data by the Bi-State Development Agency as is deemed appropriate by the Congress.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. GEKAS] and the gentleman from Rhode Island [Mr. REED] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GEKAS].

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

Mr. Speaker, as everyone knows by now, the Constitution of the United States empowers, no, directs the Congress to approve any kind of compact that may be entered into by any of the several States. If more than one State wishes to join with another in a joint venture, the consent of the Congress must be sought and obtained under the Constitution.

So, from time to time, we here in the House, in fact the entire Congress has to entertain importunings from various States to approve such compacts.

Back in 1950 there was such a compact approved by the Congress between Missouri and Illinois having to do with a joint venture across the river that divides them, and that compact was approved. That had to do with planning, development, et cetera. Now, the two States have found reason to come back to the Congress because one of the agencies that they empowered began operating a light-rail transit system and requested that the respective legislatures authorize it to appoint or employ a security force to prevent fare evasion and other misconduct on the system.

So, the Illinois Legislature and the Missouri Legislature did exactly that, passed their own concurrent legislation, as it were, which they referred to us for our consent, and that is the gist of this bill.

Mr. Speaker, we ask that the Congress approve it with first a vote here in the House. Our subcommittee and the full committee approved the passing of this legislation and have brought it to this stage in the legislative process.

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

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

Mr. Speaker, I rise in support of the bill. I know of no objections to this legislation. House Joint Resolution 78 seeks congressional approval for additional powers conferred on the Bi-State Development Agency of Missouri and Illinois by those two State legislatures. These additional powers involve the jurisdiction of various local police officers to make arrests on the light-rail system and the agency's efforts to prosecute fare evaders.

Mr. Speaker, I urge speedy passage of this legislation.

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

Mr. COSTELLO. Mr. Speaker, I rise today in support of House Joint Resolution 78, of which I am a cosponsor. This legislation is necessary to give enforcement authority to the Bi-State Development Agency, the local organization that operates the mass transit system in the St. Louis metropolitan region. Bi-State was originally established by the States of Illinois and Missouri and approved by the U.S. Congress. However, that compact did not give Bi-State the authority to appoint or employ a security force or to enact rules and regulations governing fare evasion and other conduct.

As Bi-State has expanded from providing transit via buses to the large-scale and widely known success of the MetroLink light rail system, its needs have changed. With its growth and new responsibilities, the agency now requires more authority to enact rules and regulations on fare collection and to employ a security force. MetroLink passengers currently pay fares through a barrier-free, self-service, proof-of-payment system. This system, while successful, needs a consistent enforcement policy to ensure fare compliance.

The agency does not currently have the authority to enact these rules under the original compact approved by the U.S. Congress. Because both the Illinois and Missouri Legislatures have acted to extend Bi-State's authority and because local officials and Members of Congress from the region support the change, I urge my colleagues to support passage of this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GEKAS] that the House suspend the rules and pass the joint resolution, House Joint Resolution 78, as amended.

The question was taken.

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

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

The point of no quorum is considered withdrawn.

GENERAL LEAVE

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

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

There was no objection.

HISTORIC CHATTAHOOCHEE COMPACT

Mr. GEKAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2064) to grant the consent of Congress to an amendment of the historic Chattahoochee compact between the States of Alabama and Georgia.

The Clerk read as follows:

H.R. 2064

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

SECTION 1. CONSENT OF CONGRESS TO THE HISTORIC CHATTAHOOCHEE COMPACT BETWEEN THE STATES OF ALABAMA AND GEORGIA.

The consent of Congress is given to the amendment of articles I, II, and III of the Historic Chattahoochee Compact between the States of Alabama and Georgia, which articles, as amended, read as follows:

''ARTICLE I

''The purpose of this compact is to promote the cooperative development of the Chattahoochee valley's full potential for historic preservation and tourism and to establish a joint interstate authority to assist in these efforts.

''ARTICLE II

''This compact shall become effective immediately as to the States ratifying it whenever the States of Alabama and Georgia have ratified it and Congress has given consent thereto.

''ARTICLE III

''The States which are parties to this compact (hereinafter referred to as 'party States') do hereby establish and create a joint agency which shall be known as the Historic Chattahoochee Commission (hereinafter referred to as the 'Commission'). The Commission shall consist of 28 members who shall be bona fide residents and qualified voters of the party States and counties served by the Commission. Election for vacant seats shall be by majority vote of the voting members of the Commission board at a regularly scheduled meeting. In Alabama, two shall be residents of Barbour County, two shall be residents of Russell County, two shall be residents of Henry County, two shall be residents of Chambers County, two shall be residents of Lee County, two shall be residents of Houston County, and two shall be residents of Dale County. In Georgia, one shall be a resident of Troup County, one shall be a resident of Harris County, one shall be a resident of Muscogee County, one shall be a resident of Chattahoochee County, one shall be a resident of Stewart County, one shall be a resident of Randolph County, one shall be a resident of Clay County, one shall be a resident of Quitman County, one shall be a resident of Early County, one shall be a resident of Seminole County, and one shall be a resident of Decatur County. In addition, there shall be three at-large members who shall be selected from any three of the Georgia member counties listed above. The Commission at its discretion may appoint as many advisory members as it deems necessary from any Georgia or Alabama County, which is located in the Chattahoochee Valley area. The contribution of each party State shall be in equal amounts. If the party States fail to appropriate equal amounts to the Commission during any given fiscal year, voting membership on the Commission board shall be determined as follows: The State making the larger appropriation shall be entitled to full voting membership. The total number of members from the other State shall be divided into the amount of the larger appropriation and the resulting quotient

shall be divided into the amount of the smaller appropriation. The then resulting quotient, rounded to the next lowest whole number, shall be the number of voting members from the State making the smaller contribution. The members of the Commission from the State making the larger contribution shall decide which of the members from the other State shall serve as voting members, based upon the level of tourism, preservation, promotional activity, and general support of the Commission's activities by and in the county of residence of each of the members of the State making the smaller appropriation. Such determination shall be made at the next meeting of the Commission following September 30 of each year. Members of the Commission shall serve for terms of office as follows: Of the 14 Alabama members, one from each of said counties shall serve for two years and the remaining member of each county shall serve for four years. Upon the expiration of the original terms of office of Alabama members, all successor Alabama members shall be appointed for four-year terms of office, with seven vacancies in the Alabama membership occurring every two years. Of the 14 Georgia members, seven shall serve four-year terms and seven two-year terms for the initial term of this compact. The terms of the individual Georgia voting members shall be determined by their place in the alphabet by alternating the four- and two-year terms beginning with Chattahoochee County, four years, Clay County, two years, Decatur County, four years, etc. Upon the expiration of the original terms of office of Georgia members, all successor Georgia members shall be appointed for four-year terms of office, with seven vacancies in the Georgia membership occurring every two years. Of the three Georgia at-large board members, one shall serve a four-year term and two shall serve two-year terms.

''All board members shall serve until their successors are appointed and qualified. Vacancies shall be filled by the voting members of the Commission. The first chairman of the commission created by this compact shall be elected by the board of directors from among its voting membership. Annually thereafter, each succeeding chairman shall be selected by the members of the Commission. The chairmanship shall rotate each year among the party States in order of their acceptance of this compact. Members of the Commission shall serve without compensation but shall be entitled to reimbursement for actual expenses incurred in the performance of the duties of the Commission.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. GEKAS] and the gentleman from Rhode Island [Mr. REED] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GEKAS].

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

Mr. Speaker, the question recurs on the need for congressional action on a compact that has heretofore been entered into between two States. In this particular case, the instant legislation is one where a contract or compact had been entered into between Alabama and Georgia as required by our Constitution.

The problem was that in 1978 when they created this Historic Chattahoochee Commission, a Bi-State Heritage and Tourism Agency which serves 11 Georgia and 7 Alabama counties along the Lower Chattahoochee River, the States recently found that they wanted to change the nomination process for the commission's board, so in 1993 they each enacted an amendment, Georgia on the one hand, Alabama on the other hand. Their legislatures acted, and now they come to us to seek approval through the constitutional process.

We in the Subcommittee on Commercial and Administrative Law heard testimony on this legislation and reported it to the full Committee on the Judiciary on October 19. The Committee on the Judiciary reported favorably on the bill by voice vote, and we are here.

Neither I nor anyone that I know of has any objection to the bill.

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

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

Mr. Speaker, again I rise in support of this legislation. I know of no objections to this legislation. As the gentleman from Pennsylvania has explained, H.R. 2064 amends the Chattahoochee compact between the States of Alabama and Georgia to change the method for filling vacancies on the Historic Chattahoochee Commission. The bill was introduced by the gentleman from Alabama [Mr. EVERETT], along with the gentleman from Alabama [Mr. BEVILL], the gentleman from Georgia [Mr. BISHOP], the gentleman from Alabama [Mr. BROWDER], the gentleman from Alabama [Mr. CRAMER], and the gentleman from Alabama [Mr. HILLIARD].

Mr. Speaker, I urge its passage and I am glad that I can participate in this historic event.

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

Mr. GEKAS. Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama [Mr. EVERETT], who was instrumental in bringing this matter to the attention of the House of Representatives.

Mr. EVERETT. Mr. Speaker, the Historic Chattahoochee Commission is involved in activities to promote tourism in the lower Chattahoochee River area, that encompasses 7 counties in Alabama and 11 counties in Georgia. The commission has been very successful in these endeavors, which prompted the National Trust for Historic Preservation to identify this commission as a model heritage tourism organization.

The legislation before the House, H.R. 2064, grants congressional consent to approve the changes made by the Alabama and Georgia Legislatures in 1993 to an interstate compact. The changes made to the compact simplify the way the Historic Chattahoochee Commission appoints its board members. Currently, the 28 board members, 14 from each State, are appointed by a cumbersome process involving an historical commission or similar body of each county to make the appointment.

The problem is that some counties do not have an historical organization, while other counties have several historical organizations, which has led to confusing and time consuming proceedings.

This legislation amends the process by making the election of commissioners to vacant seats by majority vote of the voting members of the commission. Some members are nonvoting.

Since Congress originally approved this compact back in 1978, both the Alabama and Georgia attorneys general have determined that the Historic Chattahoochee Commission cannot use the amended appointment process without the approval of Congress. This legislation is obviously supported by the States of Alabama and Georgia, and I am aware of no opposition.

Mr. Speaker, these changes will certainly enable the commission to place more of their efforts on promoting tourism in this area of Alabama and Georgia, and I urge the swift adoption of this legislation.

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

Mr. GEKAS. Mr. Speaker, I note an overwhelming absence of other speakers and, therefore, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GEKAS] that the House suspend the rules and pass the bill, H.R. 2064.

The question was taken.

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

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

The point of no quorum is considered withdrawn.

GENERAL LEAVE

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

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

There was no objection.

CONDEMN BOMBINGS IN ISRAEL

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 149) condemning terror attacks in Israel, as amended.

The Clerk read as follows:

H. CON. RES 149

Whereas, on February 25, 1996, two vicious terror attacks in Jerusalem and Ashkelon killed 2 American citizens and 25 Israelis, and wounded over 75 more;

Whereas, on February 26, 1996, an Israeli citizen was killed and 22 Israelis were injured when a terrorist drove a rental car into a Jerusalem bus stop;

Whereas, on March 3, 1996, a suicide bus bombing in Jerusalem took the lives of 18 innocent Israelis and other individuals and injured 10 more;

Whereas, on March 4, 1996, yet another heinous explosion by a suicide bomber in Tel

Aviv murdered at least 13 and wounded 130 more;

Whereas, the Gaza-based Hamas terror group claimed responsibility for the most recent bombings, and the Damascus-based Palestinian Islamic Jihad and Popular Front for the Liberation of Palestine terror groups have claimed responsibility for the majority of terror attacks since the signing of the Declaration of Principles;

Whereas, these successive incidents represent an unprecedented escalation by Hamas and Palestinian Islamic Jihad of their terrorist campaign designed to cause maximum carnage against the peaceful civilian population of Israel, including children, women and the elderly;

Whereas, these terrorist attacks are aimed not only at innocent Israeli civilians but also at destroying the Middle East peace process;

Whereas, since the signing of the Declaration of Principle between Israel and the PLO on September 13, 1993 nearly 200 people, including 5 American citizens, have been killed in terrorist acts;

Whereas, the Palestine Liberation Organization, the Palestinian Authority and Yasser Araft have been ineffective and unsuccessful in completely rooting out the vicious terrorist elements from Palestinian controlled areas, calling into question their committment to the peace process;

Whereas, the vast majority of Palestinian terror suspects have not been apprehended, or if apprehended, not tried or punished, and not terror suspects requested for transfer have been transferred to Israeli authorities by Palestinian authorities in direct contravention of agreements signed between the PLO and Israel;

Whereas, the Palestinian Authority must must now do much more systematically to end the threat posed by terrorist groups and take other steps consistent with the Israel-Palestinian Interim Agreement, including the apprehension, trial, and punishment of those who conduct terrorist acts and the implementation of procedures agreed upon with Israel to transfer suspected terrorists;

Whereas, the hateful language calling for Israel's destruction, that remains an integral part of the Palestinian National Covenant only serves to incite those opposed to the peace process;

Whereas, the Palestinian National Covenant has not yet been amended, despite commitments by the PLO to do so;

Whereas, these failures undermine and threaten the peace process as well as continued U.S. financial assistance;

Whereas, the government of Iran continues to provide safe haven, financial support and arms to terror groups such as Hamas, Islamic Jihad, or Hizbollah among others, and has in no way acted to restrain these groups from committing acts of terrorism;

Whereas, notwithstanding Syria's participation in a serious negotiating process to reach a peace agreement with Israel, Syria continues to provide a safe haven for terrorist groups opposed to the peace process, permits the arming of Hizbollah in Lebanon, and has not acted to a prevent these groups from committing acts of terrorism; and

Whereas, failure to act against terrorists by the Palestinian Authority, Iran, Syria, and others only undermines the credibility of the peace process: Now, therefore, be it

Resolved, by the House of Representatives (the Senate concurring), That the Congress—

(1) condemns and reviles in the strongest terms the attacks in Jerusalem, Ashkelon and Tel Aviv;

(2) extends condolences to the families of all those killed, and to the Government and all the people of the State of Israel;

(3) expresses its support and solidarity with the people and Government of the State of Israel;

(4) reaffirms its full support for Israel in its efforts to combat terrorism as it attempts to pursue peace with its neighbors in the region;

(5) calls upon the Palestinian Authority, the elected Palestinian Council and Chairman Arafat to act swiftly and decisively to apprehend and effectively punish the perpetrators of terror attacks, to prevent such acts of terror in the future, to confiscate all unauthorized weapons and to avoid and condemn all statements and gestures which signal tolerance for such acts and their prepetrators;

(6) calls upon Chairman Arafat, the Palestinian Authority and the elected representatives of the Palestinian Council to eliminate the terrorist structure and terrorist activities of Hamas, Palestinian Islamic Jihad, the Popular Front for the Liberation of Palestine, and all other terror groups;

(7) calls upon Chairman Arafat, the Palestinian Authority and the elected representatives of the Palestinian Council to adopt legislative and executive measures to ban the existence and operations of all terrorist organizations resident in the Palestinian autonomous areas;

(8) insists that Chairman Arafat convene the Palestinian National Council, so that the Palestinian National Covenant will be amended of its vile references to Israel within sixty days of the Palestinian Council's inauguration on March 7, 1996:

(9) reaffirms its belief that the Palestinian National Covenant must be amended in order for the peace process to succeed;

(10) calls upon the Palestinian people to support the deletion of anti-Israel language from the Palestinian National Covenant;

(11) calls upon the Palestinian people to express their revulsion for terrorism against Israel, and condemn and isolate those elements of Palestinian society that employ and support such terrorist acts;

(12) urges all parties to the peace process, in order to retain the credibility of their commitment to peace, to bring to justice the perpetrators of acts of terrorism, and to cease harboring, financing, and arming terror groups in all territories under their control; and

(13) calls upon those Arab states that have failed to condemn these acts of terrorism to do so immediately and forthrightly, and to support all efforts in the region to combat terrorism;

(14) calls upon the international community to cooperate with the United States in isolating states which engage in international terrorism;

(15) insists that Iran and Syria cease all support for all terrorist groups operating in areas under their control and refrain from all activities in opposition to the Middle East peace process;

(16) expresses its intent to reconsider United States assistance to the Palestinian Authority, in consultation with the Administration, in light of the steps that must be taken by the Palestinian Authority against terrorist infrastructures and operations;

(17) urges the United States to act decisively and swiftly against those governments who continue to harbor, arm or finance terror groups seeking to undermine the peace process; and

(18) praises United States efforts to provide Israel with all appropriate anti-terrorism resources to eliminate the tide of terrorist incidents against Israel.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. GILMAN] and the gentleman from California [Mr. LANTOS] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

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

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

Mr. Speaker, I rise in strong support of House Concurrent Resolution 149, legislation I introduced with the significant support of Members of this House, which condemns the recent terrorist bombings in Israel.

On February 25–26, and March 3–4, suicide bomber explosions murdered almost 60 people and wounded over 200. Such violence cannot be permitted to continue. The future of the peace process, and the security of the people of Israel, hang in the balance.

House Concurrent Resolution 149 condemns these terrorist acts in the strongest possible terms. These attacks are aimed not only at innocent Israeli civilians and at destroying the Middle East peace process, but additionally show that the PLO, and the Palestinian Authority, under the chairmanship of Yasser Arafat, have been ineffective and unsuccessful in rooting out these vicious terrorist elements from Palestinian controlled areas. Moreover, the hateful language calling for Israel's destruction, that remains an integral part of the Palestinian National Covenant has not been amended.

Accordingly, this calls into question the PLO's commitment to the peace process, and therefore, House Concurrent Resolution 149 expresses its intent to reconsider United States assistance to the Palestinian Authority.

Tomorrow's terrorism summit in Egypt will be well attended by many nations, but Iran and Syria will be conspicuously absent. Iran continues to provide support to terror groups such as Hamas, Islamic Jihad, and Hizbollah, and has in no way acted to restrain these groups. Notwithstanding Syria's participation in the peace talks, Syria has not condemned the bombings, and continues to provide safe haven for terrorist groups opposed to the peace process. Syria permits the continued arming of Hizbollah in Lebanon, and has taken no steps to prevent terror from taking place.

Because these failures to act against terrorists undermines the credibility of the peace process, House Concurrent Resolution 149 condemns the attacks, extends our condolences to the families of all those killed, and reaffirms our full support for Israel in her efforts to combat terrorism as she attempts to pursue peace.

House Concurrent Resolution 149 calls upon Chairman Arafat to act swiftly and decisively to apprehend and punish the perpetrators of terror attacks, to prevent such acts of terror, to confiscate unauthorized weapons, and to condemn all statements which signal tolerance for terrorism.

House Concurrent Resolution 149 also insists that Chairman Arafat convene the Palestinian National Council, to amend the Palestinian National Covenant.

The international community, many of whom will be represented at tomorrow's summit in Egypt, are called upon to cooperate with the United States in isolating states which engage in international terrorism. They must join the United States in insisting that Iran and Syria cease all support for all terrorist groups and refrain from activities in opposition to the Middle East peace process.

Finally, House Concurrent Resolution 149 praises United States efforts to provide Israel with all appropriate antiterrorism resources to eliminate the tide of terrorist incidents against Israel.

Earlier today, our House Committee on International Relations held a hearing on PLO commitment compliance and the threat of terrorism to Israel. We had a session which underscores that we must be ever vigilant against those who only half-heartedly condemn terror and violence.

Accordingly, Mr. Speaker, I urge our colleagues' strong support for passage of House Concurrent Resolution 149, and thank our colleagues for their clear and unambiguous endorsement of this legislation.

□ 1630

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

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

Mr. Speaker, I rise in strong support of House Concurrent Resolution 149, as amended.

Mr. Speaker, first I want to commend the distinguished chairman of the Committee on International Relations, my good friend, the gentleman from New York [Mr. GILMAN], for taking the leadership on this issue, as indeed he has taken the leadership on issues of terrorism for many years with great effectiveness, both in this body and in international bodies.

Mr. Speaker, I also wish to commend my colleague, the gentleman from Indiana [Mr. HAMILTON], the ranking member of the Committee on International Relations.

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, as we debate this resolution, the President of the United States is on his way to Egypt to attend a conference called in the wake of the most nightmarish terrorist attacks that we have watched unfold on our television sets in Jerusalem and Tel Aviv and in Israel. I want to commend the President, not only for this extremely important symbolic action, but for his persistent support of the democratic State of Israel which has taken such enormous risks for peace at such a very high price in precious human life.

Mr. Speaker, this resolution does many things. It condemns the terrorist attacks in Jerusalem, Ashkelon, and Tel Aviv, it extends the condolences of the Congress and the American people to the families of the victims, it expresses support and solidarity with the people of Israel who are undergoing some very difficult times in the face of this mindless and brutal terrorist wave, and it expresses support for the State of Israel as it combats terrorism and attempts to pursue peace with its Arab neighbors.

An important aspect of our resolution calls on Yasser Arafat to recognize that this is his last chance to demonstrate that he has the will and the capability to pulverize the terrorist infrastructure of Hamas in territory under his control. We have had for too long a double-faced approach by Arafat saying the right things to the West but praising to high heaven some of the most brutal terrorists, like the engineer who created the most terrible weapons of destruction in recent times in this terrorist wave. Arafat must understand that if he does not destroy the terrorist infrastructure, Israel will do it itself. That would set back the cause that we have been trying so hard to support, the cause of reconciliation, accommodation, and peace.

Our resolution, Mr. Speaker, also deals with state sponsors of terrorism, countries such as Iran. Iran must cease its support for Hamas and other terrorist organizations.

Later this week our committee will mark up legislation to impose tighter sanctions against Iran and those companies and countries which support Iran economically.

I particularly want to call on our European friends and on Japan to recognize their responsibility in fighting terrorism supported by Iran. Their reckless pursuit of profits is singly unseemly as human lives are sacrificed in the wave of terrorism supported by counties such as Iran.

I want to deplore the failure of Syria to express its regret with respect to these terrorist acts. Just a few weeks ago in Damascus I met with the Foreign Minister of Syria, and it was clear in our discussion that terrorism has no room in the new Middle East. Yet Syria is staying away from the conference in Egypt and has failed to condemn this outrageous wave of terrorist attacks.

I am calling on all of my colleagues on both sides of the aisle to demonstrate unanimous bipartisan support for this resolution. It is one of the most important steps the Congress will take in expressing our support for peace and stability in the region so critical to the national interests of the United States.

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

Mr. GILMAN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Kansas [Mrs. MEYERS], a member of our Committee on International Relations.

Mrs. MEYERS of Kansas. Mr. Speaker, I rise in support of this resolution. All civilized people and nations must stand with Israel and condemn this series of despicable crimes. We must all work together to bring these criminals to justice. The primary target of our efforts must be the wicked masterminds who repose in safety while duping their misguided followers into believing that killing innocent men, women, and children with suicide bombs is a holy act. These evil beings who make a travesty of their professed religion must be made to pay the price.

Furthermore, the Palestinian Authority must be finally put on notice that if it wants to be treated as a member of the civilized world, it has to behave as one. Its leaders must be made to understand that if they have any hope of actually joining the community of nations, they themselves must suppress the terrorist wing of Hamas—I will not call it the military wing because military people fight other soldiers; they do not blow up civilian buses. This will not be easy for them. It will certainly not be uniformly popular among the Palestinian people. But difficult choices are the price of responsible leadership. Can Mr. Arafat and his colleagues prove themselves responsible enough to stop these vicious terrorists? They had better, if for no other reason than self-interest. Because if they do not, I am certain that the Israelis eventually will, and doom forever the hopes of Palestinian independence. If Israelis and Palestinians are to live together in peace, these atrocities must be stopped.

Mr. GILMAN. Mr. Speaker, I appreciate the comments of the gentlewoman from Kansas [Mrs. MEYERS] and her support of the resolution.

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

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

Mr. HAMILTON. Mr. Speaker, I rise in strong support of House Congressional Resolution 149 as amended. I want to commend my colleagues Chairman GILMAN and Congressman LANTOS for their leadership on this measure.

We have all known for some time that as significant as it is, the Middle East peace process is also fragile. It cannot run on automatic pilot. It can only be strengthened and protected by sustained efforts to combat terrorism and to build a stronger structure of peace.

Unfortunately, four terrorist bombings in Israel this month—killing some 62 people, including 2 Americans, and injuring over 200 people—have brought us to this crisis.

This recent wave of murderous bombings has added a new urgency to the need for a more sustained and comprehensive effort by the Palestinian Authority to stop terrorism. The Palestinian Authority must work to destroy the structure of terrorism which small radical groups wishing to undermine the peace process have built. There is simply no other course of action that will allow the peace process to continue.

The effort by Chairman Arafat and by the Palestinian Authority to combat terrorism must be a sustained, 100-percent effort. Chairman Arafat cannot do what he has done in the past: relax efforts after the pressure of the moment eases. Hard-core terrorists cannot be coopted: They do not answer to reason and they do not support the peace process.

Statements opposing terrorism may have their place. But words alone will not reinforce the fragile peace. There is today no substitute for action against terrorist cells and the structure that supports them, and against those in Gaza, in the Middle East, and throughout the world who give terrorists safe haven, financial support, logistical support, weapons, and other assistance.

This resolution states clearly what needs to be done—what the Palestinian Authority needs to do, what is needed to reinforce the peace process and bring greater security to Israelis and Arabs, and what the United States and others can do to help the parties. Peace in the Middle East will be hollow if there is no security for people.

Mr. Speaker, I urge my colleagues to support this timely resolution. As we speak, President Clinton is on Air Force One on his way to the Middle East to cosponsor with President Mubarak of Egypt a Conference of the Peacemakers tomorrow in Egypt.

Mr. HOYER. Mr. Speaker, the Jewish holiday of Purim is usually an especially happy one. It is a celebration. Yet this year it was wrought with tears and horror—overshadowed

by the deaths of Israelis killed by a bomb blast on a crowded bus. Instead of celebration, it was mourning, instead of happiness, it was shock.

Like so many of my colleagues, I rise today to join the Members of this body, and the people of America, in condemning the recent heinous terrorist attacks against the people of Israel. These attacks are nothing more than a blatant attempt by the militant Hamas warmongers to derail the peace process in the Middle East. Their virulent actions against the people of Israel have left scores dead and hundreds wounded. Their actions deserve, at a minimum, world condemnation.

Once again, the people of Israel have found their democracy under attack—and once again, instead of reacting hastily and with massive military might—they restrained from seeking a quick revenge—for it is their desire for peace that is stronger than the delirious fanatics that seek to wreak havoc on the peace process.

I am pleased that President Clinton will join leaders from throughout the world at a summit in Egypt in a show of unity against both terrorism and the terrorists in the Middle East. I would like to commend Egyptian President Mubarak for hosting the conference and to also commend other Arab countries, including Jordan and Saudi Arabia for participating in this Conference which will hopefully reaffirm the need to continue the peace process in the Middle East.

As members of the Jewish community throughout the Washington metropolitan area celebrated Purim last week, Rabbi Jack Moline of Alexandria said that ''We are not compromising what we are doing tonight. It is imperative that we go through with this and not let [the bombers] define our world for us.'' For the people of Israel, they too, cannot compromise, they, too, cannot allow a group of terrorists to define their world. They haven't and with our actions here today, we show our support for them, for their uncompromising valor, and for their commitment to peace.

Ms. HARMAN. Mr. Speaker, I rise today in support of House Concurrent Resolution 149, and to condemn in the strongest possible terms the use of terrorism by the enemies of peace in the Middle East.

In the past 2 weeks, Israel has been the victim of four gruesome and horrible bombing attacks. Like all Americans, I am saddened and shocked by the killings, and I want to extend my condolences to the families of the slain. But the dead, among them children, are not the only innocent victims of the bombs, nor are they the bombers' primary target. Instead, the bombs have been carefully placed to undermine the foundations of the peace process, to shatter every Israeli's sense of basic security, and to threaten the rule of law.

Mr. Speaker, the people of the United States cannot and will not sit by complacently as extremists like Hamas and Islamic Jihad attempt to destroy the best hope for Middle East peace through terror and violence. I commend President Clinton for his swift condemnation of the recent attacks, and for his commitment to provide Isarel with counter-terrorism technology and assistance. I encourage further cooperation between Israel and the United States in finding ways to stop terrorists from striking. And I endorse the upcoming summit in Egypt, where over 30 nations, including many Arab States, will seek to develop international strategies for fighting terrorism.

But the Palestinian Authority, as Israel's partner in the peace process, must also assume responsibility for ensuring that the atrocious attacks of the past month are never repeated. We must let Chairman Arafat and the Palestinian Council know that America cannot tolerate failure in stopping terror attacks on innocent Israeli civilians. The authority's crackdown on Hamas over the past week is a welcome step, and should be noted. But we must make absolutely clear America's interest in seeing the Palestinian Authority control the violence of rejectionist minority groups like Hamas, and in seeing the Palestinian Council fully accept the peace process by purging from its charter all reference to the destruction of Israel.

Mr. Speaker, this resolution sends an important message to the world that America will not accept terrorism. I urge my colleagues to support it.

Ms. DELAURO. Mr. Speaker, I am proud to stand with my colleagues to reaffirm American support for Israel in the wake of tragic bombings that have claimed nearly 60 lives. My sympathy for the families who lost loved ones in the past weeks is unlimited, as is my outrage at these barbaric acts and their perpetrators.

The fanatics who have murdered innocent men, women, and children must be brought to justice. Groups such as Hamas that preach and practice acts of terror are an unacceptable presence in the civilized world.

Although it is hard, we must try to draw strength from this tragedy and redouble our commitment to bring peace to the Middle East. We must let terrorists know that their cruel violence will not be rewarded. I applaud President Clinton for meeting with world leaders in Egypt to unite against terrorism and to encourage Middle East nations to rejoin the path toward peace.

The United States must do all it can to support the people of Israel, further the peace process, and bring these killers to justice.

Ms. ESHOO. Mr. Speaker, I rise to condemn the recent terrorist bombings carried out against innocent Israelis. At least 57 people have been murdered in the past few weeks in Israel during a wave of suicide bombings carried out by Hamas.

I am pleased to support H. Con. Res. 149 which calls upon Chairman Arafat, the Palestinian Authority, and the Palestinian Council to apprehend and punish the terrorists who planned these bloody attacks, and to prevent such acts in the future. It also calls for the elimination of the terrorist structures of Hamas, Palestinian Islamic Jihad, and the Popular Front of the Liberation of Palestine. In addition, the measure recognizes the role the United States must play by expressing our intent to reconsider United States assistance to the Palestinian Authority in light of steps that must be taken by the authority against terrorist infrastructures and operations.

Mr. Speaker, these attacks were the work of cowards and common criminals. Now, it's up to both Israeli and Palestinian authorities to bring the perpetrators of these crimes to justice and redouble their efforts to guarantee Israel's security. Just as important, they must not let the terrorists achieve their political objective of derailing the Middle East peace process. The victims will truly have died in vain if terrorism succeeds in renewing the hideous cycle of violence that has plagued Israel since it became a state.

Mrs. LOWEY. Mr. Speaker, at this difficult hour we stand in solidarity with the people of Israel and reaffirm our commitment to their peace and security. We unequivocally condemn the reign of terror that has forever silenced the voices of so many of our children. We grieve for the victims—and we pray that no Israeli mother will have to bury a son or a daughter ever again. We remember the words of Yitzhak Rabin and say: ''Enough of blood and tears. Enough.''

The terrible events of the last weeks have profoundly shaken us all. We yearn so desperately for peace—yet today we are at war—at war against terror—at war against the enemies of peace.

There can be no noncombatants in this battle.

Israel has declared war on Hamas. Yasser Arafat must now become a full partner in this struggle. Nothing less is acceptable. There must be no more speeches in Arabic extolling the martyrs—no more terrorists arrested during the day and released at night. The covenant calling for Israel's destruction must be revoked—compliance with the declaration of principles must be total. This is Yasser Arafat's moment of truth—he must prove in word and deed that he is fully committed to peace. Either he is our ally in the war against terror—or he is our eneny.

This week President Clinton will travel to Egypt to participate in a historic world summit against terrorism.

The President's message will be simple and clear: There can be no compromise with terror. The days of talk are over—it is time for action. Hamas and Islamic Jihad must be eliminated. States that sponsor and finance terrorism—Iran, Iraq, Libya, Syria—must be isolated. Our allies must join us in cutting off all sources of funding and support for terrorism.

Yitzhak Shamir wrote many years ago that, ''Israel's twin goals have always been peace and security.'' We cannot have one without the other—and that is why we must continue to strive for both in the difficult days ahead. Thank you.

Mr. ROEMER. Mr. Speaker, I rise in strong support of House Concurrent Resolution 149, and urge all of my colleagues to join me in supporting this resolution to condemn the despicable terrorist bombing attacks in Israel. I am hopeful that is sends a message to the people of Israel to let them know that the United States stands behind them and will provide every possible support against the increasing and menacing incidents of terrorism.

We condemn, will all our strength, the outrageous agenda by extremists seeking to rekindle the glowing ashes of irreconcilibility in this long-suffering region. They seek to once again plunge the peaceseekers and the people of the Middle East into conflict and confrontation.

Mr. Speaker, this resolution expresses the sincere condolences of the United States to all of the families of those victims killed in the recent bombings. This resolution also sends a message that the people of Israel are not alone in their fight against terrorism. Indeed, the scourge of terrorism today has permeated each corner of the world, striking developing and developed nations alike.

At this crucial time, as sponsors of the Middle East peace process, we reaffirm our support for the peace process and remain confident that terrorists will not be allowed to obstruct the development of the Palestine-Israeli peace process, their constructive dialog and cooperation to resolve the existing problems. We encourage the Palestinian leadership, which has already condemned these abhorrent provocations, to follow this policy with even tougher measures.

Mr. Speaker, we have simply worked too hard for too long to allow terrorists to take over the peace process and determine the fate of peace after so much progress. Our support for the people of Israel, however, should not stop with passage of this resolution. Later this week, we will debate the antiterrorism legislation which seeks to provide significant resources to fight domestic and international acts of terrorism and bring swift justice to the perpetrators.

While nothing can take away the national and personal pain caused by terrorist attacks on innocent men, women, and children, perhaps this resolution can help in some small way by helping to bring an end to the violence. We strongly voice our support and understanding to the Jewish people of Israel and around the world for peace and against cowardly acts of terror.

Mr. FOX of Pennsylvania. Mr. Speaker, like you, I was shocked and deeply saddened when I heard about the fourth suicide bombing which took place on the Eve of Purim in Tel Aviv's shopping district. The once-solid confidence of the people of Israel and of the pro-Israel community in the United States has been terribly shaken by the tragic events of the past weeks.

The United States and Israel are permanent partners in our pursuit of peace, prosperity, and the promise of liberty. We have built a strong foundation based on years of mutual respect and trust. Together, we share risks, rewards, and losses as we strive to make this world a better, safer place to live, work, and raise our families. The United States will continue to stand ''shoulder to shoulder'' with its closest ally, the State of Israel, during this troubling time. Hamas and other enemies of peace should know that no blast will be strong enough to weaken the indestructible link between our country and the state of Israel.

After returning from the funeral of the late Prime Minister Yitzhak Rabin, I remember thinking that in the long run, those who resort to violence will find that it accomplishes little. Often, it spurs people on to completion of the task at hand—in this case, peace in the Middle East. Just as we were building upon the legacy of Yitzhak Rabin, we will now continue on the path for peace, honoring the memory of the 61 innocent victims who were murdered and the 190 who were injured in the four recent reprehensible suicide bombings.

Seventeenth century Dutch philosopher Benedictus De Spinoza once said, ''Peace is not the mere absence of war, but is a virtue that springs from force of character.'' During my trips to Israel this past year, it was clear to me that Yitzhak Rabin provided that force of character. And after meeting with Prime Minister Peres, Yitzhak Rabin's partner in peace, I became convinced that he would continue to provide that force. We must work with him to heal the wounds and move on toward a more permanent peace and sustained security for our Israeli allies.

As Members of Congress, we must not hesitate, together with our colleagues and the White House, to provide whatever diplomatic, economic, humanitarian, or military support is necessary so that Israel can combat the cowardly terrorists of Hamas and others who would seek to derail the peace for which Yitzhak Rabin and so many others gave their lives. The United States must continue to provide whatever form of assistance is required to preserve and protect the peace and security of Israel and its people.

While I am encouraged by the recent arrest of the head of the military wing of Hamas, we must continue to demand that PLO Chairman Arafat and the leaders of all the states of the Middle East join us in this war on terrorism. I am proud to stand in support of International Relations Committee Chairman BEN GILMAN's resolution to clearly communicate this message to Chairman Arafat—we will accept no less than full cooperation on this matter. Chairman GILMAN's legislation demands that the Palestinian Authority apprehend and punish terrorists, confiscate all unauthorized weapons, eliminate the terrorist structure and activities of Hamas, Palestinian Islamic Jihad, and the Popular Front for the Liberation of Palestine, ban the existence of all such organizations in the autonomous areas, and amend the Palestinian National Covenant to remove all hate-filled anti-Israel language. This legislation also calls upon all parties to the peace process to condemn terrorist acts and join us in the fight against terrorism. We insist that Iran and Syria cease all support for such deplorable activities. I salute the President for convening the antiterrorism conference tomorrow, and I am also strongly urging him to act decisively and swiftly against those who continue to harbor, arm, or finance terrorists seeking to undermine the peace process.

I thank the chairman for his leadership and I join you in praying for an end to the despicable violence committed by terrorists and for peace and prosperity for Israel and throughout the Middle East.

Mr. SANFORD. Mr. Speaker, this past month terrorist acts in Israel have taken the lives of innocent people. More than that, they have placed the peace of this region once again in jeopardy. Today, I rise to stand with the people of Israel and the Jews around the world. This measure, which we are currently considering, condemns the recent terrorist attacks as well as urges action in support of the peace process. However, it cannot console those who have become victims of a misguided attempt to settle a dispute over land. It cannot repair the buildings and lives which are now fragmented. Through this measure the United States states its opposition to actions such as those which have occurred recently in Israel. This Nation will not condone the senseless actions of terrorists. We stand with those for peace and for Israel.

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

The SPEAKER pro tempore (Mr. CAMP). The question is on the motion offered by the gentleman from New York [Mr. GILMAN] that the House suspend the rules and agree to the concurrent resolution (H. Con. Res. 149), as amended.

The question was taken.

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of this concurrent resolution.

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

There was no objection.

SUPPORT HOUSE CONCURRENT RESOLUTION 149 CONDEMNING TERROR ATTACKS IN ISRAEL

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

Mr. ENGEL. Mr. Speaker, I wanted to add my voice to the comments of my colleagues about the resolution condemning terrorism, but we had hearings today in the House Committee on International Relations to try to find out if the Palestinian authority is doing all it can do or has done all it can do to curb the scourge of terrorism, and I think the frustration that one sees and hears; we feel, on the one hand, that the peace process needs to continue. On the other hand, we cannot continue with blinders and pretend that nothing has happened.

So I certainly support the resolution, I think we need to condemn terrorism, I think we need to reach out to the brave people of Israel. No country could tolerate this kind of wanton terrorism against its civilian population, and I think clearly the ball is in Mr. Arafat's court. He has to determine whether or not he is going to be serious about cracking down on the scourge of terrorism. It is not enough anymore just to condemn it, it is not enough anymore to say one is against it. We have to show actions speak louder than words. He has got to route out terrorism, the United States has to stand foursquare against terrorism, but all the nations of the world have to participate.

So I am happy to join in support of the resolution as I know every Member of Congress will. Terrorism is a threat to all of us everywhere in the world.

□ 1645

IN SUPPORT OF THE PEOPLE OF ISRAEL

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

Mr. FOX of Pennsylvania. Mr. Speaker, I rise to support the Gilman resolution. The terrible devastation of Israel,

with the fourth attack on the innocent Israeli victims, which has killed 61 people, injured 190 people, is certainly something this country, the United States, will not tolerate. The Hamas organization has caused such terror and such grief that the once solid confidence of the people in Israel has been shaken. We here in America will show our support in every way possible, whether it is economic, humanitarian, in any way that Israel needs our help. It is our strongest ally in the Middle East, and a democracy that is so important to this country and the world's peace. We must be there to help them.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1561, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1996 AND 1997

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 375 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 375

Resolved, That upon adoption of this resolution it shall be in order to consider 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. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. CAMP). The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

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

(Mr. GOSS asked and was given permission to include extraneous material.)

Mr. GOSS. Mr. Speaker, this is a very simple, fair rule providing for House consideration of the conference report on H.R. 1561, the American Overseas Interests Act—otherwise known as the State Department Reauthorization. As is the custom for conference reports, this rule allows for 1 hour of general debate and preserves the right of the minority to offer a motion to recommit, with or without instructions. Finally, the rule waives all points of order against the conference report and its consideration. Mr. Speaker, H.R. 1561 was passed by the House on June 8, 1995. Since that time, Members in both Houses have invested a great deal of time and energy working to make this the first year since 1985 that we have reauthorized the State Department programs in this bill. In our Rules Committee hearing last week, both Chairman GILMAN and the ranking minority member, Mr. HAMILTON, said they were encouraged by the efforts that the conference committee has made to bring us this far. Unfortunately, I understand that the President is planning to veto this reform-minded initiative, essentially because it will cramp his unique foreign policy style.

In response, Mr. Speaker, I have to say that I think we all understand that the responsibility for conducting foreign policy rests primarily but certainly not exclusively with the executive branch. Today, this long overdue legislation recognizes and addresses the responsibility of the legislative branch in this area—responsibility it has passed on over much of the past 10 years. These duties include policy oversight and, most importantly, laying out the broad priorities for the expenditure of U.S. tax dollars overseas. In this respect, Congress must share some of the blame for our current confused and inconsistent foreign policy agenda. However, it is clear that the lion's share of the blame for recent flip-flops, diplomatic gaffs, excessive costs and ill-defined missions rests squarely with President Clinton and his foreign policy ''B'' team. To date, the Clinton administration has focussed its priorities and resources on extensive involvement on high-visibility—low-yield projects in Northern Ireland, Bosnia and Haiti—to the point where the United States has been actively engaged in the de facto governance of two out of these three regions. While the administration may have the best of intentions, its focus on these efforts has resulted in the neglect and/or mismanagement of critical situations in Cuba and Taiwan, to name just two. Today, the administration is finally getting around to recognizing that Fidel Castro is not such a nice guy, and that a Chinese invasion of Taiwan could threaten the entire balance of power in Asia and the Pacific—but I am afraid that the reason it took so long to arrive at these rather obvious conclusions is that the White House has conducted United States foreign policy in the same way it has conducted domestic policy: setting priorities by what the opinion polls say, bowing to pressure from hunger-striking activists, and giving more attention to photo ops that will resonate with the voters instead of doing the hard work of conducting a vigorous and consistent policy agenda across the globe based on a clear delineation of what our national security interests really are in today's world.

Mr. Speaker, I hope that passage of H.R. 1561 will begin to put us back on the right track by freeing up foreign policy assets and making them reflect changing priorities in a changing world. It does make some necessary cuts to the operating expenses of the bureaucracy at the State Department and agencies like USAID, USIA, and ACDA—a total of $1.7 billion over 4 years—and requires one of these agencies to be consolidated into the State Department. It also includes many other important provisions, including asserting the supremacy of the Taiwan Relations Act, and setting strict reporting requirements for the Bosnia operation. I would urge my colleagues to support this rule.

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

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

Mr. Speaker, House Resolution 375 makes it in order to consider the conference report on H.R. 1561, the Foreign Relations Authorization Act for fiscal years 1996 and 1997. As our friend and colleague, the gentleman from Florida [Mr. GOSS] has explained, it waives all points of order against the conference report.

The conference report authorizes appropriations for the State Department, and it requires the President to select and abolish at least one foreign affairs agency among the Agency for International Development, the Arms Control and Disarmament Agency, or the U.S. Information Agency, USIA. We have concerns about the substance of this conference report, as well as the manner in which the conference was conducted.

The gentleman from Indiana [Mr. HAMILTON], the ranking Democrat on the Committee on International Relations, told the Committee on Rules that a Democratic alternative to the conference agreement was dismissed out of hand. Furthermore, the gentleman from Indiana said that he as the ranking member never saw the conference agreement before it was filed. He told the Committee on Rules ''With this kind of approach, we are not making laws, we are making political statements.''

Furthermore, I want to express strong objections to the provisions in this conference agreement, as our colleagues know. If the measure is presented to the President in its current form, he has said that he will veto the bill. This bill could result in the abolition of AID, the Agency for International Development. This agency provides vital assistance to millions of poor and hungry people in developing nations. The small amount, the really tiny amount of savings that his, perhaps, would achieve could come at a terrible loss to human life and to our international standing around the world.

The funding levels contained in this bill are inadequate to protect the foreign policy interests of the United States. The bill would seriously undermine our ability to conduct diplomacy and operate overseas posts of foreign affairs agencies. If the bill passes, our Nation would retreat like a turtle into its shell, avoiding our international responsibilities and opportunities. That should not, it seems to us, be the image of our great Nation.

We are, however, pleased with a provision in the bill that prohibits the United States from selling small arms to Indonesia. This provision was included in response to that country's 1975 invasion and continued military presence in the island territory of East Timor, where numerous deaths and human rights abuse have occurred. We are glad this legislation does not let the East Timor tragedy go unnoticed.

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

Mr. GOSS. Mr. Speaker, it is my privilege to yield such time he may consume to the distinguished gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise in support of House Resolution 375, the rule governing consideration of the conference report on H.R. 1561, the Foreign Relations Authorization Act. I commend the gentleman from New York [Mr. SOLOMON], my good friend and colleague, chairman of the Committee on Rules, for his committee's expeditious consideration of the rule, and the gentleman from Florida [Mr. GOSS], for advocating the adoption of this rule.

Mr. Speaker, I would like to list at this point the main provisions of the conference report, an important conference report. This bill is the first major authorization bill reorganizing the international affairs agencies designed back in the 1950's to fight the cold war. It is also the first Republican foreign affairs authorization bill in 40 years.

In short, the bill will require the President to abolish one of three international affairs agencies, either the USIA, AID, or ACDA, moving their functions back into the State Department, pursuant to the initial suggestion by Secretary Christopher.

It mandates $1.3 billion in budget savings below the fiscal year 1995 spending levels for the operating expenses of State, of AID, of USIA, and ACDA over the next 4 years. It provides authorization of appropriations totaling $6.5 billion for fiscal year 1996 and 1997 to fund the State Department, to fund USIA, to fund ACDA, AID, and related programs. This represents a $500 million reduction from fiscal year 1995 spending on these programs.

It also eliminates the AID housing guarantee program that GAO estimates will lose over $1 billion of the taxpayers' money, the Roth-Gejdenson section. It includes the MacBride principles of economic justice for aid to Northern Ireland. It includes the Humanitarian Corridors Act language, conditioning aid to Turkey on releasing United States humanitarian aid to Armenia. It includes many administration-requested provisions to improve the management of the State Department; in other words, allowing the State Department to collect from insurers for free medical care provided.

□ 1700

It authorizes full administration requests for narcotics control assistance and for the Peace Corps. This bill also imposes a number of important human rights restrictions carefully modified to meet the concerns of the administration. Major provisions include the supremacy of the Taiwan Relations Act over executive agreements and reporting on United States involvement in Bosnia to ensure our mission fulfills its stated purpose of bringing about a lasting and just peace and further restricts the use of refugee funds for involuntary repatriation of genuine refugees or persons in serious danger of subjection to torture.

Accordingly, Mr. Speaker, I urge my colleagues to support this rule and look forward to their support for the important conference report.

Mr. GOSS. Mr. Speaker, may I inquire how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Florida has 22 minutes remaining; the gentleman from California has 27½ minutes remaining.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New Jersey [Mr. SMITH], who is the chairman of the Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding me this time.

I urge Members to support this rule. It is a good rule, and it is a very good, comprehensive conference report that we have put together. It has taken our subcommittee and the full committee the better part of a year and a half, working with the Senate, to craft this legislation. There were delays, as I think many Members know, on the Senate side, regrettably, but thankfully we are going to have this bill presented to the whole House very shortly.

H.R. 1561, the Foreign Relations Authorizations Act for 1996 and 1997 has attracted attention, Mr. Speaker, including a veto threat from the Clinton administration, because it would require the consolidation of at least one Government agency and because it would save $1.7 billion over 4 years.

I think it is important that, with the taxpayers clamoring for downsizing throughout the Federal bureaucracy, that the State Department and other agencies of our foreign policy apparatus not be immune to the budget-cutting knife.

Amid the discussion of these issues, however, some of the most important aspects of H.R. 1561 have gone almost unnoticed. Specifically, despite the need to cut spending and consolidate programs, the conference report manages to hold harmless, and at times even enhances, the most important programs and to enact important policy provisions that will indeed support freedom, democracy, and save lives.

Mr. Speaker, in considering H.R. 1561, I hope we will carefully consider the following human rights provisions:

First, Mr. Speaker, the Humanitarian Corridors Act. Section 1617 of the bill will limit assistance to those countries that restrict the transport or delivery of U.S. humanitarian assistance. I introduced the Humanitarian Corridors Act and offered the entirety of that legislation to this bill for a very simple reason: It is wrong, patently wrong, for countries receiving American assistance to keep U.S. humanitarian aid from reaching other countries. Yet this is precisely being done by Turkey, which has been blockading Armenia for several years. Ankara's opening of an air corridor with Armenia last summer indeed was a step in the right direction, but it does not represent a remedy for the problem. Turkey still refuses to open land routes through its territory for the delivery of badly needed United States humanitarian assistance to Armenia, which creates an unacceptable situation.

The MacBride principles, another very, very important set of principles that for years we have been trying to get enacted into law, Mr. Speaker, section 1615 of the bill includes language that guarantees United States assistance programs in Northern Ireland will only go towards projects that do not engage in religious discrimination and which provide employment opportunities for members of the region's Catholic minority. Some of us in Congress have been fighting, as I said, for these principles for many years. It has been a bipartisan effort. We have the opportunity to codify that this evening.

Chairman GILMAN, I think, deserves particular credit for his tenacity for steering this important human rights provision through this legislation and including it.

Refugee protection, the refugee provisions, Mr. Speaker, of H.R. 1561 will prevent the United States tax dollars from being spent to return to Vietnam and Laos thousands of men and women who served side by side with the American forces during the Vietnam war.

These provisions will also restore the Reagan and Bush policy of protecting people who can show that they are fleeing forced abortion or forced sterilization or they have actually been subjected to such cruel measure, such as the women who are now being held in California and in other parts of the country.

Mr. Speaker, H.R. 1561 would also require periodic reports to Congress on what Fidel Castro is doing to enforce his end of the Clinton-Castro immigration deal of 1994 and how people are treated who are returned to Cuba pursuant to the second Clinton-Castro immigration deal of May of 1995.

Despite the need for cuts, Mr. Speaker, in international broadcasting and other public diplomacy programs, H.R. 1561 holds harmless two of our freedom

broadcasting programs, such as Radio Free Asia and Radio and TV Marti.

The bill also requires, when cuts must be made, they must not fall disproportionately on broadcasts to countries, such as Iran and Iraq, where people do not enjoy freedom of information within their own country.

The bill also requires that Radio Free Asia commences its broadcasts into China, Vietnam, North Korea, Burma, and other countries whose people do not enjoy freedom and democracy, as we all know so well, within 6 months. No more delays; it is about time this important broadcasting got up and running.

Mr. Speaker, this is a fair rule, and I believe it is a very, very comprehensive conference report. As I think Members know, there were objections made by the other body when it came to the foreign aid section. That has been taken out of this bill, so we are talking basically about consolidation and about reauthorizing many of our important programs like USIA, the State Department refugee assistance.

I urge support for the rule.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. HALL], a distinguished member of the Committee on Rules.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, I want to thank my friend, the gentleman from California [Mr. BEILENSON], for yielding this time to me.

Mr. Speaker, I am very concerned with provisions in the bill which could result in the abolition of USAID, the U.S. Agency for International Development. This Agency provides vital assistance to millions of poor and hungry people in developing nations. The small amount of savings would come at a terrible loss to human life and to our international standing.

Mr. Speaker, the abolishment of USAID is a misguided idea that will lead to increased pain and suffering in the poorest countries of the world and it will reduce the effectiveness of the United States in international affairs. Now is the worst time to be thinking of getting rid of USAID. While the world is becoming increasingly interdependent, there are civil breakdowns in places like Bosnia and Rwanda, and there are outbreaks of deadly diseases in remote regions of the world. I think at this time there are 25 major humanitarian crises going on in the world.

I have been particularly impressed by the work of Brian Atwood as administrator of USAID. He has done an excellent job transforming USAID into an agency that improves its performance at the same time making dramatic budget reforms. In recent years, under Atwood's leadership, USAID has reduced senior management by nearly one-third and he has eliminated 90 organizational units in Washington. He also achieved $7 million in cost savings over 5 years by combining administrative functions with other Government agencies.

If this bill passes, our Nation will retreat like a turtle into its shell, avoiding our international responsibilities and opportunities. This is not my image of our Nation, and it should not be ours.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN], the distinguished chairman of the committee.

Mr. GILMAN. Mr. Speaker, I wish to address the gentleman from Ohio and mention that we have provided discretionary authority to the President to eliminate one of three agencies, not mandating that AID be eliminated, giving the President the opportunity to decide between AID, USIA, or ACDA, the Arms Control Agency. So there is no mandate, and I just wanted to make certain that the gentleman understands that there is no mandate to remove AID.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. HALL].

Mr. HALL of Ohio. Mr. Speaker, I would just respond to the chairman of the Committee on Foreign Relations that I am aware of the fact that it does not mandate that USAID go out of business, or not exist. It gives the choice. It could be one of three agencies.

I think it is felt by many of us here in Congress and many people in the administration that if they are given this, and I hope that they are not given this choice, that probably USAID will be given a direction to eliminate that, and I do not even want it considered in the legislation.

I think USAID is probably one of the more important programs that we have and when we consider where we used to be years ago, when we had $19 or $20 billion in foreign aid, which is like less than one-half of 1 percent of our total budget and now it is at $12 billion, and we want to eliminate the humanitarian agency in the whole Government when, in fact, it saves millions and millions of lives, I would not say every year but over the many, many years, to put them into the equation that they possibly could be abolished I think is a wrong way to go.

I think the people that we have at AID, starting with Brian Atwood, have done a very impressive job. I am very enthused about their direction, their vision for the future, and what this world is about as far as humanitarian concerns are concerned.

I just think we are going the wrong way here, and it makes us look like we are retreating on one of the most important issues that we have to deal with in the Congress of the United States.

People were asked in several polls, ''Would you be willing to fund humanitarian issues, humanitarian types of aid in countries overseas,'' and almost 90 percent of the people agreed that that was a good thing to do.

They also said in the poll, ''Would you be willing to give 100 extra dollars in tax moneys to humanitarian aid,'' and they said if they could be assured that the money was going to the poorest of the poor, they would be glad to do it. I was amazed by that poll.

Another poll showed that a lot of people believe that, you know, our foreign aid, when they did this poll across the country, that of our total budget, that somewhere between 18 and 22 percent of the people believed that, I am sorry, of the people polled, they believed that the total amount going to foreign aid, 18 to 22 percent was the amount of money going to foreign aid from our total budget. And they said, ''What actually do you think the money ought to be,'' and the numbers said they thought it ought to be 8 to 9 percent when, in fact, all we are arguing about here today is less than one-half of 1 percent. This is the aid that goes to humanitarian issues, the many crises going on in the world today.

So even to raise the issue, to have the possibility that it would be eliminated, to put it into the State Department, would be a political decision, I think, that would not work for the poorest of the poor and would hurt them. And I think it would go a long way in not bringing the kind of child survival activities and the type of micromanagement kinds of things that we need overseas in development assistance.

I oppose this bill. I do not think it is a good idea.

Mr. BEILENSON. Mr. Speaker, I yield myself such time as I may consume to comment on another matter relative to this, if I may, at this time.

Mr. Speaker, pursuant to section 426 of the Congressional Budget and Impoundment Control Act of 1974, we had been considering making a point of order against consideration of this rule. Section 425, as opposed to 426 of that same act, states that a point of order lies against legislation which, one, imposes an unfunded mandate in excess of $50 million actually against State or local governments, or, two, does not publish prior to floor consideration a CBO estimate of any unfunded mandates in excess of $50 million annually for State and local entities or in excess of $100 million annually for the private sector.

Section 426 of the Budget Act specifically states that the Committee on Rules may not waive this point of order. However, on page 2, lines 9 and 10 of House Resolution 375, which we are discussing here today, all points of order are waived against the conference report and against consideration. For that reason we were, as I said, considering making a point of order. This rule should not have been considered pursuant to this rule 426.

□ 1715

We decided not to pursue that point of order for a number of reasons, one of them being an unusual CBO estimate that we have heard about but have not yet seen. But we do think it is important to discuss very briefly, and I shall be very brief, Mr. Speaker, our reasons for objecting to the waiver of the unfunded mandate rule.

We should, of course, be sticking with the rules. Our good friends on the other side of the aisle came up with this proposal at the beginning of last year, and since that time have consistently waived it. We think we ought to take some of these rules a little bit more seriously and perhaps not pass them in the first place if we are not going to pay much attention to them.

This particular conference report has four refugee-related provisions which, taken together, may well result in increased costs to individual States throughout this country. There are good arguments on both sides of the question of whether these four provisions represent unfunded mandates, and apparently CBO itself is having some trouble coming up with a definitive answer.

What I want to say and be clear about is we would have made the point of order not because of necessarily opposition to the four particular provisions dealing with refugees, but because of our understanding of the intention of the unfunded mandates law, which is to provide full and open debate on any issues or that may raise unfunded mandates for the States. That, after all, was the expressed purpose from our friends on the other side as part of their Contract for that particular change in our rules.

Allowing for debate on the unfunded mandates question in this bill would provide one way to alert States that the Congress is in fact taking action which may well have come impact on state costs. It would give some notice to the States that the States' costs may increase or that State programs may assume some new burdens or may in fact need to be changed to avoid those burdens because of this particular legislation which Congress in fact will be considering today as soon as we are through with the rule.

Mr. Speaker, in conclusion, let me simply say that Members should be aware that this legislation does in fact contain provisions which could impose unfunded costs on State and local governments. Last year, as we have just discussed, the House overwhelmingly approved legislation that would help identify instances of unfunded mandates on public and private sector entities. In fact, much of the month of January of 1995 was consumed by that particular piece of legislation.

We find it somewhat ironic, after all the debate that took place at that time, particularly with regard to protecting Members; rights to be informed about unfunded mandates, that on one of the first major authorization bills that is coming out of the Committee on Rules since that time, the Republicans are apparently attempting to allow legislation that imposes unfunded costs on State and local governments without our raising that point. Most on that side of the aisle, and I guess a lot of Members on our side of the aisle as well, voted for the unfunded mandates bill.

We simply hope that Members will think long and hard about what a ''yes'' vote on this rule in fact proves. If one is truly opposed to the imposition of unfunded mandates on the States by the Federal Government, then we suggest that one would oppose this particular rule.

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

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Speaker, I thank my colleague the gentleman from California. Old friendships are worth a lot around here.

Mr. Speaker, I am proud to be an original co-sponsor of the provision to withhold funding for expanding diplomatic relations until the President certifies that the Vietnamese government ''fully cooperates'' in accounting for our MIAs. This measure is essential to achieve the fullest possible accounting of our missing heroes. In repeated testimony before my subcommittee the most senior Defense Department analysts who investigate this issue have stated under oath that the Vietnamese continue to hold back critical information on servicemen who were known to have been alive under Communist control in Vietnam, Laos and Cambodia.

In January, the U.S. Government gave the Vietnamese a list of 69 MIAs that based on the Defense Department's recent ''comprehensive review'' of all MIA cases. The review shows that there are over 400 MIAs who were last known alive or dead under Vietnamese control whom the Vietnamese can provide either bodily remains or their own documents, records and witnesses that can resolve their fates.

Based on this official review, I provided the Vietnamese with an additional 29 priority MIAs that the Communists should be able to account for. About a dozen of these cases overlap with the Defense Department list. All together the Vietnamese has been given the names of 75 MIAs that the U.S. Government knows they can account for immediately. And on January 20, 1996 while visiting Hanoi Assistant Secretary of State Winston Lord expressed to the Vietnamese ''disappointment in the level and quality of work that the Vietnam government Office for Missing Persons performs on cases.'' Although the Vietnamese dribble out isolated records and documents to manipulate the political debate in this Congress, the bottom line is that they are continuing to torture the families of our missing heroes. We have the power to stop this cruel charade.

This provision is strongly supported by the vast majority of veterans organizations and families of the missing heroes. We have letters of support from: the National League of POW/MIA Families, the National Alliance of POW/MIA Families, the American Legion, the Disabled American Veterans, the Vietnam Veterans Coalition, the Veterans of the Vietnam War, Inc., The American Defense and the Vietnam Veterans of America. I strongly encourage all Members of Congress to support this much needed measure.

For the RECORD I would like to include letters from the veterans and families organizations who support this provision.

But first, Mr. Speaker, check this out.

VIETNAM

(SRV Papers Back Cuban Downing of U.S. Airplanes—BK0103131396 Hanoi Voice of Vietnam in English 1000 GMT 1 Mar 96)

[FBIS Transcribed Text] Under the title ''Genuine Rights to Self Defense,'' the leading daily newspaper NHAN DAN and the Army paper QUAN DOI NHAN DAN on March 1 run commentaries reaffirming that the shooting down of two planes being flown by a reactionary organization involving Cuban exiles in the United States was genuine self-defense in line with international law to defend Cuba's territorial integrity and security.

NATIONAL LEAGUE OF FAMILIES OF AMERICAN PRISONERS AND MISSING IN SOUTHEAST ASIA,

Washington, DC, March 12, 1996.

Hon. BEN GILMAN,

Chairman, House International Relations Committee, 2170 Rayburn House Building, Washington, DC.

DEAR CONGRESSMAN GILMAN: In response to the President's veto message regarding HR 1561, the League has always maintained that the Government of Vietnam could unilaterally account for hundreds of Americans, and League policy has emphasized that ability as the crucial aspect of the fullest possible accounting since the League's inception. This legislation outlines the four criteria of unilateral action by Vietnam that President Clinton set forth as his measure and the League agrees with each of them.

Recently the administration completed a comprehensive review of all cases of those Americans missing and unaccounted for from the war in Southeast Asia which confirmed that Vietnam can unilaterally respond to and make significant progress on each of these four criteria.

What is particularly strange to the League is that the veto message was sent while a high level Presidential delegation, led by a cabinet member and included a member of the President's staff, was in Vietnam to present the expectations of the United States Government from this review. This delegation is comprised of the League's Executive Director Ann Mills Griffiths and the leadership of five major veterans groups all at the invitation of the President.

We're concerned that someone in the administration may have undercut the entire purpose of the trip with this veto message while the President's delegation was in Hanoi. If the President can't support the language concerning Vietnam within this bill, then the board views this as nullifying the praise that his administration has been lauding on Vietnam for their supposed ''outstanding cooperation''. The League position remains as stated and will be such until Vietnam has responded in a concrete way to the President's stated criteria. This is the

President's chance to signal Vietnam that his administration is serious in upholding his four criteria.

Sincerely,

JO ANNE SHIRLEY,
Chairman of the Board.

NATIONAL ALLIANCE OF FAMILIES, FOR THE RETURN OF AMERICA'S MISSING SERVICEMEN,
March 12, 1996.

Hon. ROBERT K. DORNAN,
Chairman, Subcommittee Military Personnel, International Relations, 1201 Longworth Bldg., Washington, D.C.

DEAR CHAIRMAN DORNAN: The National Alliance's Families and Veterans plead with you to stand firm in maintaining the provision that asks for THE LIMITATION OF FUNDING FOR UPGRADING OF THE EMBASSY IN VIETNAM TO THE LEVEL AS OF JULY 11, 1995 (Sec. 609, HR 2076) in both the AUTHORIZATION and APPROPRIATION BILLS of 1996; until such time, that President Clinton can sign on the dotted line confirming that Vietnam's Government is fully and totally cooperating. This would entail Vietnams being forthcoming with the unilateral return of U.S. Servicemen's Remains, records and documents that we known they are concealing.

At your two hearings in the Military Personnel Subcommittee on the POW/MIA travesty in the past months, testimony was received indicating that the Socialist Republic of Vietnam continues to hide information as well as the remains of our Servicemen which they dribble out slowly at their discretion to give the appearance that Vietnam is fully cooperating.

President Clinton promised that the precondition for normalized relations with Vietnam would be the fullest possible cooperation. Well, Clinton ''normalized'' and Communist Vietnam is still deliberately and perniciously dribbling out documents as you can see with the enclosed Reuters' story dated (3-12-96). Where is this ''superb'' and ''splendid'' cooperation by Vietnam?

Our Families, Veterans and concerned citizens thank you for your total support regarding our loved ones. Please, there should be no compromise of the House language for H.R. 2076 (Sec. 609). We ask only for honesty, and the full unilateral return of the remains of our loved ones, including the records and documents before the U.S. gives the funding for Diplomatic facilities in Vietnam.

Bless you for your stalwart support.

Sincerely,

DOLORES APODACA ALFOND,
National Chairperson.

VETERANS OF THE VIETNAM WAR, INC.,
Freeport, NY, March 12, 1996.

Hon. BEN GILMAN,
Chairman, International Relations.

Hon. ROBERT DORNAN,
Chairman, Military Personnel Subcommittee.

DEAR SIRS: The Veterans of the Vietnam War, Inc. strongly supports the provisions in the State Department Authorization and State Department Appropriations bills that deny funds for expanded relations until the Vietnamese government fully and honestly cooperates to account for American Prisoners of War and those still missing in action.

Based on sworn testimony given by General James Wold before the Military Personnel Subcommittee, who admitted that the Communist Vietnamese government continues to withhold valuable documents, including records of the Vietnamese Politburo and Central Committee, our membership is adamant that no further funding with American dollars be allocated to the expansion of relations with the Communist government of Vietnam.

These provisions strengthen the efforts of United States negotiators who are seeking the truth about the large number of POW/MIA cases. These include men last known alive or whose corpse was photo documented, and continued warehousing of remains. The Vietnamese government can unilaterally provide these remains, records and documents that will lead to resolution of this ongoing tragedy. Without this leverage, the Vietnamese Communists will never give us the answers that they are withholding on hundreds of brave Americans.

It is in the interest of the American people and the Clinton Administration that the President demands immediate resolution to the POW/MIA issue before further funding is granted.

We thank you for your dedication to our POW's and MIA's and to the TRUTH.

Sincerely,

JOYCE A. ROMMEL,
National POW/MIA Dir.

THE AMERICAN LEGION,
Washington, DC, February 27, 1996.

Hon. ROBERT DOLE,
Senate Majority Leader, Hart Senate Office Building, U.S. Senate, Washington, DC

DEAR SENATOR DOLE: In December, the President vetoed the Commerce-Justice-State (CJS) appropriations bill that contains a provision which denies funds for expanded relations with Vietnam unless he certifies that Vietnamese officials are fully cooperating with efforts to account for American POW/MIAs from the Vietnam War. Under this certification provision, the State and Commerce Departments would be prohibited from expanding the number of personnel assigned to posts in Vietnam beyond what existed on July 11, 1995, and only allows the United States to operate the Liaison Office established on January 28, 1995.

The American Legion urges you to include this language in the Omnibus Appropriations Bill that is currently under consideration. The President moved to include the Socialist Republic of Vietnam in the family of nations when the President decided to normalize relations on July 11, 1995. The Administration said this will lead to progress on the issue of American Prisoners of War and Missing in Action, but regretfully, we have not found that to be true.

The Vietnamese posseses the ability to unilaterally disclose information on specific cases, as Defense Department officials have testified and their Comprehensive Review of individual cases clearly shows. Thus, we should emphasize this fact and show how important the POW/MIA issue continues to be to the American people by limiting funds for diplomatic facilities in Vietnam subject to the President's certification that Vietnam is ''fully cooperating.''

The American Legion expects the fullest possible accounting of our POW/MIAs, and believes that withholding funds for diplomatic facilities would restore at least some of the leverage the United States has surrendered while prematurely normalizing relations with Vietnam.

The American Legion thanks you for your continuing strong support on this important issue.

Sincerely,

DANIEL A. LUDWIG,
National Commander.

DISABLED AMERICAN VETERANS,
Washington, DC, March 12, 1996.

Hon. ROBERT K. DORNAN,
Hon. BENJAMIN A. GILMAN,
House of Representatives, 1201 Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVES DORNAN AND GILMAN: The provisions in section 609 of H.R. 1561 are consistent with the DAV's position, as embodied in and mandated by a resolution adopted in National Convention, that calls for release of any Americans who may still be held captive, return of the remains of deceased service members, and the fullest possible accounting of those still missing as a condition to increasing our relations with the Socialist Republic of Vietnam. The DAV therefore supports the provisions of section 609 and urges that they be retained in the bill.

Sincerely,

RICHARD F. SCHULTZ
National Legislative Director.

NATIONAL VIETNAM VETERANS COALITION,
Washington, DC, March 12, 1996.

Re Appropriation Bill (H.R. 2076, Sec. 609)—Limitation of funding for the upgrading of the U.S. Embassy in the Socialist Republic of Vietnam.

Rep. ROBERT DORNAN,
Chairman, Military Personnel Subcommittee, 1201 Longworth Bldg., Washington, DC.

Rep. BEN GILMAN,
Chairman, House International Relations, 2449 Rayburn House Office Bldg., Washington, DC.

DEAR CONGRESSMEN: The FY 1996 Commerce/Justice/State House Appropriations Bill passed the House on March 7, 1996, keeping in tact Section 609—''Limitation of the use of funds for diplomatic facilities in Vietnam''. It is our understanding that President Clinton is now seeking to VETO this bill in opposition to Section 609.

The National Vietnam Veterans Coalition urges President Clinton to reassess his position on this matter. The Coalition in its entirety, strongly and unanimously supports the present language of this bill. This provision is necessary to assure a full accounting of American POW/MIAs. This provision will also enhance prospects of U.S. Vietnamese economic relations by firmly demonstrating to Vietnam that the United States will accept nothing less than honesty in all relations that affect both nations.

We are asking that the President do nothing more than what he, himself has always committed to the American people. In January, the United States told Vietnam that resolving the fate of missing U.S. servicemen would be its priority regarding any future ties between the two countries and said at that time we wanted more progress.

As we all know this has not happened. Again, we are urging the President to reassess his position and to sign this bill in its entirely.

Sincerely,

J. THOMAS BURCH, Jr.,
Chairman, National Vietnam Veterans Coalition.

AMERICAN DEFENSE INSTITUTE
March 12, 1996.

Hon. ROBERT K. DORNAN
Chairman, Subcommittee on Military Personnel, House of Representatives, LHOB–1201, Washington, DC.

DEAR CONGRESSMAN DORNAN: The American Defense Institute respectfully requests the House to make one final effort to obtain information on missing U.S. servicemen before our nation fully embraces Vietnam. The House can demonstrate to the Hanoi government America's continuing concern about

men like James Kelly Patterson, my navigator, whose name surfaced in the Foreign Broadcast Information System, February 28, 1996, stating that evidence exits that he had been forced to work at a secret arms testing site in the Soviet Republic of Kazakhstan. Denying diplomatic funding in the Commerce, State, Justice Appropriations Bill (section 609 of H.R. 2076) as passed by the House, will help accomplish a final resolution to this national tragedy.

The Administration has clearly stated the nation's intention to move forward with diplomatic ties with Vietnam. At the same time, Department of Defense officials have testified that there has not been full disclosure of information Vietnam can provide to account for missing Americans. Is it not unreasonable to limit diplomatic activity until that information is forthcoming? Can we do less for our fallen soldiers?

As a defense policy organization, the American Defense Institute considers the nation's continuing effort to obtain information on missing service personnel to be critical to the morale of those serving in the military today. On behalf of those active duty men and women, POW/MIA families who still wait for answers, the majority of former Vietnam POWs, and most of the nation's 27 million veterans, we urge the Senate to join with the House of Representatives and say with one voice to the government of Vietnam that full diplomatic relations with the United States must be earned by providing all available information on missing Americans.

Sincerely,

EUGENE B. MCDANIEL,
President.

DORNAN TWO DOZEN MIA CASES TO BE UNILATERALLY RESOLVED BY THE GOVERNMENT OF VIETNAM

Refno 0021.—Versace, Humberto Rocque.
Refno 0024.—Roraback, Kenneth M.
Refno 0050.—Cook, Donald Gilbert.
Refno 0054.—McLean, James Henry.
Refno 0096.—Hall, Walter Louis.
Refno 0105.—Lindsey, Marvin Nelson.
Refno 0162.—Pogreba, Dean Andrew.
Refno 0215.—Nordahl, Lee E.
Refno 0691.—Patterson, James Kelly.
Refno 1329.—Francisco, Sam Dewayne.
Refno 1329.—Morrison Joseph C.
Refno 1388.—Brucher, John Martin.
Refno 1402.—McDonnell, John Terrence.
Refno 1405.—Luna, Carter Pervis.
Refno 1437.—Brashear, William James.
Refno 1437.—Mundt, Henry G.
Refno 1456.—Sparks, Donald L.
Refno 1625.—Duke, Charles R.
Refno 1719.—Burnett, Sheldon John.
Refno 1747.—Pearce, Dale Allen.
Refno 1747.—Soyland, David Pecor.
Refno 1748.—Entrican, Dannly D.
Refno 1843.—Wiles, Marvin Benjamin C.
Refno 1927.—Borah, Daniel Vernon Jr.
Refno 1934.—Anderson, Robert Dale.
Refno 1945.—Brown, Robert Mack.
Refno 1945.—Morrisey, Robert D.
Refno 1948.—Stafford, Ronald Dean.
Special Case, Laos—Renno 0084.—Hrdlicka, David Louis

WOLD LIST DPMO CASES REQUIRING CRITICAL VIETNAMESE ASSISTANCE

0023.—Cody, Howard Rudolph.
0024.—Roraback, Kenneth M.
0047.—Tadios, Leonard Masayon.
0048.—Parks, Joe.
0049.—Bennett, Harold George.
0050.—Cook, Donald Gilbert.
0052.—Hertz, Gustav.
0077.—Shea, James Patrick.
0086.—Walker, Orien J.
0096.—Compa, Joseph James, Jr.
0096.—Curlee, Robert Lee, Jr.
0096.—Hagen Craig Louis.
0096.—Hall, Walter Louis.
0096.—Johnson, Bruce G.
0096.—Owens, Fred Monroe.
0096.—Saegaert, Donald Russell.
0097.—Holland, Lawrence Thomas.
0099.—Schumann, John Robert.
0105.—Lindsey, Marvin Nelson.
0121.—Gray, Harold Edwin, Jr.
0266.—Smith, Harold Victor.
0301.—Mape, John Clement.
0315.—Cooper, William Earl.
0326.—Malone, Jimmy M.
0350.—Alberton, Bobby Joe.
0350.—Edmondson, William Rothroc.
0350.—McDonald, Emmett Raymond.
0350.—Shingledecker, Armon D.
0350.—Stickney, Phillip J.
0430.—Eaton, Curtis Abbot.
0435.—Milikin, Richard M., III.
0476.—Taylor, Danny Gene.
0512.—Scungio, Vincent Anthony.
0529.—Niehouse, Daniel Lee.
0542.—Begley, Burriss Nelson.
0586.—Silva, Claude Arnold.
0589.—Poor, Russell Arden.
0641.—O'Grady, John Francis.
0680.—Jefferson, James Milton.
0727.—Apodaca, Victor Joe., Jr.
0732.—Klemm, Donald M.
0826.—Moore, Herbert William, Jr.
1065.—Hunt, Robert W.
1093.—Ray, James Michael.
1112.—Cichon, Walter Alan.
1258.—Acosta-Rosario, Humberto.
1260.—Ferguson, Walter, Jr.
1277.—Shark Earl E.
1329.—Francisco, San DeWayne.
1329.—Morrison, Joseph C.
1456.—Sparks, Donald L.
1504.—Cook, Glenn Richard.
1538.—Long, Carl Edwin.
1719.—Ard, Randolph Jefferson.
1719.—Burnett, Sheldon John.
1843.—Wiles, Marvin Benjamin C.
1870.—Fowler, James Alan.
1870.—Seuell, John W.
1924.—Buell, Kenneth Richard.
1934.—Anderson, Robert Dale.
1940.—Hall, James Wayne.
1952.—McElvain, James Richard.
1952.—Ward, Ronald J.
1965.—Bennett, Thomas Waring, Jr.
1978.—Bush, Elbert Wayne.
1978.—Deane, William Lawrence.
1978.—Lauterio, Manuel Alonzo.
1978.—Stinson, William Sherril.
1978.—Wilson, Mickey Allen.
69 INDIVIDUALS.—(51 CASES)

Mr. BEILENSON. Mr. Speaker, I yield 5 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. RICHARDSON. Mr. Speaker, if passed into law, this bill would be the beginning of the U.S. withdrawal from the international arena.

If this bill passes, the United States is on the slippery slope toward isolationism, and as the last superpower, the United States cannot withdraw from the world. Sections of this bill force the United States to retreat from further engagement in world affairs.

American leadership in the international arena is directly threatened by this bill. The conduct of foreign policy is a significant Presidential prerogative. It is not the prerogative of the Congress. Presidential authority to conduct foreign policy and direct national security legislation is severely curtailed by this bill.

The President should always be prepared to consult the Congress in foreign policy questions, but this bill goes too far in undermining the ability of the President to conduct foreign policy. The bill does not authorize the necessary level of funding for the President to conduct effective foreign policy.

Diplomacy is America's first line of defense. Diplomacy is essential to maintaining American leadership in world affairs. Diplomacy is also an inexpensive way to represent vital U.S. interests abroad.

I recently returned from a trip overseas in the subcontinent, and I spoke to many foreign service officers, AID officers, USIA officers. They are demoralized. They feel that their true worth and value is not appreciated by this Congress. These are men and women that risk their lives, do their jobs well, are patriotic, effective and efficient, yet they are being sent a message that their service is not important, that funding for their agency is not important, that they are furloughed.

This is not the way to treat America's diplomats. These are men and women that form the elite of the American Federal Government. They have been tested through extensive examinations. They do not deserve this treatment.

The United States spends slightly more than 1 percent of its Federal budget on international diplomacy and international assistance programs. This investment in peace and prosperity is the cornerstone of our national security policy. It is clearly cheaper to engage in diplomacy than to pay for military operations.

At this very time that we are in a state of tension between Taiwan and China, there is a provision in this bill, section 1601, amending the Taiwan Relations Act that is going to increase risk at a time of heightened tensions. This is not the time, this is not the week, this is not the day to be sending a message at a time of very heightened tensions. We have ships and destroyers in a state of alarm in Taiwan and in China. This is not the time when we abruptly shift policy and tie the President's hands.

We also have a provision on international organizations which would provide inadequate funding levels for fiscal years 1996 and 1997 and unworkable notification requirements which would undermine our diplomatic efforts in the U.N. and also are efforts to reform the U.N. system. This is not the kind of bill nor the kind of initiative we want to be sending at this time.

The bill also threatens the existence of vital international agencies in foreign policy. The U.S. Agency for International Development, the U.S. Information Agency, and the Arms Control and Disarmament Agency may all be shut down by passage of this bill. At

least one of them is going to be closed down. What is America's foreign policy going to be, if not to help international markets for American firms, extending America's promise of freedom through the free flow of information, and to make the world safe from the horrors of nuclear warfare?

Mr. Speaker, this is not a good bill. There are many serious Members on the other side that know the limits and the possibilities of American foreign policy. They know that we are the last superpower. They know that, regrettably, because we resolved the Bosnia issue and many others, that the world is coming to us for leadership. When we retreat and when we say that we cannot staff our embassies and we close consulates, not providing services to Americans and not showing the American flag, that is a signal at this time of our existence when the American leadership is not only going to be questioned, but once again many are going to say that the American giant, the country that is a hope for freedom and diplomacy and democracy, is not out there to do its job.

Mr. Speaker, this is not a good bill. It should not be passed. The President's right to conduct foreign policy should be maintained, and this bill does not do that.

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

Mr. Speaker, in concluding, I simply want to commend the gentleman who just spoke for his excellent and his very thoughtful statement. His points, especially those made relative to the fine men and women who serve us overseas and what we owe them, I think could not have been better said.

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

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

Mr. Speaker, the gentleman from New Mexico, perhaps more than any Member of this Congress, knows how helpful Members of this Congress can be in the execution of foreign policy, and I think that it is correct to say that foreign policy is not the exclusive right of the executive branch. It is an area where we both have an interest.

I would agree, as I said in my opening remarks, that the executive branch has primary responsibility, but we have primary oversight responsibility. Surely in terms of foreign policy of the national interests of the United States, this body has a tremendous amount to say and should have a tremendous amount to say.

Second, I would like to reply just very briefly to the remarks of my distinguished colleague from California, Mr. BEILENSON, about this question about points of order. We had looked very closely into that ourselves, and, as traditional with conference reports, I would have waived all points of order against it. We had gotten to the conclusion, after checking with CBO, that we in fact have no unfunded mandate. Therefore, we did not see any problem with waiving a rule when there was no unfunded mandate. In fact, I have a letter I will introduce into the RECORD from the Congressional Budget Office dated March 12, that in fact says, among other things, the bill would impose no intergovernmental private-sector mandates as defined by Public Law 1044 and would have no direct budgetary impacts on State, local, or tribal governments. I believe that as well.

Mr. Speaker, I will also include in the RECORD a statement which would have been our statement had we actually taken the point of order question to the floor. I would simply say it would be a futile gesture to provide an answer when there is no problem, although that is the kind of thing we do very well in government these days. It seems at great cost to the taxpayers, and I would put that point of order in that particular category.

Finally, I would like to urge strong support for the rule at this time. Whether one agrees with the substance of the bill, the rule is actually a pretty good rule. It should allow us to get on with our job. I think there is every reason for people to support this particular rule.

Mr. Speaker, the letter and statement referred to earlier are included for the RECORD.

Mr. Speaker, I rise in strong support of the question of consideration of this rule and urge an ''aye'' vote on it. Let me make quite clear from the outset that the point of order that has triggered this separate 20-minute debate and vote is completely bogus—there are no unfunded mandates in this State Department conference report.

Mr. Speaker, the point of order was made that House Resolution 375 is in violation of section 426(a) of the Budget Act which prohibits the consideration of a rule that waives section 425 of the Budget Act relating to unfunded mandates. A section 425 point of order is triggered if the maker of the point of order can, and I quote, ''specify the precise language on which it is premised.''

In this case, the existence of a blanket waiver in this rule is sufficient specific language to trigger the point of order and a separate debate and vote. There is no requirement that a point of order against the rule need identify any matter in the conference report that might be in violation of the unfunded mandate procedures.

And so, while the rule waives all points of order against the conference report, implicitly including any unfunded mandate points of order, there is no provision that we are aware of in the conference report that remotely relates to mandates on State or local governments.

There were no such mandates identified by the Congressional Budget Office in the House reported bill, or in the House-passed bill, H.R. 1561, or in the Senate-passed bill. Nor are we aware of any that have been added in conference.

I would therefore submit that while the point of order may be technically valid because this is a blanket waiver, its use in this instance is an abuse of process—a dilatory tactic designed to prolong and delay consideration by the House of this boilerplate rule on a conference report that contains no unfunded mandates of order and that the House should not be subjected to additional debate and a vote where no such valid point of order would lie.

So, the question might be asked, Why not exempt the unfunded mandate point of order from the blanket waiver in the rule? The point of order that has been made against this rule is the perfect answer to that question. While you can have only one bogus point of order against the rule, you could have an infinite number raised against the conference report—each of which would trigger a separate debate and vote of the House to consider the conference report.

In other words, the minority has already made the case for the blanket waiver with this completely groundless and dilatory point of order against the rule. I would therefore urge that the motion to consider this rule be adopted.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 12, 1996.

Hon. BENJAMIN A. GILMAN,
Chairman, Committee on International Relations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: In response to the request of your staff, the Congressional Budget Office has reviewed the Conference Report to H.R. 1561, the Foreign Relations Authorization Act, Fiscal Years 1996 and 1997, as reported on March 8, 1996. The bill would consolidate various foreign affairs agencies, authorize appropriations for the Department of State and related agencies, and address other matters in foreign relations.

The bill could impose no intergovernmental or private sector mandates as defined by Public law 104–4 and would have no direct budgetary impacts on state, local, or tribal governments.

We are preparing a separate federal cost estimate for later transmittal.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Pepper Santalucia (225–3220) for effects on state, local, and tribal governments, and Eric Labs (226–2900) for impacts on the private sector.

Sincerely,

JUNE E. O'NEILL.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 226, nays 180, not voting 25, as follows:

[Roll No. 56]

YEAS—226

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
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
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
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
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—180

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Frank (MA)
Frost
Furse
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 (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
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
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Studds
Stupak
Tanner
Taylor (MS)
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Williams
Wise
Woolsey
Wynn
Yates

NOT VOTING—25

Barton
Bryant (TX)
Chapman
Chenoweth
Christensen
Collins (IL)
de la Garza
DeLay
Durbin
Fields (TX)
Flake
Ford
Gallegly
Green
Johnson, Sam
Laughlin
Ortiz
Roukema
Rush
Stockman
Stokes
Taylor (NC)
Tejeda
Waxman
Wilson

□ 1749

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CAMP). Pursuant to the provisions of clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order: House Joint Resolution 78, de novo; H.R. 2064, de novo; and House Concurrent Resolution 149 by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

BI-STATE DEVELOPMENT AGENCY BY THE STATES OF MISSOURI AND ILLINOIS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the joint resolution, House Joint Resolution 78, as amended.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GEKAS] that the House suspend the rules and pass the joint resolution, House Joint Resolution 78, as amended.

The question was taken.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 405, noes 0, not voting 26, as follows:

[Roll No. 57]

AYES—405

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
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)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston

Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
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
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roybal-Allard
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—26

Barton
Bryant (TX)
Chapman
Chenoweth
Christensen
Collins (IL)
de la Garza
DeLay
Durbin
Fields (TX)
Flake
Ford
Gallegly
Green
Johnson, Sam
Laughlin
Ortiz
Roukema
Royce
Rush
Stockman
Stokes
Taylor (NC)
Tejeda
Waxman
Wilson

☐ 1810

Mr. HOUGHTON changed his vote from ''no'' to ''aye.''

So (two-thirds having voted in favor thereof) the rules where suspended and the joint resolution, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CAMP). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

HISTORIC CHATTAHOOCHEE COMPACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2064.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GEKAS] that the House suspend the rules and pass the bill, H.R. 2064.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONDEMN BOMBINGS IN ISRAEL

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 149, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. GILMAN] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 149, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 406, nays 0, not voting 25, as follows:

[Roll No. 58]

YEAS—406

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
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)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
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
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky

Volkmer	Watts (OK)	Wolf
Vucanovich	Weldon (FL)	Woolsey
Waldholtz	Weldon (PA)	Wynn
Walker	Weller	Yates
Walsh	White	Young (AK)
Wamp	Whitfield	Young (FL)
Ward	Wicker	Zeliff
Waters	Williams	Zimmer
Watt (NC)	Wise	

NOT VOTING—25

Barton	Fields (TX)	Rush
Bryant (TX)	Flake	Stockman
Chapman	Ford	Stokes
Chenoweth	Gallegly	Taylor (NC)
Christensen	Green	Tejeda
Collins (IL)	Johnson, Sam	Waxman
de la Garza	Laughlin	Wilson
DeLay	Lewis (KY)	
Durbin	Ortiz	

□ 1819

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent 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. LEWIS of Kentucky. Mr. Speaker, I was unavoidably detained and did not cast my vote on rollcall No. 58. Had I been present, I would have voted ''yes'' on House Concurrent Resolution 149.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1963

Mrs. THURMAN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1963.

The SPEAKER pro tempore (Mr. CAMP). Is there objection to the request of the gentlewoman from Florida?

There was no objection.

CONFERENCE REPORT ON H.R. 1561, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1996 AND 1997

Mr. GILMAN. Mr. Speaker, pursuant to House Resolution 375, I call up the conference report on 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 U.S. foreign assistance programs for fiscal years 1996 and 1997, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution, 375, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Friday, March 8, 1996, at page H1987.)

The SPEAKER pro tempore. The gentleman from New York [Mr. GILMAN] and the gentleman from Indiana [Mr. HAMILTON] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

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

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

Mr. GILMAN. Mr. Speaker, I bring before the House, the conference agreement on H.R. 1561, the Foreign Relations Authorization Act for fiscal years 1996 and 1997.

We bring to the floor a bill that eliminates at least one Federal agency, cuts spending $500 million before FY 1995 levels, and achieves savings of $1.7 billion over four years.

The conference agreement requires the abolition of at least one agency from among the four international affairs agencies—the Arms Control and Disarmament Agency, the Agency for International Development, and the United States Information Agency and its consolidation into the Department of State.

This consolidation—and the President is certainly encouraged to consolidate more than one agency—together with other provisions of the bill, will result in a savings in fiscal years 1996 through 1999 of at least $1.7 billion in the authorizations for programs under the control of the Committee on International Relations.

The bill reauthorizes the Department of State and related agencies for fiscal years 1996 and 1997. Further, it authorizes, at reduced but manageable levels, the salary and expense accounts for the Departments of State, USIA, ACDA, and AID through 1999.

In this manner we are able to ensure that savings in these accounts are planned for and achieved, as will be seen in the accompanying spreadsheet.

Regrettably, the President already has stated his intention to veto this bill, which provides for the first measure of reform in our foreign affairs agencies in 50 years, including reforms his own administration proposed.

With regard to consolidation, Secretary of State Warren Christopher last year suggested consolidating three outdated foreign affairs agencies into the State Department. Our bill requires the consolidation of only one agency.

Our bill also provides for a number of foreign policy principles important to U.S. national interests.

Our bill puts the Taiwan Relations Act at the center of our relations, allowing the United States to fully support Taiwan. The President, siding with the Chinese Communist government, seeks to limit our support for Taiwan by asserting that an Executive Agreement takes precedence over legislation by the U.S. Congress.

On Vietnam, our bill conditions the expansion of United States relations with Vietnam on POW–MIA progress. The President, by disagreeing with this bill, stands with the Vietnamese Government and against the families of missing Americans.

On the international housing program, our bill follows the GAO's advice and ends the AID Housing Guarantee Program, except in South Africa. By vetoing our bill, the President would continue this ''international S&L,'' despite the GAO's warnings that the program will cost the taxpayers over $1 billion in loan losses.

Our bill, for the first time, also provides that recipients of grants from the International Fund for Ireland abide by the MacBride Principles of fair employment in the North of Ireland.

Our bill condemns Turkey's misguided policy of obstructing aid to Armenia by prohibiting assistance to any country that bars or obstructs delivery of U.S. humanitarian aid.

Our bill contains a bipartisan provision requiring that foreign aid funds not spent after three years following their appropriation be returned to the U.S. Treasury.

Our bill also contains 20 provisions to improve management of the State Department that the administration requested.

They include authority to collect fees for visas and use the funds to improve our border security operations, and authority to collect from insurers for providing free health care to U.S. diplomats and their families at overseas posts, to name a few.

We also provide higher spending levels for a very few programs, such as the Peace Corps and International Narcotics Control programs.

H.R. 1561 also provides for reforms in the United Nations to refocus the U.N. on its traditional development and peacekeeping roles, preserves organizational flexibility for the agencies, provides for the humanitarian assistance and resettlement for refugees, promotes the rapid implementation of broadcasting into the non-democratic countries of Asia, and terminates United States participation in obsolete international organizations.

Mr. Speaker, this conference agreement reflects a number of compromises between the House and the Senate and accommodates many of the most serious concerns raised by the administration and the minority.

While the minority chose not to participate in the process, we made a sincere effort to meet their concerns.

It was disappointing that we could not build within the administration and among many of our colleagues a consensus to organize the foreign affairs functions to meet the coming century.

While we are bringing a solid Department of State and related agencies bill to the floor, many of us are disappointed that we could not build a consensus within the administration and among our democractic colleagues to organize the foreign affairs functions to meet the coming century.

Because of bureaucratic inertia and a lack of vision, the Clinton administration has engaged in an all-out assault on any effort to revitalize, reinvigorate, reorganize, reform, restructure, or reconsider the foreign affairs programs of our Nation.

The tragedy is that this bill reflects the failure of the Clinton administration to provide the foreign policy leadership in the early years of the post-cold-war era that was once provided by another Democratic administration—Harry Truman's—in the early years of the cold war era.

Truman's administration—including the President, the Secretary of State, the Secretary of Defense, and hundreds of other competent and courageous public servants—were concerned with building institutions and about the quality and effectiveness of the institutions of government entrusted to them.

The Truman years were years of an openness to new ideas and a willingness to experiment.

Faced with a world situation and an American role in the world radically different from those that existed before the Second World War, President Truman, Secretary Marshall, Secretary Forrestal, Secretary Acheson, and others did what was necessary to adapt to the new era.

This was the era in which the State Department was reformed from top to bottom, in which new agencies like USIA and the foreign aid agency were created, in which the Air Force was created, and authority over the Army, Navy, and Air Force was consolidated into one new Department of Defense. Intelligence matters were consolidated and placed in a newly created Central Intelligence Agency. The National Security Council was created.

I could go on.

The point is that in the years after the Second World War, our country was fortunate enough to have as the leaders of its foreign policy institutions great public servants who were concerned not only with creating a new policy for the new era, but in building the institutions to carry out the new policy.

Today, the institutions of foreign policy built for the cold war era demand serious attention and will require hard work if the institutions are to serve our policy objectives in this post-cold-war era.

The end of the cold war is not the only reason why these institutions need attention. Massive changes in the external environment in which these agencies operate also demand that these institutions be reformed and revitalized.

The revitalization of the foreign policy institutions does not have to be an adversarial process with Congress imposing upon a reluctant bureaucracy reforms that the bureaucracy itself is unable to adopt.

We were prepared, as the new Republican majority in Congress, to work collaboratively with the President and his Secretary of State to develop and carry out a program of reform and revitalization of these institutions.

We in Congress were prepared to work in that great spirit of bipartisanship and executive-legislative collaboration that characterized the post-World War II era.

Regretably our offers of cooperation were spurned.

But the day will surely come—in less than a year, I believe—in which the leadership will be there to engage in a program of revitalizing the foreign affairs functions of our Government. There will eventually be leadership in foreign affairs who have the vision to create the foreign policy for the post-cold-war era and the courage to implement such a vision through institutional changes. Those whose vision is too unfocused and whose courage is too uncertain must give way to those who can provide the leadership that is so desperately lacking today.

Those who oppose the reform and revitalization of the foreign affairs programs are the real isolationists because they have allowed themselves and their thinking to become isolated from the great changes that have taken place.

They recognize the change in the world, but want to isolate themselves from the serious, hard work of adapting public institutions to the changes in the world.

In a now-infamous memo, the A.I.D. Agency said its aim was to—and I quote—''delay, obfuscate and derail'' this bill.

This conference report is a downpayment on our pledge to streamline and consolidate our foreign affairs apparatus for the first time in 50 years to make them more effective and efficient.

In his State of the Union speech 7 weeks ago, the President stated that, in his words, ''the era of big government is over.'' When Congress sends this bill to his desk in the Oval Office, we will see if the President truly meant what he said.

FOREIGN RELATIONS AUTHORIZATION ACT FOR FISCAL YEARS 1996 AND 1997

[In fiscal years]

International Affairs, Budget Function 150, Account	1995 Actual authority	1996 Request authority	1996 H.R. 1561 authority	1996 Approps. conferences	1996 S. 908 authority	1996 Final conference	1997 H.R. 1561 authority	1997 S. 908 authority	1997 Final conference
Administration of Foreign Affairs:									
Transition Fund	.....	.....	.....	.....	125,000	.....	.....	100,000	.....
Diplomatic and Consular Programs	1,748,000	1,758,438	1,728,797	1,719,220	1,688,500	1,719,220	1,656,903	1,612,000	1,710,000
Salaries and Expenses	383,972	374,350	366,276	365,146	368,000	365,146	335,287	373,000	357,000
Capital Investment Fund	0	32,800	20,000	16,400	32,800	16,400	20,000	32,800	16,400
Protection of Foreign Missions and Officials	9,579	8,579	9,579	8,579	8,579	8,579	9,579	8,579	10,000
Emergencies in the Diplomatic and Consular Services	6,500	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Payment to the American Institute in Taiwan	15,465	15,465	15,165	15,165	15,400	15,165	13,710	15,400	14,165
Buying Power Maintenance	(5,223)	0	0	0	.....	0	0	.....	0
Office of the Inspector General	23,850	24,250	23,469	27,369	23,350	27,369	21,469	23,000	27,000
Security & Maintenance of U.S. Missions	391,760	421,760	391,760	385,760	401,760	385,760	369,860	401,760	380,000
Representation Allowances	4,780	4,800	4,780	4,500	4,500	4,500	4,780	4,500	4,500
Repatriation Loans Program Account	776	776	776	776	776	776	776	770	776
Subtotal	2,579,459	2,647,218	2,566,602	2,548,915	2,674,665	2,548,915	2,438,364	2,577,809	2,525,841
Assessed Contributions for Peacekeeping	518,687	445,000	445,000	225,000	445,000	445,000	300,000	375,000	375,000
Subtotal	518,687	445,000	445,000	225,000	445,000	445,000	300,000	375,000	375,000
International Conferences and Contingencies	6,000	6,000	6,000	3,000	7,000	3,000	5,000	5,000	3,000
Subtotal	6,000	6,000	6,000	3,000	7,000	3,000	5,000	5,000	3,000
Assessed Contributions to Internat'l Orgs	872,661	923,057	873,505	700,000	777,000	850,000	828,388	777,000	840,000
Subtotal	872,661	923,057	873,505	700,000	777,000	850,000	828,388	777,000	840,000
Payment to the Asia Foundation	15,000	10,000	10,000	5,000	5,000	5,000	9,000	3,000	10,000
Subtotal	15,000	10,000	10,000	5,000	5,000	5,000	9,000	3,000	10,000
Migration and Refugee Assistance:									
Refugee Assistance	591,000	591,000	590,000	671,000	591,000	590,000	590,000	671,000	590,000
Refugees to Israel	80,000	80,000	80,000	.....	80,000	80,000	80,000	.....	80,000
Burmese Refugees	.....	.....	1,500	.....	.....	1,500	1,500	.....	1,500
Subtotal	671,000	671,000	671,500	671,000	671,000	671,500	671,500	671,000	671,000
International Narcotics Control	105,000	213,000	213,000	115,000	.....	115,000	213,000	.....	213,000
Peace Corps	231,345	234,000	219,745	205,000	.....	210,000	215,000	.....	234,000
Subtotal	336,345	447,000	432,745	320,000	0	325,000	428,000	0	447,000

FOREIGN RELATIONS AUTHORIZATION ACT FOR FISCAL YEARS 1996 AND 1997—Continued

[In fiscal years]

International Affairs, Budget Function 150, Account	1995 Actual authority	1996 Request authority	1996 H.R. 1561 authority	1996 Approps. conferences	1996 S. 908 authority	1996 Final conference	1997 H.R. 1561 authority	1997 S. 908 authority	1997 Final conference
Arms Control and Disarmament Agency:									
Core programs	40,878	45,300	44,000	35,700	22,700	35,700	39,500	0	30,000
Chemical Weapons Convention (CWC)	9,500	17,000	0						
Cobra Dane Radar		14,000	0						
Subtotal	50,378	76,300	44,000	35,700	22,700	35,700	39,500	0	30,000
U.S. Information Agency:									
Board for International Broadcasting	229,735	0	0				0		
BIB—Grants and Expenses	7,290	0	0				0		
Salaries and Expenses	475,645	496,002	445,645	445,645	429,000	445,645	402,080	387,000	440,000
Technology Fund	0	10,100	5,050	5,050	10,100	5,050	5,050	9,500	5,050
East-West Center	24,500	20,000	15,000	11,750	20,000	11,750	8,000	8,000	11,750
North-South Center	4,000	1,000	4,000	2,000		2,000	3,000		3,000
Radio Construction	69,314	85,919	70,164	40,000	83,000	40,000	52,647	79,500	35,000
International Broadcasting Operations	238,338	395,340	311,191	325,191	310,000	325,191	246,191	300,000	330,000
Broadcasting to Cuba	24,809	0	24,809	24,809		24,809	24,809		24,809
RFE/RL					75,000			75,000	
Israeli Relay Station	(2,000)								
Subtotal	1,071,631	1,008,361	875,859	854,445	927,100	854,445	741,777	859,000	849,609
Educational & Cultural Exchange Programs:									
Fulbright	135,753	130,799	112,484	200,000	109,500	102,500	88,681	101,000	98,000
S. Pacific Exchanges	900	0	900				900		
East Timorese Scholarships	0	0	800				800		
Cambodian Scholarships	0	0	141				141		
Tibetan Exchanges	0	0	500				500		
Other Programs	177,352	121,877	77,266		118,322	97,500	57,341	107,300	85,000
Unspecified cuts	(40,726)								
Subtotal	273,279	252,676	192,091	200,000	227,822	200,000	148,363	208,300	183,000
National Endowment for Democracy	34,000	34,000	34,000	30,000	32,000	32,000	32,000	29,000	30,000
Radio Free Asia	5,000	0	10,000	(5,000)		10,000	10,000		10,000
Eisenhower Exchange Fellowship Prog. Trust Fund	2,800	300		300			0		
Office of the Inspector General	4,300	4,593	4,300	State IG	4,100	State IG	3,870	3,900	State IG
Subtotal	46,100	38,393	48,300	25,300	36,100	42,000	45,870	32,900	40,000
Agency for International Development:									
USAID Operating Expenses	515,500	529,000	465,774	465,750	432,000	465,000	419,196	389,000	465,000
Operating Expenses—USAID Inspector General	39,118	39,118	35,206	30,200	35,000	30,200	30,685	31,500	27,000
Subtotal	554,618	568,118	500,980	495,950	467,000	495,200	449,881	420,500	492,000
Housing Guarantee Program Account:									
Subsidy Appropriation	19,300	16,760	0	4,000		4,000	0		0
Operating Expenses	8,000	7,240	7,000	7,000		7,000	6,000		6,000
Subtotal	27,300	24,000	7,000	11,000	0	11,000	6,000	0	6,000
Internat'l Relations Committee total	7,022,458	7,117,623	6,673,582	6,095,310	6,260,387	6,486,760	6,111,643	5,929,509	6,472,950
Function 300 HIRC Jurisdiction State Department									
International Commissions:									
International Boundary Waters Comm. (S&E)	12,858	13,858	13,858	12,058	12,500	12,058	19,372	12,300	19,372
International Boundary Waters Comm. (Constr)	6,644	10,398	10,393	6,644	10,000	6,644	9,353	10,000	9,000
American Sections: IBC	740	740	740	640	740	640	666	720	666
American Sections: IJC	3,550	3,550	3,500	3,360	3,500	3,360	3,195	3,500	3,195
International Fisheries Commissions	14,669	14,669	14,669	14,669	14,669	14,669	13,202	14,400	13,202
Subtotal	38,461	43,215	43,160	37,371	41,409	37,371	45,788	40,920	45,435
HIRC bill total	7,060,919	7,160,838	6,716,742	6,132,681	6,301,796	6,524,131	6,157,431	5,970,429	6,518,385

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

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS of Florida. Mr. Speaker, I thank the ranking member for yielding me this time.

Mr. Speaker, I rise to express my opposition to the conference report on H.R. 1561.

Before I point out what I believe to be mistaken undertakings on behalf of our committee, I would like to point out that my friend, the gentleman from Florida [Mr. GOSS], who happens not to be on the floor at this time, made a statement earlier regarding this bill which is not correct.

He stated that this would be the first State Department authorization bill since 1985. Our research shows that that simply is not accurate. There has been a State Department authorization bill every year for the last 15 years authorized in 2-year increments.

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

Mr. HASTINGS of Florida. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, I think what the gentleman meant, if we adopt this, it would be the first State authorization bill to be adopted, foreign aid authorization bill to be adopted since 1985.

Mr. HASTINGS of Florida. Reclaiming my time, that is not what he said. I want it clearly understood there has not been an authorization bill for foreign aid since 1985, but that does not relate to this bill since the foreign aid authorization has been deleted from this measure.

□ 1830

I just wanted to point that out. I think that that will reflect accurately, and the gentleman from Florida [Mr. GOSS] needs to be mindful of that.

This report has a myriad of problems, as illustrated by the fact that not one Democrat on the conference committee supported the final product. The President, as the chairman a moment ago has pointed out, has promised to veto it and correctly so. It reorganizes and eliminates foreign policy agencies because of political concerns, not because the changes will make operations more efficient.

The report also cuts spending on our foreign aid programs too deeply. The minimal amounts that we spend in the first place reap benefits for us in expanded trade, better relations, a greater sphere of influence, just to mention a few things. But to cut back on our meager assistance is just plain shortsighted.

This conference report is just another example of this Congress micromanaging foreign policy and preventing the President from doing his job. Foreign policy obviously is important. We cannot wish the world's problems away. Instead of retreating, we must have the flexibility to get involved so that we can help those in trouble and promote our own interests. The two goals are not incompatible, but they will be unachievable if this report is passed.

Mr. Speaker, I want to point out one more thing, and that is the provision dealing with Taiwan. This simply is not the right time to bring this kind of provocative measure to the floor. The fact of the matter is, Taiwan is getting

ready to have an election and China is rumbling all over the place. For us to deal with this kind of measure stops us from being able to take the kinds of measures that are vitally necessary.

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

Mr. SMITH of New Jersey. Mr. Speaker, I would like to ask the gentleman what in the Taiwan Relations Act does he object to? In the language passed duly by the Congress, it is the law of our land. What does the gentleman object to?

Mr. HASTINGS of Florida. Mr. Speaker, if the gentleman will yield, the repudiation at this time would destabilize what we have done, I would remind my friend. We have a longstanding policy that this United States has, both Republican and Democrat, toward China. What we will be doing is increasing the risk at the time of heightened tensions. I am not opposed to us talking about this, but I am talking about the timing.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished chairman of the Committee on Economic and Educational Opportunities, the gentleman from Pennsylvania [Mr. GOODLING].

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

Mr. GOODLING. Mr. Speaker, I rise today in support of the conference report to H.R. 1561, the Foreign Relations Authorization Act.

I would like to express my thanks to Chairman BEN GILMAN and his staff for guiding this bill through rough waters and rocky terrain. It has not been easy, and he and his staff have done an admirable job.

I would also like to thank Chairman CHRIS SMITH for all of his work concerning a provision I will discuss in a moment concerning coercive population control policies.

Before I do so, however, I would like to address some of the criticisms I have heard about this bill. We have before us today a bill that represents a genuine compromise on some very difficult issues.

I certainly did not get everything I wanted in this bill. I thought my provision concerning U.N. voting coincidental was worthy of support and inclusion in the conference report. Dozens of Members could say the same thing about many of their provisions that have been left behind. Chairman GILMAN went so far to leave his provisions concerning microenterprise projects out of the bill.

But we all agreed to compromise in order to move the bill forward. That is called governing. It is a product of the democratic process. So when I hear people complain we have been unwilling to give in, and when I learn the President has pledged a veto of this bill despite all of our efforts, I begin to wonder who is serious about governing.

This ''my way or the highway'' approach to Government is not going to cut it. The other side must be willing to give in on some issues. We have given in on the population issue. We have given in on foreign assistance provisions. We have given in on eliminating three agencies to only one. In contrast, I do not recall one single issue where the minority has compromised.

I say this not out of malice but simply as a point of reference. I would hope we could move forward.

This conference report contains a provision of particular significance which I alluded to earlier. It addresses the coercive population control policies employed by the Chinese Government.

For over 1,000 days, a group of Chinese men have been held in the York County jail, which happens to be in my district. Their crime? These men fled China in fear of China's coercive abortion and sterilization policies.

Had these individuals fled China for the United States during the years President Reagan and President Bush were in office, they would likely have been granted asylum in the United States years ago. Under Presidents Reagan and Bush, fear of repressive, coercive population control policies, which China clearly employs, was grounds for asylum. Under Reagan-Bush, these individuals would likely have been set free, and the Federal Government is paying over $1 million in taxpayer money each year to keep them locked up.

Unfortunately, President Clinton changed the policy when he took office in the belief that fear of forced abortion or sterilization does not merit asylum in this country.

H.R. 1561 would change U.S. law back to the Reagan-Bush policy that was the law of the land for years and which hardly resulted in our Nation being overrun by hordes of asylum seekers.

The House will next week consider legislation to crack down on illegal immigrants. I am the first to say that illegal immigrants who have no grounds for asylum must be sent away. But it is wrong to make an example of these Chinese men and women who fear coercive population policies.

This provision is supported by the Family Research Council, and various churches. This provision is humane, and most of all, it speaks well of America and Americans.

Mr. Speaker, I again want to thank Chairman GILMAN and Chairman SMITH for their work on this bill and I urge all Members to support this conference report.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland [Mr. WYNN].

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

Mr. Speaker, I rise to strongly oppose this piece of legislation, the conference report. This is a bad bill. It is a bad bill for several reasons.

First, we have to understand this is not foreign aid. This is a budget for the State Department, USAID, our own agencies.

Under the Constitution, the President is empowered to conduct the U.S. foreign policy. This bill hamstrings the President in the exercise of that responsibility.

First, it abolishes an agency indiscriminately. They do not tell us which agency. They do not say why. They do not indict the agency for malfeasance or any other problems. They just say abolish an agency. It is not real reform. It is reform purely for the sake of saying we had reform. It does not make any sense.

We cannot manage a foreign policy by these kinds of arbitrary changes, moving boxes around without any meaningful purpose.

Second, is deep and unreasonable cuts. This budget, this program, will hamstring the President in terms of his ability to retain qualified people. This budget and the cuts they propose will result in RIF's, layoffs, and the loss of highly talented people. We cannot run a foreign policy without qualified people. We have international responsibilities as a world leader.

A couple of final very important points: This bill discourages burden sharing. We found out through Desert Storm that we need multilateral action. But by discouraging and inhibiting U.S. participation in the United Nations and other multilateral organizations, we discourage burden sharing, because other countries will say, ''If the United States does not participate, if the United States does not pay its dues, then why should we? If the United States is trying to pull back on its financial commitment, why should we commit when we are a much smaller country?''

It discourages burden sharing at a time when we need to involve other countries.

Finally, it limits U.S. population assistance programs. One of the biggest problems we will confront in the year 2000 and beyond is the question of an exploding population. Under this bill, as many as 7 million couples will be denied the opportunity to get family planning assistance. I am not advocating any kind of coercive abortions, but I am saying people ought to be able to get information and assistance to engage in family planning.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 5½ minutes to the gentleman from New Jersey [Mr. SMITH], a senior member of our Committee on International Relations and the chairman of our Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, I just want to advise the body that the gentleman's statement a moment ago was entirely wrong. There is nothing authorizing or providing for population control funds in this bill either way. It simply is silent on the issue. There is no foreign aid in this bill. That was dropped at

the insistence of the Democrats during the House-Senate conference committee, and it would have led to a filibuster beyond any doubt on the Senate side had we insisted that be in there. So it was dropped. It is not there.

Mr. Speaker, I would like to address some of my remarks this evening to my Democratic colleagues, because, frankly, I am astonished again by some of the disinformation going on about what is in the bill or not in the bill.

I am also a little bit hurt by the suggestion this was not a bipartisan bill. The budget savings in the consolidation provisions are there, but they have been modified. There has been compromise with a capital ''C'' with regards to this bill to meet what we thought were the administration's objections. But the goal posts keep moving back.

Let me speak primarily, however, to the human rights provisions which we have worked very, very hard in my Subcommittee on International Operations and Human Rights and in the full committee with the leadership of the gentleman from New York [Mr. GILMAN].

Opposition to the violation of fundamental human rights is not a partisan issue, and this bill contains stronger human rights provisions than any previous foreign relations authorization act that I have seen on this floor during my 16 years as a Member of this House. Frankly, they were even stronger when the bill passed the House, but we had to moderate some of them and we dropped others to meet the objections of the administration.

I am very pleased that the Humanitarian Corridors Act is in this report. I offered that bill as a freestanding bill and as an amendment to the bill when it came up. It seems to me a very modest proposal to say that those countries that receive U.S. foreign assistance cannot impede or inhibit or proscribe the transiting of humanitarian aid to another country.

I speak, of course, to Turkey and the fact they have disallowed humanitarian assistance to Armenia. It is important if we have relations and provide foreign aid that we say to our allies, allow these medicines and other kinds of assistance to get to our friends in Armenia.

There is also the McBride Principles championed by our good and distinguished chairman, the gentleman from New York [Mr. GILMAN]. That is in here. I just notice and would say parenthetically, Mr. Clinton just got the Irishman-of-the-Year award. He should not veto this bill. This will be the first time we codify the McBride Principles that many of us have talked about. Now we are going to do something about it in this legislation.

There is also an authority to provide the Special Envoy to Tibet. It is not mandatory. I think it is a step forward in the right direction, so that human rights can be further recognized in that very troubled region of the world.

The Migration and Refugee Assistance provisions come under our subcommittee. We, after hearings and hearing from all of the refugee community, have decided that it was very important that we hold harmless the refugee budget. The world is awash with refugees. We have to at least provide, I think, this modest amount of money to provide for them. There is $671 million in each of the fiscal years for refugee programs, $500,000 higher than the administration's 1996 request, and substantially higher than the estimates that the administration's requests were based on for 1997. So we held those refugee assistance accounts harmless.

There is also allocation of funds for certain Burmese refugees and for the resettlement of refugees to Israel. They are carried over from the prior year. We have also authorized such funds that are necessary for the resettlement of certain Southeast Asia refugees in the high risk categories identified by the Lautenberg amendment, primarily those that served with the United States forces in the former government of South Vietnam, religious refugees and members of the Hmong ethnic minority from Laos.

Subsection 1104(b) prohibits expenditures on programs involving repatriation to Vietnam, to Laos or Cambodia, unless the remaining asylum seekers have been or will be interviewed by United States immigration officers, and unless resettlement offers have been made or will be made to those found to be refugees under United States law.

This provision was modified in conference to make it clear that the refugee status interviews can, under certain circumstances, be held in the asylum seeker's country of origin. This is to accommodate the administration's so-called Track Two plan for interviews in Vietnam. This plan will only work if we can somehow guarantee the safety of the asylum seekers during the interview process. We are not there yet, but this provision, which did pass the House 266 to 156 in a broad bipartisan vote, will help us with those boat people, so that we close out the comprehensive plan of action with honor and kindness, and not cruelty.

The section on the Cuban immigration policies, and this is I think very timely, Mr. Chairman, this would require periodic reports on the Cuban Government's methods of enforcing its 1994 and 1995 anti-immigration agreements with the United States, and on the treatment of persons returned by the United States to Cuba.

SECTION 1252, EXTENSION OF CERTAIN ADJUDICATION PROVISIONS

Mr. Speaker, this section extends the Lautenberg amendment, which identifies certain high-risk refugee categories and provides that applicants in these categories are presumed to be refugees if they assert both a fear of persecution and a credible basis for their fear of persecution. The high-risk categories include nationals or residents of an independent state of the former Soviet Union or Estonia, Latvia, or Lithuania who are Jews or evangelical Christians, as well as certain Southeast Asians. (See section 1104 above.) The provision would also extend until October 1, 1997, the Attorney General's ability to adjust the status of aliens who are nationals of an independent state of the former Soviet Union, Estonia, Latvia, Lithuania, Vietnam, Laos, or Cambodia and were granted parole into the United States after August 14, 1988, to the status of aliens lawfully admitted for permanent residence.

SECTION 1253, U.S. POLICY REGARDING THE INVOLUNTARY RETURN OF REFUGEES

The House-passed provision would have provided that no funds authorized by this act be used for the involuntary return of any person to a country in which he or she has a well-founded fear of persecution. This provision has been modified to meet DOS concerns. The conference provision omits the prohibition against using DOS funds to assist or promote such returns—to meet the argument that the House-passed provision might have been violated if a DOS official made a phone call. Also, the provision is now limited to refugee accounts, not all DOS accounts. The effect of this provision, therefore, is to provide that funds for refugee protection may not be used to forcibly repatriate people unless it has been determined that they are not refugees.

SECTION 1255, PERSECUTION FOR RESISTANCE TO COERCIVE POPULATION CONTROL METHODS

This section would provide that forced abortion, forced sterilization, or persecution for resistance to such measures are persecution on account of political opinion within the meaning of the refugee definition in the Immigration and Nationality Act. It would effectively reinstate the prior interpretation of the law, which was reversed by an INS order on August 5, 1994.

SEC. 1256, U.S. POLICY WITH RESPECT TO THE INVOLUNTARY RETURN OF PERSONS SUBJECTED TO TORTURE

This section would prohibit the use of funds authorized by this act in the involuntary return of any person to a place in which he or she is in serious danger of subjection to torture. This provision has been substantially modified to meet DOS concerns. The section now specifically subjects the definition of torture to all reservations, understandings, etc., adopted by the United States when it ratified the Convention Against Torture. The conference also eliminated the assist or promote language to which DOS objected. (See section 1254 above.)

SEC. 1304, RESPONSIBILITIES OF BUREAU CHARGED WITH REFUGEES

The House-passed provision would have established. This provision would have established a coordinator for human rights and refugees within the Office of the Secretary of State. It would also have established a statutory bureau of Refugee and Migration assistance. Under the House provision, the coordinator for human rights and refugees would supervise the Bureau of Refugee and Migration Assistance and the Bureau of Democracy, Human Rights, and Labor, and would report directly to the Secretary of State. The conference substantially modified this provision to meet DOS concerns. The Department had argued that human rights and refugee protection are distinct functions requiring two separate bureaus, and also that the institution of a coordinator who reported to the Secretary rather than an Undersecretary might have the unintended effect of isolating these bureaus. The

conference therefore modified the provision to specify only that the bureau with responsibility for refugee and migration and refugee assistance be independent of the bureau charged with responsibility for population policy. The department can, of course, still maintain a population office in another bureau, as it did prior to 1993. The present provision is designed to reinforce the principle that refugees are linked primarily to human rights problems, not demographic problems.

Related human rights issues:

SEC. 1102(E), LIMITATION ON FUNDING FOR UNDP PROGRAMS IN BURMA

Reduces funding to the UNDP in each fiscal eyar by the estimated cost of UNDP projects in and for Burma, unless the President certifies that all such projects are directed toward the needs of the poor; are conducted through international or private voluntary organizations independent of the SLORC; do not benefit the SLORC; and are endorsed by the democratic leadership of the Burmese people.

SEC. 1408, CONDUCT OF CERTAIN EXCHANGE PROGRAMS

This section requires that exchanges with countries whose people do not enjoy freedom and democracy be carried out in cooperation with human rights and pro-democracy leaders in these countries. The administration successfully argued for the deletion of language that would have extended eligibility for scholarships and exchanges in such countries—including China, Viet Nam, Cambodia, Laos, and East Timor—to exiles from these countries.

SEC. 1410, EDUCATIONAL AND CULTURAL EXCHANGES FOR TIBETANS AND BURMESE

This section carries over a provision of prior law to require that exiles from these countries be eligible for scholarships and exchange programs. In the absence of this provision, exiles would be excluded from eligibility for such programs, and the selection process would necessarily be conducted in cooperation with the regimes that rule Burma and Tibet.

SEC. 1611, REPORTS TO CONGRESS ON BOSNIA AND HERZEGOVINA

This section requires periodic reports on human rights protection under the Dayton agreement, the status of refugees, and the treatment of the Albanian ethnic majority in Serb-held Kosova.

Mr. Speaker, we have heard about how this bill is pro-fiscal responsibility. It is also pro-human rights. I urge a "yes" vote on the conference report.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. JOHNSTON].

Mr. JOHNSTON of Florida. Mr. Speaker, I address this bill on two levels: No. 1, my interest in Africa; and, No. 2, just general foreign policy.

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First, the bill cuts back the development funds for Africa. There is $800 million for 600 million people, and now that is gone.

Next, the bill does not want to send peacekeeping forces to Africa, and we saw 400,000 people die in Rwanda because of that. Next, in spite of what the gentleman said, and I am sure the gentleman from Wisconsin [Mr. ROTH] will address this, too, the housing development funds are not there for future operations in South Africa.

Now, by not addressing the problems created in the foreign ops appropriations bill, we are going to cut back population assistance funds, family planning. As the gentleman from Maryland [Mr. WYNN] said, 7 million couples in the world in developing countries will not have any access to family planning information. People will starve in Africa because of this, and unwanted babies will be born.

Now, let us talk about foreign policy. I almost feel that I am in a time warp going back to 1919 when they were voting to get out of the League of Nations here. Mr. Speaker, we are slipping into isolationism, if there ever was one. There are more provisions in this bill that will stymie the President from having and operating foreign policy, and we cannot operate with 435 Secretaries of State here.

We cannot micromanage foreign policy. This was not done by this body during the Bush administration. It was not done by this body in the Reagan administration. It is wrong, and we should kill this bill.

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

Mr. Speaker, I would like to point out that we do allow the housing program in South Africa. We have not eliminated it. Apparently, the gentleman has some misinformation.

Mr. JOHNSTON of Florida. Mr. Speaker, if the gentleman would yield so that I may respond, the gentleman's bill has not eliminated what is in progress right now; but has eliminated any future allocations to the housing project.

Mr. GILMAN. Mr. Speaker, reclaiming my time, no, that is not correct. ''The provisions of this subsection shall not apply to guarantees which have been issued for the benefit of the Republic of South Africa,'' and I am quoting from the bill itself.

Mr. Speaker, I yield 2½ minutes to the gentleman from Wisconsin [Mr. ROTH], the distinguished chairman of our Subcommittee on Economic Policy and Trade.

Mr. ROTH. Mr. Speaker, I compliment the chairman of our Committee on International Relations and all the conferees for the excellent work on this bill. I think what has been lost sight of here today is that this bill is really a reform bill. We have included in this legislation, for example, two provisions that every Member of this House should support and can support.

The first of these provisions will at long last curtail the foreign aid pipeline. When I bring up these issues, this is not something that we have taken out of the paper. This is our GAO accounting office which has made a recommendation to us, and this is where we are getting the initiatives for this particular legislation.

For example, how many of our colleagues know that AID has a huge backlog of funds, some $8.5 billion at last count? These funds are left over from previous years going all the way back to 1987. Here we do not know where the next nickel is coming from, and we have a foreign aid pipeline that has money in it since 1987. That is nearly a decade.

These funds are sitting there waiting for some foreign aid bureaucrat to dream up some way of spending the money. In 1991 the General Accounting Office did an investigation of the foreign aid pipeline, and here it is. This is what we are talking about. They concluded that these funds remaining should not be remaining for more than 2 years. They ought to be deauthorized after 2 years because it is an open invitation to waste, fraud, and abuse if we do not do that.

For 5 years I have sponsored legislation to cut off the pipeline. This House passed that pipeline twice. Today it is incorporated into this bill, and I thank the conferees and the chairman of the Committee on International Relations for having the foresight and the intestinal fortitude to move forward with this plan.

This provision alone will save nearly a half a billion dollars to our taxpayers. That has been sitting around in the pipeline, in this slush fund, for almost 10 years. This reform is long overdue, and today the House has a chance to do something about it. I say thank God. Let us put a halt to this foreign aid pipeline.

Second is the termination to some degree of the AID Housing Guarantee Program, and we are quoting from the GAO report on the housing guarantee program. Now, the gentleman from Florida [Mr. JOHNSTON], my good friend, was talking about this in the well of the House. I think the reason that he got it wrong, Mr. Speaker, and that is not his fault, is that the White House the other day said that they were going to veto some bill because it cut out all the money for South Africa. The truth of it is that South Africa has been exempted, as the chairman of the committee has quoted from the bill itself.

This is a loan guarantee program now where the American taxpayer cosigns for loans around the world. One hundred percent guarantees. Listen to this: 100 percent guarantees. We do not do that for our own people, but we are doing it all over the world.

But what really aggravates a number of us is that when a borrower defaults anywhere in the world, the American taxpayer pays off the loan without question. We do not do that for our own home buyers here in the United States, yet we are doing it all over the world.

In my subcommittee we conducted a 2-year bipartisan investigation of this plan, and here is what we found. The GAO also found this, and right here it is. They found unbelievable losses caused by incompetence, waste, and fraud.

Here is the bottom line. We have some $2.7 billion in guarantees. The United States has already lost $542 million to cover the bad loans in 23 other

countries, foreign countries. What is worse, GAO estimates right here in this report to our Congress that we are going to be losing another $500 million, half a billion dollars, just on these existing loans.

What does that mean? It means we are losing about a billion dollars. What this means is that we have a billion-dollar loss here on $2.7 billion in guarantees. That is a 40-percent loss that the American taxpayer is picking up for home loans around the world.

This bill ends the program and imposes tough penalties on foreign governments which would default on these loans. This is a provision which my subcommittee originated. It will stop the losses and collect the money that is owed to us.

I cannot see why this Congress would want to continue to spend hundreds of billions of dollars that we know will go into waste, fraud, and abuse. We should not, and therefore we should vote for this conference report.

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Speaker, when this bill came before the House last spring, it was titled then ''The American Overseas Interest Act.'' At the time I voted against the bill, and I will have to vote against this conference report. A better title then, as now, would have been ''The American Leadership Reduction and Avoidance Act.''

The House-passed bill sought to force a reduction in American leadership in the world. It cut funding below levels needed to conduct foreign policy effectively. It placed severe limitations on population assistance programs and was riddled with policy directives designed to restrict the President's ability to conduct foreign policy.

Just as bad, the bill included provisions to eliminate the U.S. Information Agency, the Agency for International Development, and the Arms Control and Disarmament Agency.

I had hoped the conferees might fix the bill's defects enough so I could support the conference report. Unfortunately, that has not happened. The conference agreements funding provisions are no better than those in the original House version. It still contains devastating restrictions on population assistance, and there remain a variety of attempts to micromanage foreign policy at the expense of necessary Presidential prerogative.

And with respect to the elimination of the three agencies, the only difference is that it contains a waiver now which gives the President the right to pick the victim and to protect any two agencies he chooses from elimination. Some may argue that this is an acceptable compromise because the President will be able to save USIA and AID, agencies that have the broadest mandates and constituencies.

The assumption is that only the Arms Control and Disarmament Agency will be sacrificed to the forces of isolation and retrenchment. I do not believe that that is a compromise in any case that we can or should accept.

Effective foreign policy should represent the pursuit of enlightened self-interest. And certainly one of the most pressing interests in American foreign policy right now is controlling the spread of weapons of mass destruction. This becomes all the more important as regional and ethnic conflicts continue to explode across the planet.

Today more than ever before it is in our critical self-interest to maintain an independent agency that advocates, negotiates, implements, and verifies effective arms control agreements and those connected with nonproliferation disarmament policies generally. That agency is the Arms Control and Disarmament Agency. We will do this country a great disservice if we sacrifice it under the wrong-headed choices that are required under this bill.

Mr. Speaker, because of its independent status, ACDA brings to the policy table an expert and undiluted arms control viewpoint. Often, this viewpoint differs from the State Department's perspective, which cannot focus solely or primarily on arms control issues. This is why ACDA was created and that is why ACDA has continued to prove its worth to U.S. national security over the years.

This bill would probably eliminate ACDA's independent voice on arms control. By presumably submerging some vestige of ACDA in the State Department, direct access to the President, the National Security Adviser, and the Secretary of State on arms control issues, now authorized to the Director of ACDA, would be gone, along with direct ACDA participation in the interagency policymaking process where significant arms control and nonproliferation decisions are made.

The supporters of the bill claim that ACDA is a cold-war relic that's no longer relevant. This claim shows them to be out of touch with the realities of the foreign policy environment we face. Given the threat of a revival of Russian nationalism and military expansion, and the new dangers of the post-cold-war world, ACDA is a relic today only if weapons of mass destruction are a rumor and the threats of proliferation are a myth.

The authors of H.R. 1561 claim that it would save money by eliminating an independent ACDA. In fact, according to the Congressional Research Service, it will cost $10 million to eliminate ACDA.

ACDA's basic annual budget is $50 million. According to the U.S. Strategic Command, existing strategic arms treaties save about $100 billion a year. Since these treaties took about a decade to negotiate, you could argue that there's a payoff of 200 to 1 from ACDA. That argument may be a bit of a reach, but I suspect that the impact of this ill-conceived legislation may well be the reverse—one bill and 200 new problems caused by the disruption, dislocation, and crippling reductions contained in this bill.

The compromise in this conference agreement to sacrifice ACDA alone comes at exactly the wrong moment—as the U.S. Government is pursuing the biggest and broadest arms control and nonproliferation agenda in history. Now is not the time to be dismantling the one agency whose sole mandate is to formulate, negotiate, and verify arms control, and nonproliferation policies and agreements.

Now is the time to retain ACDA and to let it build on its past successes. I urge a vote against this conference report.

Mr. GILMAN. Mr. Speaker, I yield 4 minutes to the gentleman from Nebraska [Mr. BEREUTER], a senior member of our Committee on International Relations and the distinguished chairman of our Subcommittee on Asia and the Pacific.

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

Mr. BEREUTER. Mr. Speaker, this Member rises in support for the conference report on H.R. 1561. As vice chairman of the Committee on International Relations, this Member has worked over a period of some months with his colleagues to craft this conference report; however, no one has worked harder than the distinguished gentleman from New York, Chairman GILMAN, who has skillfully navigated a difficult process to produce this legislation.

There are many important provisions in this conference report, many of which my colleagues will discuss. This Member will discuss only a few key provisions.

First, it should be remembered that many of the Members elected to the 104th Congress came to this body with a strong commitment to reduce government and eliminate unnecessary agencies. Attempt have been made, and overall spending has been reduced somewhat, but all sizable Federal agencies thus far have seemed impervious to elimination.

But with this conference report, Mr. Speaker, the Congress will be consolidating and eliminating agencies. It is true that the President is given the discretion to decide which of three agencies—AID, USIA, or ACDA—would be folded into the State Department, but the net effect would be to eliminate at least one unnecessary and duplicative agency. Each Member of this body who votes for this legislation will be able to return to their district and point to the elimination of at least one agency while preserving those important functions now performed by ACDA, USIA, or AID.

And, this Member would tell his colleagues on the other side of the aisle that the conference report's plan to reduce agencies is wholly in keeping with Secretary of State Christopher's initial proposals to overhaul the U.S. foreign policy apparatus—a plan that regrettably fell by the wayside early in this administration.

Another major accomplishment of H.R. 1561 is the elimination of the Housing Guarantee Program as it operates in most countries. This program, which was created to guarantee loans made by U.S. investors to support shelter-related projects in developing countries, has evolved into a terribly inefficient and badly mismanaged fiasco that is losing tens of millions of dollars

annually. Indeed, a recent study by the General Accounting Office estimates that the Housing Guarantee Program may end up costing the United States $1 billion in loan default and other costs. It is a program that deserves to die, Mr. Speaker, and enactment of this conference report would terminate it in most areas.

Yet another major foreign policy concern drafted by this Member and by the H.R. 1561 conference report is aimed at ensuring that the Congress retains some measure of responsibility for our relations with North Korea. Mr. Speaker, in its haste to ensure that North Korea receives assistance in the construction of lightwater nuclear reactors, this administration has effectively bypassed the normal congressional review of foreign assistance. This legislation ensures that future funds for North Korea for this particularly effort receive proper congressional scrutiny. This legislation also ensures that further progress in United States-North Korean relations are also dependent upon progress in the North-South dialog, progress on the final accounting for American MIA's in the Korean war, and cessation of North Korea's proliferation of ballistic missiles and support for international terrorism. This is an important policy message that this body needs to deliver.

Last, Mr. Speaker, this Member would point to the resolution of longstanding claims, against frozen Iraqi assets. The H.R. 1561 conference report ensures that American exporters and financial institutions with legitimate claims against the Government of Iraq for commercial activities initiated before the conflict will receive compensation out of Iraqi assets held since the Persian Gulf war. The result is that, after almost 6 years of arbitrary decisions, arrogance, and intransigence by the State Department's Office of Foreign Assets Control, these outstanding claims will be resolved. This is a matter of basic fairness, Mr. Speaker, but these are also important pro-growth, pro-trade provisions. It also should be noted that these provisions are not mentioned as one of the President's listed objections to this legislation.

Finally, Mr. Speaker, this Member would urge his colleagues to support the conference report on H.R. 1561. There are certainly some provisions in this legislation, like some of the southeast Asia refugee provisions and the Tibet Envoy, which this Member cannot support. However, legislation is subject to necessary compromises and it is important that the Congress attempt to pass this authorization legislation.

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

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

□ 1900

Mrs. LOWEY. Mr. Speaker, I rise in strong support of the MacBride Principles and the provision in H.R. 1561 that embodies the MacBride Principles. Regrettably, the provision dealing with the MacBride Principles is one of the only positive portions of this terribly flawed bill. As a result, I will not be able to cast my vote in support of H.R. 1561.

The MacBride Principles consist of nine fair employment principles. They are a code of conduct for United States companies doing business in Northern Ireland, and they call for nondiscriminatory United States investment in Northern Ireland.

I strongly support greater accountability of organizations receiving United States assistance in Ireland, and I have demanded that these organizations comply with the MacBride Principles. During consideration of the Foreign Operations Appropriations Act for fiscal year 1996, I offered an amendment that urged all organizations receiving funding from the International Fund for Ireland to comply with the MacBride Principles. My amendment was included in the final version of the bill that was signed into law by President Clinton earlier this year.

Recipients of United States aid must not be allowed to violate the human rights—including religious freedoms—of Catholics living in Northern Ireland. I offered my language on the MacBride Principles in the Foreign Operations bill out of deep concern for continued religious discrimination in Northern Ireland. But now, the MacBride Principles provision in this bill is being held hostage by the other unacceptable provisions of H.R. 1561.

The administration has said it will veto this bill, and I will vote against it. H.R. 1561 does not eliminate all of the restrictions placed on international family planning assistance in the Foreign Operations Appropriations Act. These harmful provisions will severely impact women and children in developing nations. In fact, a study released last week by several populations assistance groups estimates that the decrease in international family planning funds will result in an increase of more than 1.5 million abortions worldwide.

The bill also forces the administration to consolidate or eliminate several critically important foreign affairs agencies: it undercuts the United States ability to maintain its interests overseas, and it negatively impacts the U.S. leadership role in the United Nations by providing inadequate levels of funding and requiring unworkable notification requirements.

Mr. Speaker, the MacBride Principles should be a cornerstone of United States foreign policy in Northern Ireland. That is why I strongly support efforts to tie U.S. assistance to these Principles. However, H.R. 1561 is a bad bill. I would hope that when President Clinton vetoes H.R. 1561—as he has promised to do—we can pass the MacBride Principles as an independent piece of legislation.

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, I thank the gentleman from Indiana for yielding this time to me. I thank him for his consistent leadership in opposition to this bill.

Mr. Speaker, as my colleagues know, we are at a crossroads in world history, really, and we find ourselves with tremendous responsibility on our shoulders. The whole rest of the world looks to us as the single superpower to lead them to a safer, to a fairer, a more prosperous world, and a world that reflects our principles of democracy, of freedom of expression, of freedom of religion, of respect for human rights, and three principal instruments that we have available to use to achieve these objectives are the Agency for International Development, U.S. Information Agency, and the Arms Control and Disarmament Agency.

The Agency for International Development has, in fact, developed quite a pool of unspent money, as was cited earlier, but they have done that because they also want to use that agency for leverage, to get recipients to respect human rights, to respect the democratic process, to develop economically without exploiting the people. They Agency for International Development, in fact, generates far more profit revenue for American firms than we would ever invest in AID. What they are doing is developing the purchasing capability, particularly in Third World countries, that present market opportunities for American firms. They are streamlined, they are focused, they are a good agency.

The U.S. Information Agency represents the opportunity to spread truth, which oftentimes is that it makes the difference between genocide and peaceful resolution of problems. We need more truth, unbiased truth. If we had more of it in Bosnia or in Rwanda, we might well not have had the genocide that happened. We need to be putting more investment in the U.S. Information Agency because it deserves credibility, and at a time when we see the proliferation of nuclear weapons and chemicals, biological weapons of mass destruction, why would we ever think of cutting back on the Arms Control and Disarmament Agency?

So if we want a safer, a more productive, a fairer world that reflects our principles of democracy and freedom of expression, then we want to vote against this bill, and, if anything, we want to strengthen these three agencies.

This is not a good bill; this is an isolationist bill. We ought to be moving forward and accepting the mantle of leadership that is thrust upon us now. It is a great opportunity. Let us not miss it.

Mr. GILCHREST. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Speaker, I just hope my colleagues, particularly those who may be listening to this debate back in their offices, are very clear that there is nothing in

this bill that authorizes population control funding. There is no policy guidance either way. The Mexico City policy is not in here. I wish it had been, but it is not, and I would like to ask my friends on the Democratic side, perhaps the gentleman from Indiana [Mr. HAMILTON], if he can just clarify so that everyone knows, when the Democratic substitute was offered in the conference committee, did it have language in it dealing with the population issue, did it authorize population or not?

My understanding was it simply did not have section C, which is exactly what the conference report of the gentleman from New York [Mr. GILMAN] does not have, so that there is no authorization, population is not advanced, it is not pushed backwards. It is simply not in this bill.

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

Mr. SMITH of New Jersey. I yield to the gentleman from California.

Mr. BERMAN. The gentleman is correct in that this bill does not deal with a number of the foreign aid issues.

But where the gentleman is wrong is this was an opportunity to get rid of the harsh and unfair restrictions on the existing program.

Mr. SMITH of New Jersey. Let me make it very clear, Mr. Speaker. I offered during the time that we were in the conference committee, and this really fleshed out where some people, particularly on the proabortion side, is on family planning. We would be more than happy to life any percentage restriction on population provided it has the very principled Mexico City policy that says no organization that performs abortions except for rape, incest or life of the mother gets money.

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, I rise in opposition to this bill. I might say that the bill is better than the original bill that came before the House, and I know that the gentleman from New York [Mr. GILMAN] has worked very hard to make the bill better, but it still is not good enough.

I believe that American diplomacy is essential. I believe, as the world power that we are, we need to remain engaged in the world. This bill, in my opinion, goes in the opposite direction. It slashes money for foreign affairs agencies, it slashes money for foreign aid, it slashes money for arms control, it slashes money for peacekeeping. The people that serve our country in the Embassies around the world are very demoralized, and rightfully so. The bill has a serious isolationism bent.

We cannot have it both ways, my colleagues. We cannot be the leader of the free world, indeed the leader of the world, and tell other countries that we want them to emulate us in terms of being more open, more democratic, a free society, and at the same time we are pulling back, putting our heads in the sand and being isolationist. We cannot have it both ways, and this clearly, in reducing the level of aid, in reducing the importance of foreign affairs and foreign involvement, we are truly going back to the days when the United States was an isolationist country. I do not think that is the direction in which we ought to go.

Family planning; it pulls back in family planning as well. The country programs; it pulls back as well there.

It seems to me that we spent so much money in the era of the cold war. We won that cold war. We beat the Soviet Union. The Soviet Union and the Eastern bloc countries crumbled. Did we spend billions and billions and billions of dollars on an arms race only to throw it all away? Now that we have won? To say that we do not want to stay engaged in the world? To say that we want to retrench and pull back?

The American public believes that foreign aid is about 15 percent of our budget when in reality it is less than 1 percent of our budget, and in my opinion that is certainly not enough if we want to say that we are the leaders of the world, and we are. Nobody anointed us and said that we were the leaders. We choose to be the leaders, as well we should.

I believe with leadership comes responsibility. I believe that, if we want to ensure that the fledgling democracies in this world continue to prosper and grow, then we have got to provide the help, we have got to provide the aid, especially with the developing countries. A little bit of aid goes such a long, long way.

But what are we telling the world with this? We are saying that we want to step backwards into the era of isolationism.

Now we have problems with the U.N. The U.N. has not always been an ideal or done what we like it to do, but I would think that the world would be a lot worse if we did not have a U.N., and here we are retrenching even there.

So let me just say, if I may conclude to my colleagues, I think this bill goes in the wrong direction and it ought to be defeated.

Mr. GILMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. BROWNBACK], a member of our Committee on International Relations.

Mr. BROWNBACK. Mr. Speaker, I congratulate our chairman on a fine bill, and I also want to congratulate the ranking member for his leadership for many years in this field.

I rise in strong support of the conference report. The American people clearly want us to balance the budget, they want us to cut foreign aid bureaucracy, and this bill does that.

This is not an isolationist bill. The United States cannot and should not engage in isolationism. But the world has changed. The cold war is over, and we need to reduce the apparatuses that are associated with that cold war in this time of tight budgets.

And I have to disagree with some of my colleagues on the Democrat side of the aisle, that they would suggest that we are pulling back and being isolationist by some of the reforms of the cold war institutions and suggesting that the United States' leadership in the world is dependent upon having the United States Information Agency, and AID and ACDA when our real tools for leadership in the world and the reason the United States is the leading country of the world is a strong, vibrant, growing economy, a strong military apparatus and standing for principles, principles of freedom, and justice, and liberty, and those are the things that give the United States leadership. It is not bureaucracies, and there are fine people that are in these agencies, and they work hard, and they do a good job.

But the truth of the matter is we are broke. We are $5 trillion in the hole, and the American people are far more concerned about health care for our children than they are about a foreign aid bureaucracy, and we should be far more concerned about Medicare than about foreign aid, and that is what this is about. This is about making tough decisions during times of tight budgets.

I think this is a good bill in doing that, in changing the apparatuses. I think it should have eliminated the three international affairs agencies that were involved. But they compromised and went to one of the three and told the executive branch, ''You decide in working with this of what you think works best in your foreign policy decisions that you have.'' That seems prudent to me. They cut the operating budget of the State Department and related agencies by $1.3 billion, and in a time of tight budgets, when we are trying to increase health care for our children in this country, when we are trying to balance our own budget so we can have a strong economy, a strong military and stand for principle, those seem to me to be prudent and wise things to do. It reduces the program budgets of the State Department and related agencies by $500 million below the fiscal year 1995 funding levels. These are all things that are going to be necessary, that are necessary, to balance the budgets so the United States can continue to have the global leadership by virtue of having a strong economy, a strong military and standing for the principles that we always have.

That is why I think this is a good bill. I congratulate the chairman on it.

□ 1915

Mr. HAMILTON. Mr. Speaker, I yield 4½ minutes to the distinguished gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Speaker, I rise in opposition to the bill and urge the House to defeat this measure.

I would like to just put this in the context of the history that I am aware of since I was elected to this House back in 1982. In every single Congress, with the Democrats controlling half of that in the House the entire period of time, the Republicans controlling the

Senate for the first 4 years that I was here, a Republican President for the first 12 of those 14 years, every single time the chairman of then the Committee on Foreign Affairs, working with the ranking member, and on a bipartisan basis, put together a State Department authorization bill that was bipartisan in nature, that had the support of the administration. Each and every time the State Department authorization bill was passed by a Congress, in some cases split, in some cases Democrat, and signed by a Republican President.

Every effort was made to provide more executive branch flexibility in the operations of our foreign affairs, not less. At the same time, in the area of foreign aid, with the exception of one Congress, each and every Congress that I served in in this House, and again, that is since 1983, the House passed a bipartisan foreign aid authorization bill that frequently got waylaid over in the Senate. One year we got a bill. In one of those Congresses on the issue of family planning and the abortion controversy, we failed here, but again, the fundamental approach was to do it on a bipartisan basis.

When this bill came through this Congress last year, there was not one whit of effort to try and do a bipartisan bill. Everyone but 12 Democrats voted against this bill. Now we come forward and we hear foreign aid has been dropped, but that is not quite an accurate statement. Foreign aid has been dropped except where a Member of the majority on the committee had a particular priority, so foreign aid was dropped, except we eliminated housing guarantees. Foreign aid authorization was dropped, except where we wanted to write something in on North Korea, or on humanitarian corridors, or on MacBride principles. We cherry-picked a few issues, the majority did, put them into a bill that was supposed to be just a State Department authorization bill, and then shoved it to the administration without one moment of time to talk about the pros and cons of forced consolidation against executive branch wishes.

Should ACDA be consolidated and folded into the State Department or should it be separate? There is an argument, maybe it is not persuasive, but at least it takes a second to pause and think, that we want an independent arms control proliferation agency that is not going to be run by the State Department with a direct voice to the National Security Council to raise issues of arms control and nonproliferation when economic pressures that might exist otherwise cause the State Department to be less clear on those kind of issues.

Should USIA be consolidated? There is at least an argument that having an independent agency involved in articulating the American point of view and a voice of truth and freedom to the world should not be under the direct control of our diplomatic services. Maybe it is not a compelling argument, but it is an argument.

Should AID, the agency primarily focused with development assistance, be subordinated into the diplomatic service? Maybe, maybe not, but there are some good arguments against doing that, but the majority refused to spend time discussing the debate. They wanted to take home a trophy.

They decided, as one Member of the majority just said on this floor.

> If this bill passes, all of you can go home and say you collapsed one of our international relations agencies. It is a trophy. No substantive arguments underlying the reason, just let us do it to do it, to hell with the executive branch, who cares what they want; forget the tradition of bipartisan approaches to this issue.

I think that is wrong. I think we ought to be providing sufficient resources, sufficient flexibility, and an underlying bipartisan approach to these critical issues around the world and the critical issues that are funded by the 150 accounts. This bill does not do it, so I urge a ''no'' vote.

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

Mr. SMITH of New Jersey. Mr. Speaker, very briefly, we have tried to make this bipartisan. I have had markups in my subcommittee, because much of this is from my subcommittee. We had no-shows at the subcommittee markups. At full committee we had lack of participation, and the same thing happened in the House-Senate conference committee.

The substitute offered by the gentleman from Indiana [Mr. HAMILTON], the Democratic alternative, said exactly what this bill says on the issue of population control, nothing. His bill said it, our bill says it, nothing, so it is not an issue here.

The issue of isolationist is absurd. When you have groups backing provisions of this bill like the United Israel Appeal, the American Jewish Committee, the American Legion, Disabled American Veterans, and a whole host of other groups, this is not an isolationist bill at all.

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

The SPEAKER pro tempore (Mr. CAMP). The gentleman from Indiana [Mr. HAMILTON] has 7 minutes remaining, and the gentleman from New York [Mr. GILMAN] has 2 minutes remaining.

Mr. HAMILTON. Mr. Speaker, I rise in opposition to the conference report. I do so because I think it fundamentally constrains the President's ability to conduct American foreign policy. It is an improvement over the previously passed House bill, but I think it has a long way to go before it becomes law.

First, I think the conference report mandates a very far-reaching reorganization of the U.S. foreign policy apparatus. That, as far as I have been able to discern, has no real connection to the problems of American foreign policy. Second, I think the conference report does not give the President the flexibility he needs to conduct U.S. foreign policy and protect and promote U.S. interests.

Third, I think it cuts too deeply into spending across the board for foreign policy, making it much more difficult to promote and protect U.S. interests.

The President, of course, has promised to veto this conference report in its present form. I urge my colleagues to support the President and to defeat the conference report.

With respect to reorganization, the conference report, as others have said, dictates to the President how he should organize the foreign policy agencies. –It dictates that at least one agency be eliminated. My view on this is that in the absence of any compelling evidence of the advantages of reorganization, which I really do not find here, I think the President should have the discretion to determine how to structure the foreign policy agencies.

The Administration has already instituted several significant streamlining and reorganization proposals for the foreign policy agencies. For example, the State Department alone has cut 1,300 jobs.

On the second point, the reduced funding for U.S. foreign policy I think damages our ability to carry out that policy. This conference report damages U.S. interests overseas by continuing to reduce funds available to operate overseas by about a half a billion dollars from 1995 levels. That would force the United States to retreat from its presence overseas and reduce U.S. influence. Areas that would be hurt include diplomatic posts, payments for international organizations and peacekeeping, sustainable development, and public diplomacy.

I think the point I would like to make on the funding dollars is that the cuts required by this conference report do not occur in a vacuum. For more than a decade now, the Congress has slashed spending for all categories of international affairs. Funding for economic and security assistance has been cut 10 percent in the last year alone, and that follows a 40 percent cut over the last decade. Spending for all international affairs accounts has been cut 45 percent in real terms in the last decade.

Our ability to use the United Nations to further our interests has been hurt by our unwillingness to pay our share of the budget or to pay over $1 billion in arrears, and the United Nations, therefore, is on the brink of a financial crisis.

I think all of us agree that we are in tight budgetary times. I have supported many of the cuts that I have indicated, but my sense now is that we have cut these accounts enough. We should draw the line before we take away too many resources and impair the President's ability to conduct foreign policy.

Finally, the conference report damages U.S. foreign policy by imposing

too many restrictions on the President. This is not the time to be amending the Taiwan Relations Act. This is not the time to be tying the President's hands on relations with Vietnam. This is not the time to undercut U.S. efforts to reform the United Nations.

The conference report does all of those things. It does undermine the ability of the President to conduct policy. We have many different views in this body on the policy restrictions. I am certain that there are provisions that many of my colleagues support, but when we add it all up, when I examine the impact of all of these policy restrictions provisions, I conclude that they constitute a serious infringement on the President's power to conduct foreign policy.

So as we vote on this conference report, Mr. Speaker, I think Members should ask themselves this question: Does this bill help or does it hinder the President's ability to confront the many challenges we face in the world? I think the answer is that it hinders the President's ability to do that.

Members of Congress expect the President to provide leadership in foreign policy, but at the same time, we should not deny the President the resources to provide that leadership. This conference report weakens the President's ability to lead at a time when the world badly needs U.S. leadership. That is not the way for the Congress to play a responsible role in the conduct of American foreign policy, and I urge my colleagues to defeat of the conference report.

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

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

In closing, Mr. Speaker, my colleagues have heard many important reasons in support of this conference report. This measure delivers on the President's pledge that the era of big government is over, and at the same time, this measure improves the State Department and the management of the United Nations, and at the same time supports our vital U.S. diplomatic missions.

With regard to the MacBride principles included in the report, President Clinton, while Governor and candidate, stated

> I like this principle. I believe in it. I would encourage my successor to embrace it. As President, I would encourage all Governors to look at it and embrace it. I think it is a good idea. I like them very much. I think it is a way to encourage investment, because it is a way to stabilize the political and economic climate in the work force by being free of discrimination. The argument is made against the principles in a country in which there is discrimination. I just do not buy that.

Accordingly, Mr. Speaker, I urge my colleagues to support this conference report. It enhances our Government abroad.

Mr. ACKERMAN. Mr. Speaker, I rise today in opposition to the conference report to accompany H.R. 1561. This bill is veto bait and ought to be sent back to committee.

H.R. 1561 requires the elimination of three foreign policy agencies, the Arms Control and Disarmament Agency [ACDA], the United States Information Agency [USIA], and the Agency for International Development [AID], merging their functions into the Department of State. Under the bill the President must submit a plan to accomplish this reorganization by October 1 of this year in order to abolish these agencies by March 1, 1997. The President's plan must save $1.7 billion over the next 4 years.

Mr. Speaker, the problems with this bill are many. H.R. 1561 forces the President to consolidate agencies, even though he is provided with waiver authority for two of the three, the funding levels are low enough that he will be forced to consolidate other functions in order to adhere to the authorization levels in future years. In addition, the bill requires an unrealistic timetable for presenting a plan and then actually closing agencies within a year from now. The transition provisions are so inadequate that they do not even provide for useful methods of downsizing such as employee buy-outs, which have proven popular at other agencies.

H.R. 1561 also contains a variety of provisions which will harm our ability to participate in a number of international organizations ranging from the United Nations to the Inter-American Indian Institute. By either terminating our membership outright or requiring that we withhold a significant portion of our assessment, the bill ties the President's hands and hinders our ability to play an effective role in the international arena. There are many Members who agree that the United Nations is in need of reform. Many will agree that our assessment should be lower and most will agree that an independent U.N. Inspector General would be a valuable step. But to withhold our contributions and in effect bully the United Nations to go along will likely jeopardize progress already made in the areas of U.N. budgetary and management reform.

Mr. Speaker, the President has said that he will veto the conference report. I say let's save him the trouble by defeating a bad bill and bringing back a genuine bipartisan State Department authorization bill that we can all support and the President can sign.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

Mr. HAMILTON. 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 226, nays 172, not voting 33, as follows:

[Roll No. 59]

YEAS—226

Allard
Andrews
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Cooley
Cox
Crane
Crapo
Cremeans
Cunningham
Davis
Deal
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Ganske
Gekas
Gilchrest
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jones
Kasich
Kelly
Kennedy (RI)
Kennelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Lofgren
Longley
Lucas
Maloney
Manton
Manzullo
Martini
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pombo
Porter
Portman
Poshard
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
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—172

Abercrombie
Ackerman
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Clay
Clayton
Clement
Clyburn
Collins (MI)
Combest
Condit
Conyers
Costello
Coyne
Cramer
Danner
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta

Ford	Lipinski	Reed
Frank (MA)	Lowey	Richardson
Frost	Luther	Rivers
Furse	Markey	Roemer
Gejdenson	Martinez	Roybal-Allard
Geren	Mascara	Sabo
Gillmor	Matsui	Sanders
Gonzalez	McCarthy	Sawyer
Gordon	McDermott	Schroeder
Gutierrez	McHale	Schumer
Hall (OH)	McKinney	Scott
Hall (TX)	McNulty	Serrano
Hamilton	Meehan	Sisisky
Harman	Meek	Skaggs
Hastings (FL)	Menendez	Skelton
Hefner	Miller (CA)	Slaughter
Hilliard	Minge	Spratt
Hinchey	Mink	Stenholm
Holden	Mollohan	Stupak
Hoyer	Montgomery	Tanner
Jackson (IL)	Moran	Taylor (MS)
Jackson-Lee (TX)	Morella	Thompson
	Murtha	Thornton
Jacobs	Nadler	Thurman
Jefferson	Neal	Torres
Johnson (CT)	Oberstar	Towns
Johnson (SD)	Obey	Traficant
Johnson, E. B.	Olver	Velazquez
Johnston	Orton	Vento
Kanjorski	Owens	Visclosky
Kaptur	Pallone	Volkmer
Kennedy (MA)	Pastor	Ward
Kildee	Payne (NJ)	Waters
Kleczka	Payne (VA)	Watt (NC)
Klink	Pelosi	Williams
LaFalce	Peterson (FL)	Wise
Lantos	Pickett	Woolsey
Levin	Pomeroy	Wynn
Lewis (GA)	Rahall	Yates
Lincoln	Rangel	

NOT VOTING—33

Barton	Durbin	Ortiz
Brewster	Fields (TX)	Rose
Bryant (TX)	Flake	Rush
Chapman	Gallegly	Stark
Chenoweth	Gephardt	Stockman
Christensen	Gibbons	Stokes
Coleman	Green	Studds
Collins (IL)	Johnson, Sam	Taylor (NC)
Cubin	Laughlin	Tejeda
de la Garza	McDade	Waxman
DeLay	Moakley	Wilson

□ 1947

The Clerk announced the following pair:

On this vote:

Mr. DeLay for, with Mr. Ortiz against.

Ms. JACKSON-LEE of Texas changed her vote from ''yea'' to ''nay.''

Ms. LOFGREN and Mr. DICKEY changed their vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report on H.R. 1561.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2703, EFFECTIVE DEATH PENALTY AND PUBLIC SAFETY ACT OF 1996

Ms. PRYCE, from the Committee on Rules, submitted a privileged report (Rept. No. 104–480) on the resolution (H. Res. 380) providing for consideration of the bill (H.R. 2703) to combat terrorism, which was referred to the House Calendar and ordered to be printed.

PROVIDING AMOUNTS FOR FURTHER EXPENSES OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on House Oversight be discharged from further consideration of the resolution (H. Res. 377), providing amounts for further expenses of the Committee on Standards of Official Conduct in the second session of the 104th Congress, and ask for its immediate consideration.

The Clerk read the title of the resolution.

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

Mr. FAZIO of California. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from California [Mr. THOMAS], the chairman of the Committee on Oversight, if he would explain the purpose of this resolution to the membership.

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

Mr. FAZIO of California. I yield to the gentleman from California.

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

Mr. Speaker, House Resolution 377 is to provide an additional $580,000 for expenses associated with the investigations and studies by the Committee on Standards of Official Conduct. $400,000 of the $580,000 is for the procurement of consultants in cases pending.

This resolution is obviously with some precedent. The Committee on Standards of Official Conduct is really the only committee in the House that cannot determine its own agenda ahead of time. It is, by its very nature, a reactive committee.

We have in the past supported resolutions of this nature. As a matter of fact since 1982, seven resolutions have come to the floor. This resolution is necessary so that the committee can carry out the investigations, the studies, and the responses to Members' requests for explanations that are part and parcel the nature of the Committee on Standards of Official Conduct.

Mr. Speaker, I would urge my colleagues support House Resolution 377. It is simply affording the Committee on Standards of Official Conduct the resources necessary to do its job.

Mr. FAZIO of California. Mr. Speaker, further reserving the right to object, I would concur in the gentleman's characterization of the resolution, and simply indicate that I hope the committee would return here expeditiously if there is any further need for funding for any purpose that comes before the committee. We are all anxious to see them proceed with all of their work as quickly as possible.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The clerk read the resolution, as follows:

H. RES. 377

Resolved,

SECTION 1. FURTHER EXPENSES OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.

For further expenses of the Committee on Standards of Official Conduct (hereinafter in this resolution referred to as the ''committee''), there shall be paid out of the applicable accounts of the House of Representatives not more than $580,000, of which not more than $400,000 may be used for procurement of consultant services under section 202(i) of the Legislative Reorganization Act of 1946.

SEC. 2. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee, signed by the chairman of the committee, and approved in the manner directed by the Committee on House Oversight.

SEC. 3. LIMITATION.

Amounts shall be available under this resolution for expenses incurred during the period beginning at noon on January 3, 1996, and ending immediately before noon on January 3, 1997.

SEC. 4. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Oversight.

SEC. 5. ADJUSTMENT AUTHORITY.

The Committee on House Oversight shall have authority to make adjustments in amounts under section 1, if necessary to comply with an order of the President issued under section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 or to conform to any reduction in appropriations for the purposes of such section 1.

The resolution was agreed to.

A motion to reconsider was laid on the table.

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.

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

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

UNEMPLOYMENT AND UNDEREMPLOYMENT IN AMERICA

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

Mr. DUNCAN. Mr. Speaker, shortly before Christmas, all in the same week, we received the news that three separate plants in my district were closing.

The two largest employers in Tellico Plains, in Monroe County, TN, announced that they were moving, one to Honduras, one to Mexico.

The largest employer in Etowah, in McMinn County, TN, Morgan Manufacturing Co., a blue jeans manufacturer, announced that it was going into bankruptcy, due primarily to NAFTA.

Tellico Plains is a town of about 1,000 people. Etowah is a town of about 4,000. These are beautiful, wonderful places to live, but jobs are not easy to come by.

These three companies meant a loss of about 1,000 jobs within roughly a 25-mile radius, and these were devastating blows to both these communities.

I got Gov. Don Sundquist and his economic development commissioner to go to both places with me, and we are trying to get some help for these people.

But, I wonder how much we can do when there seem to be more companies moving out than moving in, and downsizing seems to be the trend of the day.

Then shortly after the first of the year, I discovered that two small textile companies in my hometown of Knoxville were closing due to NAFTA.

In this same period I read that Hershey has moved most of its production from Pennsylvania to Mexico, that Fruit of the Loom closed a United States plant and opened a new one in Mexico, and on and on.

And of course, AT&T announced that they were downsizing, getting rid of 40,000 employees. Yesterday, Ford announced a cut of 6,000. Altogether, at least 1 to 5 million jobs lost in just the last 3 years to corporate downsizing, and on and on.

You have to wonder, Mr. Speaker, where we are headed. Already, most college graduates cannot find good jobs—so they are headed to law school and medical school, both fields with huge surpluses, just to postpone the inevitable.

Our unemployment rate, while too high, is not bad, but our underemployment rate is terrible. And yet, we seem to be giving our own country away, through NAFTA, GAAT, the World Bank, foreign aid, our megabillion dollar military adventures in Haiti, Rwanda, Somalia, and now Bosnia. Billions and billions and billions to other countries while our own people head for the unemployment office or have to settle for jobs in fast food restaurants.

In the last few weeks, we have been told that last year was the worst ever for the United States from a balance of payments standpoint.

We ran a record $111 billion trade deficit. Economists conservatively estimate that we lose 20,000 jobs for each 1 billion, so this means that we lost at least 2,200,000 jobs due to foreign imports this past year.

People say don't start a trade war, Mr. Speaker, I certainly don't want one, but it looks like we are already in one and that we are losing.

Senator DOLE said in South Carolina a few days ago that he would not vote for NAFTA now without some changes in it.

This is why many of us are cosponsoring the NAFTA Accountability Act, which says that we need to take another look at NAFTA.

Many people now believe that the Congress was given misleading or incorrect information about the Mexican economy, in part at least possibly because the Treasury Secretary had made millions getting his clients to invest in Mexican bonds.

At any rate, facts and conditions change, and we need to take another look at NAFTA. We should have free trade, but we shouldn't enter into bad trade deals in order to get trade, especially when all these other nations need our markets far more than we need theirs.

I would like to place in the RECORD an article from the February issue of Chronicles Magazine by E. Christian Kopff, a professor at the University of Colorado.

He said an article in Foreign Affairs Magazine in 1994 by Alan Tonelson "proved that the prosperity of the American automobile, machine-tool, and computer-chip industries in the 1980's, while our television and VCR industries were disappearing, was due to protectionist treaties negotiated under President Reagan. The phenomenal prosperity of the Reagan years rested on protectionism. The Bush-Clinton years undermined that prosperity."

Then, Professor Kopff wrote: "In 1993, Goldsmith predicted that multilateral free trade treaties yoking together such unequal partners as the United States and Mexico would cause unemployment in the United States while devastating the Mexican economy. Of prophets and treaties it is true that by their fruits ye shall know them. The December 10, 1994, Economist loudly mocked Ross Perot's prediction of a "giant sucking sound" of jobs being drawn into Mexico an quoted outgoing U.S. Secretary of the Treasury, Lloyd Bentsen, that NAFTA was "a win-win situation." On December 20, 1994, the Mexican peso collapsed. From the United States perspective, this magnified the advantage of Mexican labor costs. In 1992, excluding transshipments, the United States had a $5.7 billion trade surplus with Mexico. The U.S. Department of Commerce estimated that by the end of 1995 that will have turned into a $20 billion trade deficit. Add to that $25 billion deterioration in our balance of trade the $50 billion bailout loan engineered by Secretary Rubin and Federal Reserve Chairman Alan Greenspan.

In Mexico, inflation is estimated at 50 percent, the peso has lost half of its value, but salaries have risen only 20 percent. Unemployment for the poor and bankruptcies for the middle class are at record highs. The Mayans are in open revolt, and the average Mexican is close to despair. "NAFTA is a typical case of mutual poisoning," writes Goldsmith. Michel Camdessus of the International Monetary Fund warned of a world catastrophe. Goldsmith notes, "Submarines are built with watertight compartments, so that a leak in one area will not spread and sink the whole vessel. Now that we have globalized the world's economy, the protective compartments no longer exist."

The demoralization of First World nations and the ravaging of the Third World are accomplished for the benefit of international corporations. Goldsmith's summary is as clear as it is chilling: "Some can still remember the old adage: 'What is good for General Motors is good for America.' But that was in the days when the corporate economy and the national economy had the same purpose. Now there are two distinct economies. Not only do they have different interests, but those interests are conflicting. As corporations switch production to the areas with the cheapest labor and then import the products made abroad, they destroy jobs at home and increase the Nation's trade deficit."

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CHANGES TO EPA BY THE REPUBLICAN MAJORITY

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

Mr. GUTKNECHT. Mr. Speaker, Winston Churchill, who was one of my favorite speakers, said that truth is incontrovertible. Malice may deride it. Ignorance may attack it. But in the end, there it is.

John Adams, who I think was a Member of this body at one time, said essentially the same thing, far more simply. He said, facts are stubborn things. We can ignore the facts. We can deny the facts. But in the end, facts are facts.

So tonight, for at least a few minutes if not the full hour, and I think we are going to be joined by some of my colleagues, we are going to talk about some of the facts, not only about the budget and some numbers and some facts about what we are really talking about and the consequences it brings for the American people, but also talk about some of those environmental issues.

I want to first of all turn it over for a few minutes to the gentleman from Florida [Mr. MICA], who would like to share a little information and a few facts about what the President has been saying and what the truth of the matter really is.

Mr. MICA. I would like to thank my colleague for yielding, and also spend a few moments tonight talking about what is going on as far as the environment, what is being said as far as the environment, what is being said as far as the Republican policy and some of the changes proposed relating to the environment by the new majority.

I can tell you, I am a member of the new majority. I am a Republican, but I

consider myself a strong advocate of the environment, of protecting our air, our land, or water, and making certain that it is safe for this and future generations.

But I am also concerned that there has been a great deal of misinformation spread about what we are trying to do and want is being done by our chief environmental enforcement agency, and that is the Environmental Protection Agency. Just in the last day or two, President Clinton has visited New Jersey and he has made some comments relating to the EPA and also the Republican agenda for the environment, and I think that it is important that we respond to those.

He stated in New Jersey that lobbyists for special interests were dictating the environmental policies by the new majority. I am here to tell my colleagues and the Speaker tonight and the American public that that is just not correct, that in fact the agenda that has been dictated on making changes to EPA and to regulations that deal with the environment has not been dictated by lobbyists or corporate interests, but in fact by the mayors, by the Governors, by the legislators, by the county commissioners across this great Nation.

In fact, I have a story dated March 24, 1993 from the New York Times, and it says that in January mayors from 114 cities in 49 States opened the campaign by sending President Clinton a letter urging the White House to focus on how environmental policymaking had in their view gone awry. So the genesis of the changes proposed by the new majority are in fact by our local government officials. They have seen that the regulation and some of the other edicts out of Washington have in fact cost the taxpayers, their local taxpayers, enormous amounts of dollars, and not gotten very good results for it.

Let me just cite, if I may, how some of the money is being spent. In fact, it really concerns me that the moneys are being spend in Washington on administration and on employees in a huge bureaucracy that in fact has been built up over the past few years. In Washington, DC, for example, out of 18,000 EPA employees, there are a total of almost 6,000, nearly 6,000 just within 50 miles of Washington, DC. Part of the argument with the changes that we are trying to make is to stop the command and control and the bureaucracy and administration from Washington.

What is interesting is EPA in fact is a Republican idea. It was founded in 1972 under President Nixon to provide some better regulations, some better national standards in cleaning up the air, the water and the land. What has happened is, over the years we have created a huge bureaucracy, now with 6,000 employees in Washington, and that number, I might say, is about the total figure of EPA employees that was in the entire Agency about a dozen years ago.

Since 1972, I might add, almost every State in the Nation has created their own department of environmental protection. Each State has created an agency which can deal with enforcement, which can deal with some of the problems, which can take into consideration some of the local issues and factors relating to the land and the water and the air in that particular area.

So we have built a huge bureaucracy centered in Washington that wants to keep command and control. Republicans in fact have proposed that we dismantle some of that administration, we dismantle some of the overhead.

Not only do we have the administration in Washington to deal with, you take, for example, the State of Georgia where 1 of the 10 regional offices is located, and that is Atlanta, GA, there are 1,300 EPA employees located in that regional office, 1 of, again, 10 highly bureaucratized and highly staffed offices that are not out there, again, with the cities and the counties and the special districts and the States tackling the tough environmental problems.

So the money and the bureaucracy is in Washington and these regional offices, and the real problems are not being tackled out there. Let me give you just a statistic. More than 90 percent of the environmental enforcement is conducted by the States today, not in fact by Federal EPA. However, the majority of environmental funding goes to EPA, if we look at the statistics. Furthermore, the EPA has doubled its size during the past 20 years, as I have pointed out, now employing these 18,000 employees and maintaining a budget of $3.6 billion.

So the question before the Congress and before this new majority is not just how much money we spend but how we spend it.

Let me say that even Carol Browner, who is now the Administrator of EPA, admits there is a problem with environmental problems. She said to the New York Times on November 29, 1993, let me quote, and she was our State administrator in Florida. Let me quote her. Carol Browner said, ''When I worked at the State level, I was consistently faced with rigid rules that made doing something 110 times more difficult and expensive than it needed to be.'' It makes no sense to have a program that raises costs while doing nothing to reduce environmental threats.

What Carol Browner said in 1993 is what we are talking about today in 1996. Even President Clinton proposed a request for a reduction of 400 full-time employees in environmental enforcement for fiscal year 1996. So we have even the President saying we need a reduction in this massive bureaucracy in the proposal he made to Congress. We have Carol Browner in 1993, fresh from Florida and her role there as the State director of our environmental program.

What has happened, again, is we have threatened these 6,000 bureaucrats in Washington. They have a role and they view their role as pumping out rules and regulations. What would they do if they had some reduction in force? No one wants to see, again, any lessening of regulations, of protections, of standards. What we are saying is let us get the work force where it should be and the dollars where they should be, and that is in our States and local governments, and let the Federal Government set some national standards and also work on international standards.

One of the first bills I introduced in the last Congress was the Global Environmental Cleanup Act, and that dealt with the problem that we have and where some of our focus should be. Countries around the world are polluting the Earth and destroying the planet, in fact, and some of our financing of this Congress and the American people is going to promote that destruction of the planet.

I can tell you, I have been on international business across this hemisphere, across the Southern Hemisphere. You can go through Brazil and see the destruction of the Amazon. You can go to Guatemala, see the destruction, clearcutting of forests on the Mexican border.

You can go to Mexico and see the raw pollution going into the streams and river and land. You can go to China and see the destruction of the planet, raw sewage and raw fluid going into the rivers, and no consideration of protection of the air or water where the largest population of the world is. Then you can go to Europe. I traveled the Tatra Mountains, and you can see the destruction from the former Soviet bloc of the beautiful forests, and again the raw pollution going into the land.

Some of our taxpayer money is going into international financing of projects in these countries without a consideration of environmental cleanup. So we have a role for EPA on the international level, we have a role on the national level with pollution between our States, and we are concerned about that. But we do not need 18,000 full-time employees, the bulk of which is in Washington, not to mention thousands and thousands of employees who are on a contract basis, ruling and dictating from Washington.

We need to get the money where the problem is and to those that are cleaning up the environment. They are State and local officials and our State legislatures. That is the emphasis this new majority is interested in.

Then if we look, and the President talked yesterday in New Jersey about cleanup and Superfund. Superfund must, in fact, be one of the worst government programs ever devised. Its original intent, now, was good. It was designed to clean up hazardous waste sites and have polluters pay for polluting, and in fact it has not done that. In fact, polluters do not pay. We find that and I have evidence of, in fact, polluters not paying, and also EPA letting the statutes of limitation expire, according to one of the reports from a

subcommittee on which I served during my first term.

□ 2015

So polluters get off the hook. They do not pay under the current system. The President says this is a successful program.

Then would you think that in fact we are cleaning up sites that pose the most risk to human health and safety and our children's safety? The fact is a GAO study in 1994 said no, that is not the truth, that in fact we do not clean up sites on the basis of risk to human health and safety and welfare, that they are chosen basically on the basis of political pressure.

So we are not cleaning up these sites, we are not cleaning up the sites that have the most risk.

These are just a few of the studies about EPA, the failures of EPA on the subcommittee on which I sat for my first 2 years in Congress. This first study talks about EPA's pesticide program, and food safety reform and the disaster in that agency. This particular report talks about the impact on safe drinking water regulation and small systems, drinking systems, how the regulations have forced our local governments to the point where it is almost cheaper to deliver bottled water than it is to comply with some of these regulations. We had testify the mayor of the city of Orlando at a field hearing, and she said that EPA requires in the treatment of water, and water comes in, to take out certain natural occurring substances, one part of the process at the beginning, and then put them back at the other end, and she said this makes no sense and it costs hundreds of thousands of dollars to comply with these ridiculous regulations.

So another report that details Superfund and the liability provisions, how now under Superfund, and again the President talked about the success of Superfund and the need for Superfund, and we agreed that there should be a Superfund. But when 80 percent plus of the money in Superfund, a program that was supposed to start out at 1.6 billion and has grown to $75 billion, when 80 percent of the money, in fact, goes to attorney fees and studies, there is something wrong with what we are doing with Superfund.

So we do not want to let polluters off the hook. We think that they should pay. But you find, in fact, that EPA gives them a free ride under current law. They do not enforce the current law; they let the statute of limitations expire. They are letting it happen now, that polluters not pay, and we think there should be a change there. And then also spending all of the money for a cleanup program again on attorney fees and studies and ignoring the real risks makes no sense.

So all this is documented in hours and hours and days and days of hearings.

Then you look at the management problems in contracting activities at EPA. The American people would be appalled to see the waste. We held one hearing on this particular matter, and they said that this particular activity with EPA laboratories is out of control, mismanaged, examples of abuse.

Then we held another hearing on information management systems, so the right hand of EPA would know what the left hand of EPA is doing, to better communicate. I could not believe the hearing, and it is detailed also in these reports, that, in fact, they had spent almost a half a billion dollars and had no clue as to what they were going to do as far as a real management information system.

So one problem after another at an agency again that is out of control.

I spoke just a moment ago of the contract employees. I spoke about 18,000, nearly 18,000 full-time employees that have mushroomed this agency to a huge bureaucracy in Washington.

We found in one of the hearings, and this is interesting to note, that of the thousand of contract employees and the hundreds of contracts that are let out there that nearly all of the contracts that are let by EPA go to former EPA employees. So they have a revolving door, an incestuous relationship, that really would not be permitted under any other circumstances.

So almost every program we look at as far as the management of this agency is again out of control.

Here is another report on clean air protection problems at national parks and wilderness, and this details how EPA cannot even get its act together at it relates to Federal operations.

So each and every one of these reports, and these are just a few tonight that I detail, tell about a story of failure, and that is the Federal EPA program.

And let me say that between the House of Representatives and the other body there are many disagreements. You rarely find the two houses agree on anything. But there was unanimous consent on both this side and the other side, in fact both sides of the aisle, the majority and the minority, that we needed to make some changes in the administration and management of EPA. The House recommended a cut in their funding of somewhere in the neighborhood of 30 percent. The Senate was somewhere in the neighborhood of 20 percent. And rarely do you find that unanimous agreement that an agency should be cut in that fashion.

But these are the reasons, in fact, that I presented tonight that there is unanimous consent on both sides of the aisle, Republican and Democrat, and both of the Houses of Congress, that there needs to be change there. So we have presented changes, we have said that we should look at the way the money is being spent, not just throw money at problems, but in fact try to get a better result so that taxpayer hard-earned dollars are expended in appropriate fashion, that we clean up the environment, that we clean up the real risk areas for our children, that in fact the money does not go just to attorney fees and to studies, that we work with local governments, with State governments, with local authorities, with business and industry, trying to resolve some of the environmental problems, that we renew our emphasis on international problems, that we look at problems that do, in fact, transcend the State and local boundaries, and concentrate on where EPA can do a better job.

So these are some of the issues that we wanted to bring up tonight, and then you think you have got it all together, and you think that EPA has been criticized by Members of Congress, again from both sides of the aisle, and you think that we are trying to get our message across, and maybe it has gotten across. You read articles like the article that I found last week in EPA Watch, which says that in fact EPA's office of enforcement and compliance has circulated a memo of January 19 that notes that staff from no fewer than 11 EPA offices are working with PTA on a project to protest budget cuts in the department. And I think that that is rather sad, that an agency that has been criticized also for misusing its resources and not cleaning up the environment, protecting the environment, but in lobbying Congress and coming after Members of Congress, is now using its limited funds from the office of compliance and enforcement in a lobbying campaign that brings in the children and the PTA with the misinformation campaign. So I think that is the wrong way to spend these limited resources.

When I found this article, I asked the appropriate chairman of the House committees and subcommittees to investigate now their activities. Even after being criticized, even after being asked not to conduct this type of activity, today you find EPA spending again limited resources, taxpayer dollars, on lobbying the Congress and on misleading the parents, and teachers, and schoolchildren of our country in their campaigns.

So it is disturbing, and I think that that should be thoroughly investigated by the appropriate subcommittees of the House of Representatives and the Congress.

So those are some of the points that I wanted to bring out tonight. Again, when the President makes these statements, I think that someone should address that in fact the new majority is interested in protecting the environment, that we have children, that we care about the environment, we care about the future of the environment of this great country, we would do nothing to lower the standards. But in fact when you see the misuse and abuse of power, and authority, and an important charge given by the Congress, you become concerned, every American

must be concerned, and every American should also have the correct information, that in fact what the President is saying is political rhetoric, in fact political rhetoric. It is not based on fact or the action of this agency. What Carol Browner is trying to do with the resources of that agency are, in fact, not a proper expenditure of those resources. If she would concentrate in remembering what she said, and I quoted it to you 3 years ago about how she is forced to spend 110 times the energies on things that do not make sense, then we could all be better off.

So this is a debate about command and control in Washington. It is a debate of how our limited resources, your taxpayer dollars, the American taxpayer dollars, are expended, and how we really go about facing the problems of pollution and cleanup across, again, our great lands.

So tonight I wanted to bring some of those facts to the House, and to my colleagues, and to the Speaker's attention. We can do a better job, we must do a better job, we do not need a huge bureaucracy to do it, and that is a part of what we have proposed here, and again I think I share the concern of everyone on this side of the aisle that the environment, clean air, clean land, clean water are our priorities and part of our agenda, and we can do a better job, again with limited resources.

I thank the gentleman for yielding and wanted to make those points tonight.

Mr. GUTKNECHT. I would like to thank the gentleman from Florida because I think he makes some very good points.

My grandma always said if you always do what you have always done, you will always get what you have always got, and unfortunately one team is saying that the real way to clean up the environment is to spend even more money on the failed programs we have had in the past, and I want to thank the gentleman from Florida for bringing those studies. Those are not Republican studies, those are not Democrat studies. Those are independent studies done by the General Accounting Office which, I think, demonstrate that what we have done in the past has not really helped solve the problem.

And I served with you on the Committee on Government Reform. I also serve on a separate subcommittee that looks at regulatory reform, the McIntosh subcommittee, and we have had some of those field hearings as well. And I remember just a few weeks ago we had some hearings in Iowa, and the mayor of Manson, IA, came to that meeting, Mr. Speaker, and talked about what they had had to do. The EPA came in, and they have had no problems with their water for 75 years. The EPA came in and tested, and they found 1 milligram more than the allowable EPA standard of one chemical, and they forced this relatively small town in Iowa to install over half a million dollars' worth of reverse osmosis filtering equipment to remove that 1 milligram.

Now that dangerous chemical that they were required to remove at substantial expense was fluoride. Now fluoride is a chemical, as most of us know, that many cities, in fact virtually every city in the United States, now puts into the water. They were required to take out that 1 milligram.

And frankly, we also at one of our other field hearings, we had a gentleman who helped develop the spectrometer. Now I am not a scientist, but a spectrometer is that thing that allows us to measure parts per million and parts per billion.

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He said, ''Sometimes I rue the day that we developed that technology, because just because we can now measure parts per billion does not necessarily mean they are statistically significant, or that they are dangerous.''

Again, we see that $50 solutions imposed on $25 or $5 problems.

Mr. MICA. If the gentleman will yield, Mr. Speaker, I am glad the gentleman mentioned one case. I would like to mention another.

In Hastings, NE, that community began a review of its environmental costs and concluded that the single biggest drain on the Treasury was the $65 million it would take to build a treatment plant to meet a proposed EPA rule for removing radon from the city's water. Now, radon is a radioactive gas that occurs naturally.

Before the EPA proposal, almost no public health specialist had considered radon in drinking water to be any sort of a threat. Independent radiation health experts said that in virtually every area of the United States, the amount of radon that evaporates from water is only one-thirtieth to one-one hundredth of what is really naturally in the air. So here is another example of a small community that had imposed on it a burden from EPA that made no sense. This is what we are talking about. This is not some fancy lobbyist coming in here asking for changes. These are our cities, our counties, our States, our legislatures asking us to look at what we are doing.

Again, even Carol Browner said before she got into the empire and bureaucracy-building business in Washington that what the Federal Government was doing to her as a State director of the EPA in Florida made no sense. That is what this argument is about. The rest is just not the truth.

Mr. GUTKNECHT. Mr. Speaker, I want to thank the gentleman. President Kennedy once observed, ''We all inhabit this same small planet. We all breathe the same air. We all cherish our children's future.'' One of the things that is most frustrating to me as a parent and one who cherishes my children's future and one who enjoys the out-of-doors, I enjoy the environment, I like to hunt and fish, one of the things that disturbs me so much is when we start talking about finally using cost-benefit analysis and good science to determine whether or not these solutions that are being imposed from Washington really makes good economic sense. When we start talking about real reform, the other side seems to always question our motives; that we somehow want the world to live with dirty water, that we want to put raw sewage into Americans' drinking water.

Nothing could be further from the truth. But they measure success by how many dollars go into the programs. We are trying to measure success by what we really, ultimately get out of it.

I want to give one more example. We have the director of the waterworks of the city of Des Moines, IA, who came and testified at one of the field hearings. He said, ''The EPA requires us to test for 53 different chemicals and organisms in the water. I have worked for the waterworks here in Des Moines for over 20 years, and nobody knows more about the water that goes in and out of these pipes than I do.''

As a matter of fact, he said, as far as he could tell, only about 16 of those chemicals or microbes could ever be found in the water surrounding Des Moines, IA, and yet they are required to spend over half a million dollars a year in testing for chemicals and testing for microorganisms which will never be found in the water around Des Moines. He said it is just nuts.

He said, ''The other thing that is important is if somebody should get sick from drinking the water in Des Moines, IA, they are not going to call the bureaucracy out in Washington; they are going to come to me, because ultimately I am responsible for the quality to the water in this city.'' Really, that is also what we are talking about. We are talking about more responsibility down at the area where the people actually can have that responsibility, can exercise responsibility, and ultimately get the job done.

Mr. Speaker, having a large bureaucracy, I think that the gentleman mentioned 6,000 people here in Washington——

Mr. MICA. Just in Washington.

Mr. GUTKNECHT. It does very little to ultimately guarantee we have clean water. As a matter of fact, one of my first trips to Washington a few years ago, and I had been to Washington maybe one or two times before that, maybe you remember this, there was a scare that came through in the water system here in Washington, DC. They thought it was somehow infected with Cryptosporidium. This is just blocks away from the EPA offices. They have their own water system. But the EPA did not take responsibility for that. Ultimately, the city of Washington, DC. took responsibility.

Mr. MICA. Mr. Speaker, I am glad the gentleman mentioned Cryptosporidium and contaminated water supplies. I sat on the subcommittee, of course, that oversaw some of

these issues in the 103d Congress. One of the things we have heard folks talk about here on the floor was Milwaukee and how their water supply became contaminated. We questioned, in fact, some of the people who were involved in the problem. I think there were some deaths there, and many people were sick.

In fact, it turned out, and the gentleman spoke about the 53 or 54 water contaminants that are mandated by Congress and the EPA for each area to look at. And the folks from Milwaukee told us in fact that they were busy checking on some of these mandated contaminants that actually had no opportunity to occur in that area, and had to use their resources on these edicts that were sent out from Washington, when in fact Cryptosporidium, which is caused by deer or animal feces, I think, is the root of it, was ignored by the community.

So we are requiring, with these edicts and mandates from Washington, them to spend their limited resources not looking at where the real risks are, and that is part of what we are trying to change.

I had another example of an area, and it is good to cite these, engineers in Columbus, OH, were Attempting—the city was attempting to build a parking lot behind a city garage. They discovered traces of chemical in the dirt. Federal hazardous waste required a $2 million cleanup. This is over a parking lot.

The city was required to dig up 2.4 million pounds of dirt containing no more than a few pounds of toxic chemical from a patch of ground no larger than a baseball diamond. They shipped that dirt 1,500 miles to the south of Texas to be burned in an incinerator. They had to install detection equipment to monitor the air for up to 25 years for traces of any contaminants that might be remaining. All this is to build a parking lot.

These are the examples of an agency and regulation out of control. The cost is being passed to the cities, the counties, the special districts, the States who have asked us to make these changes. These are the interests we are talking about.

This kind of regulation accounts for the largest percentage of increase over the last 10 years in local taxes. All of these regulations are passed on to cities and counties for compliance, and then in fact we make them spend this money, whether it is for water treatment, whether it is for building this garage in some expensive, not cost-effective fashion, and it results in higher taxes for the local property owner. So this is another example of an agency and regulation out of control.

Mr. GUTKNECHT. We do cherish our children's future, and we all breathe the same air and we all want a clean environment, but we want results. We do not want 70 percent of the Superfund cleanup money being spent on lawyers and consultants, we want results. That is what this Congress is really all about.

I think particularly those of us in the freshman class came here to change the way Washington does business. We want to talk a little bit tonight, too, about the budget. We are being joined by the gentleman from South Carolina, Mr. LINDSEY GRAHAM, and perhaps the gentleman from Connecticut, Mr. CHRIS SHAYS, is going to join us as well. I am not sure.

We want to talk a little about some of the budget numbers, where we have come from, what it is going to take, the kind of discipline. Again, I restate, if you always do what you have always done, you will always get what you have always got. Unfortunately, where we are today is at least some of the people in this Capital City want to continue to do what we have always done. That is, ''Well, we will continue to spend normally; but manana, or next year, or 5 years down the road, then we are going to start to really get serious.''

As somebody said the other day, it is a little like saying you are going to lose 20 pounds by the end of the month, but you are going to gain 5 pounds during the first 2 weeks, and you really will not get started on it until the last 3 days. That is sort of the way Washington sort of looks at balancing the budget. We have said that is not acceptable.

Mr. Speaker, I yield to my good friend, the gentleman from South Carolina [Mr. GRAHAM].

Mr. GRAHAM. Mr. Speaker, along those lines, President Clinton had a good quote. A good definition of insanity was doing everything the same and expecting different results. That would be crazy. If you do everything the same, it will probably turn out the same.

The budget debate is often talked about in my district, ''Why can you not come to an agreement on the budget? What is wrong with all you guys and ladies up there?''

I ask this to the audience that comes to my town meetings: ''Have you ever had a disagreement in your family about how to spend and how much to spend?'' And everybody laughs and everybody raises their hands. It is probably not uncommon for American families to have arguments at times over how to construct the family budget and how much to spend and where to spend it.

That is exactly what is going on in this Congress right now. We are having an overdue, long overdue debate about how much money to spend at the national level and where should it be spent. Let us kind of give people at home an update of where we are right now in the process.

Here we are in March 1996. We have had a couple of budgets vetoed. One budget that would have balanced in the year 2002 was offered by the Republicans that spent $12 trillion, $12.004 trillion, to run the Federal Government over the next 7 years. When you compare that $12 trillion expenditure to the last 7 years, it was a 26-percent increase in Federal spending. This harsh budget that you hear about that the Republicans have offered increased Federal spending 26 percent, it increased Medicare spending 63 percent, it increased Medicaid, welfare, by over 50 percent, it increased spending on student loans by 50 percent.

Instead of being accused of being harsh, I ought to be apologizing to people for spending that much money to run the Federal Government over the next 7 years. Again, it is a 26-percent increase for the next 7 years compared to the last 7 years. Most people are not going to get that much increase in pay.

So the first thing you have to come to grips with is, is $12 trillion enough. I guarantee you, it is enough for LINDSEY GRAHAM. If you spend 63 percent more on Medicare over the next 67 years than you did in the last 7 years and that is not enough, there is something wrong with Medicare; and there are two things wrong with Medicare. It is very inefficient, and it is going broke.

Our budget addresses the Medicare problem. It addresses the entitlement problem, because when we look at the budget and we look at the national debt, which is $5 trillion, under the Republican budget, it goes up to $6 trillion. The budget we came up with is not one bit harsh. As a matter of fact, we should apologize for taking 7 years. The freshmen put a budgets together that balanced in 5 years. You can do it in 5 years and not hurt anyone if you just have a little discipline, you work together, and you work smart.

But one thing you have to understand about $1 trillion, most people do not know what it is. I certainly still cannot imagine $1 trillion. But if you spent $1 million a day, do you know how long it would take you to spend $1 trillion. Two thousand seven hundred years. It you started at the time of Christ spending $1 million a day, you still would not have spent the first trillion.

We have appropriated $12 trillion, not $1 trillion. To get $1 trillion in taxes from the American public is the equivalent of $3,814 from every man, woman and child in America. The truth is, every man, woman and child in America is not paying taxes. Those of us that are paying a lot. So $12 trillion is enough. You need to say no somewhere, and $12 trillion is where I am saying no.

But when you look at the budget and figure out why you are $5 trillion in debt, one thing jumps out at you, I believe: 50 percent of the Federal budget is entitlement spending, 16 percent of the budget is interest payment. The interest payment on the national debt this year will be over $400 billion. We will pay more in interest this year than the entire Defense Department budget. That is a fact that astonishes me, that we have to really do something about this debt situation. Fifty percent of the budget is on auto-pilot.

Entitlement means the following: There is a computer somewhere in this town that takes Medicare and Medicaid and welfare spending, looks at the growth of these programs, builds into the computer their growth rate, and in Medicaid it has been 19 percent growth rate since 1990, adds inflation to the growth rate, anticipates the number of people who are going to be on the program, sends us a bill in Congress, and we cannot say no. No matter how out of control Medicare is, no matter how inefficient Medicaid is, no matter how unwise welfare is, we cannot say no to the bill. And when the bill comes to Congress, 50 percent of the budget is on autopilot and we cannot say no. We do not have enough cash on hand to pay that bill, and we have to go borrow money. That is why we are $5 trillion in debt.

We are going to talk about the President's budget, but let me tell you the difference between the President's budget. He is over four in balancing the budget, and on the fifth try he got to a balanced budget in the year 2002, but here is what he did not do. That 50 percent of the Federal budget that is on autopilot that led us to a $5 trillion national debt, Medicare alone went up 2,200 percent since 1980. All the President has done is for a 7-year period he has slowed the growth of spending on Medicare, Medicaid, and welfare, but he has not changed the reason we got in debt.

In other words, he spends less on welfare, but he does not change the reason people stay on it a decade. He has spent less on Medicare, but he has not changed the reason that the program has grown 2,200 percent. He has spent less on Medicaid, but he does not change the reason it is growing at 19 percent. He has suppressed the growth, but he has not changed the reason we got in debt.

I will not vote for a budget that does not address the reason we got in $5 trillion worth of debt. If that is harsh, mean, cruel, so be it. I think it is wise. I think it is smart. I think it is long overdue.

Mr. GUTKNECKT. I thank the gentleman, Mr. Speaker. I want to also restate a couple of important points. One that I think gets lost in all this debate that the gentleman has made that I did not completely understand, and I dare say most Americans do not understand, is that half of the Federal budget right now is effectively on autopilot. These things we call entitlements, Social Security, Medicare, Medicaid, welfare, those are on autopilot, and Congress really has very little control over it. That is one of the reasons it is so difficult.

The other point, if you add in the 16 percent we are paying in interest, which really is an entitlement, you are really talking about two-thirds of the Federal budget which is essentially an entitlement program.

□ 2045

We are trying to balance the budget here in the Congress and really only have direct control over that one-third of the budget.

I want to point out something else that has been lost in all this debate. This is in the Constitution of the United States. A little over 2 months ago we were sworn in, and we were sworn to uphold the Constitution of the United States.

It is pretty clear, reading article 1, section 8 of this Constitution, that the power of the purse is vested with the Congress. It really is ultimately the responsibility of the Congress to balance the books of this Government.

Something happened in 1974, that the Congress began to turn over the power of these entitlements, in other words, divorce them from the congressional oversight that I think they should have. That is one of the other issues I think we ultimately have to deal with if we are going to balance the budget.

I want to welcome to our little discussion tonight the gentleman from Connecticut, CHRIS SHAYS, author of the Shays Act—I always try to work that in for the gentleman—one of the really powerful speakers on behalf of a balanced budget, who serves on the Budget Committee. I yield to the gentleman from Connecticut.

Mr. SHAYS. I thank the gentleman.

I remember the first day when we started this new Congress, and the gentleman basically introduced the Congressional Accountability Act, getting Congress under all the laws that we impose on the rest of the country, to the Congress. This was his first act on his first day as a freshman. The gentleman and his colleagues, other Members who had just joined us, did such a wonderful job of introducing that bill, the rule and so on, and getting that bill passed. I think we Republicans and Democrats alike can take great satisfaction that we now are looking to be under all the laws we impose on the rest of the country, something that we had not been for the last 30 years.

I have been wrestling with really what is concerning me most. I cannot really speak to what is in the President's budget or what is not. All I know is that when I was elected in 1987, the gentlemen all triggered that major point, that I voted on one-third of the budget. Gramm-Rudman, which dealt with what came out of the Appropriations Committee, the 13 budgets out of the Appropriations Committee, the defense budget which was equal to the other 12 appropriations bills, was what I voted on.

Yet we tried to control the growth of spending by basically squeezing the annual votes on the appropriations bill. While we were doing that, we had Medicare, Medicaid, food stamps, agricultural subsidies, and a whole host of what we call entitlements. You fit the title, you get the money. We do not vote on them, they are not sunsetted, they were growing at 10, 11, 12 percent. In fact Medicaid a few years grew at about 20 percent a year. They double every 5 to 6 years. Now they are 50 percent of the budget, and if we do not do anything by 2002, they will be about 65 percent of the budget. We really need to get a handle on it.

The thing that concerns me I think more than anything, and I do not think that history will be kind to Congress over the last few years or the President over the last few years. I am candidly bringing in Republican Presidents as well. Republicans did not want to control the growth of defense and Democrats did not want to control the growth of entitlements, and they both agreed to just let things happen and ignore that we were creating these large deficits.

But what I am most afraid of is, in the last 12 years since 1974, since the end of the Vietnam War, we have had our national debt grow from about $430 billion to $4,900 billion, a tenfold increase.

So what do I think history is going to say about Congress and the White House? I think they are going to say there was a time when they basically decided to let their children and their children's children pay for the bill.

Mr. Rabin, the former Prime Minister of Israel, pointed out on more than one occasion that the job of an elected official, they are elected by the adults but their job is to represent the children. That is really what this is all about: How do we save this country for future generations? How do we leave it better for future generations?

What we attempted to do was get a handle, slow the growth of Medicare, slow the growth of Medicaid, allow those programs to grow and to meet all the needs that they have to meet. But if I could just conclude, I am constantly hearing in this place that we are cutting, and we are cutting some programs but not the ones that are identified. We are consolidating certain departments and agencies. We are eliminating some programs and discretionary spending, but the earned income tax credit, a program to help the working poor, that is growing from $19 billion to $25 billion. The school lunch program, which we were told we were cutting, is growing from $5.2 billion to $6.8 billion.

The student loan program, that is the one that really gets me, it is growing from $24 billion to $36 billion, a 50 percent increase. Hardly a cut. Maybe in this place a cut, but anywhere else around the world it is known as a 50 percent increase.

Just to end, Medicaid growing from $89 billion to $127 billion in the seventh year of our program; Medicare, $178 billion to $289 billion. Only in Washington when you spend so much more do people call it a cut.

We are spending 60 percent more total amount on Medicare. Per beneficiary 49 percent more, from $4,800 to $7,100.

I just hope that we keep the course, I hope we do not let up, I hope we try

to get a handle on this budget for the future generations that ultimately would have to pay the bill if we do not.

Mr. GUTKNECHT. I thank the gentleman. I started this special order tonight quoting Winston Churchill and John Adams' famous quotation, ''Facts are stubborn things.'' I think that we have to continue to share with the American people those facts, because I have found, and we have had an awful lot of town meetings back in my district, when people are confronted with the truth about what is really in this budget, I think overwhelmingly what they are saying is, ''My goodness, you're being far too timid.''

In fact, in the Medicare numbers alone, when you tell people we are going from $161 billion to $244 billion, as a matter of fact, in one of my town meetings I had some school children, and I went through that fairly slowly with them. I said, ''Now, if you go from $161 billion to $244 billion, is that a cut or is that an increase?'' They all looked kind of funny and said, ''Well, that's an increase.'' And I said, ''You're right, but sometimes in Washington that's called a cut.''

Then I go through the numbers again with some of the seniors and I say that we are going from $4,800 average per recipient, because there are going to be more senior citizens in 7 years, we know that, but from $4,800 to $7,100. That is not a cut. That is a big increase.

I think again when you are talking to people who have common sense, whether it is in South Carolina or Connecticut or Minnesota or Florida, anywhere around the country, people recognize that these are significant increases, and if anything we are probably being far too timid in our budget changes.

I yield to the gentleman from South Carolina.

Mr. GRAHAM. I thank the gentleman very much. I have got to let the gentleman from Connecticut [Mr. SHAYS] come in on us in a minute.

We are talking about how much money we are spending over the next 7 years on Medicare, Medicaid, and welfare. But let us look at the reason why we have spent so much money in the past. Why is Medicare growing at 4 times the private sector?

We have increased spending over I think the next 7 years by 63 percent. A lot of money is going to be spent on senior citizen health care at the Federal level. But if you want to get the budget balanced and you want to keep it balanced, you better start now and you better start with entitlement reform. Senator KERREY, a Democrat, said in his commission report that if nothing changes in the next 17 years, the entire Federal revenue stream, all the money coming to Washington, will be consumed by entitlement spending and interest payment on the debt. That there will be no money for the Department of Defense. That is how quickly the interest element and entitlement spending is taking over the revenue stream.

Mr. SHAYS. There will be no money for any department, and any grant and any program for those departments according to Senator KERREY.

Mr. GRAHAM. Right. The good news may be that Congress will not get paid, too. They may like that part of it, but they will not like the other parts, the Government they have come to rely on in the discretionary side of the budget.

But let us talk a minute about what we have done. We have spent a lot of money in additional spending but we have done the most responsible thing you could do, if you have a chance to participate in this great democracy at this level, and that is change the reason we got in debt.

Let us talk a minute about not just how much we spend on Medicare but the improvements we have made to make sure that, one, it does not go broke, and two, that we will have a Medicare system for our generation.

What we have tried to do is we have looked at the private sector, which is a new and novel idea up here, instead of looking to another bureaucracy and to another agency and building more buildings in Washington, we have looked outside the institution itself, outside the Beltway, we have looked in the heartland of America and we have found out that there are some great ideas in health care. Let us create some of those ideas and give options to senior citizens, something new and novel in Washington also for people who rely on the Government to have a menu of things to choose from.

As a Congressman I think we have 3 or 4 health care plans to choose from.

Mr. SHAYS. We actually have 10 programs we can choose and then variations within those programs, so we have lots of choice and we want seniors to have that same choice.

Mr. GRAHAM. Let me give one option that would be put on the market if our bill passed. It is called a medical savings account and I am going to apply it to two people I know and love,my aunt and uncle. When my parents died, I was about 21, I had a sister who was 13, we were taken in by an aunt and uncle whom I am very close to. They worked in the textile industry all their lives in South Carolina. I doubt if they ever made over $8 an hour but they had a good job and proud to have the job. They are retired now, been retired about 3 years. They live off Social Security, they have Medicare as their primary health care, and they have a paper route. They are healthy seniors and God has been good to them. But under the current Medicare system, they have about $46.10 taken out of their Social Security check. That is their part B premium. That money is taken out of their check and it is taken out of Ross Perot's check if he happens to be Medicare eligible and it goes into a fund and it pays doctor bills for senior citizens, 30 percent of the doctor bills. All doctor bills paid under Medicare the funding comes from two sources, a senior citizen premium, like my aunt and uncle pay out of their Social Security check, and 70 percent of it comes out of the Treasury. Medicare has been growing at 12 and 13 percent a year. A huge bill is being sent to the taxpayer because of Medicare growth. They have $110 a month they pay for a Medicare supplement policy because under Medicare it does not pay everything and seniors know this very well. You have got deductibles, copayments. They are paying out of their pocket over $300 a month for the Medicare system that we have today. A medical savings account option, if available, would have saved my aunt and uncle $10,000 in the last 3 years and would save the government a great deal of money.

Here is how it would work. The average senior citizen gets about $5,000 a year from the Federal Government on Medicare. We are going to take a portion of that money, the vast portion of that money, and put it into a medical savings account and do something really extreme, we are going to let my aunt and uncle manage their own health care and take care of the money. They can take out of that account about $4,000 and buy a catastrophic health insurance plan that will be sanctioned by the Federal Government, that will take care of their health needs as Medicare would for any illness over $10,000. They will have a catastrophic health insurance plan bought by the Federal Government, not money out of their pocket. There will be $1,000 left over, and the game goes as follows. From zero to $10,000 is the game that they are going to be willing to play. In my aunt and uncle's case, in the last 3 years, they have never spent over $450 to go to the doctor or to the hospital. They have been lucky. They have taken care of themselves. Under the medical savings account plan, $1,000 would be left over in this account. They could use it to manage their health care needs. That $1,000 would have taken care of every medical bill they have had. They would have had no out-of-pocket expenses, they would have saved over $10,000 over the last 3 years and the Federal Government would have saved money. Why should that option not be available and if they did get sick, if they did have a catastrophic illness, they would have been able to opt into another plan.

Mr. GUTKNECHT. We are doing some remarkable things. What we are talking about with Medicare—let me jump in, and I want to yield to the gentleman from Florida [Mr. MICA]—we are talking about using market forces, personal responsibility, and competition to help control costs. It works everywhere except in Federal programs. That is what we want to experiment with.

I yield to the gentleman from Florida for a quick minute, as well.

Mr. MICA. I wanted to comment, and I thank the gentleman for yielding. I come from the State of Florida. We

have a very large elderly population that rely on Medicare and some who rely on Medicaid. In fact, if you just spend a minute and look at what has been going on in a State like Florida, for example, the Miami Herald did a story last year and identified in Medicare $1 billion worth of waste, fraud, and abuse.

I sat on one of the other subcommittees in what was Government Operations that oversaw Medicaid. We identified about $1 billion in Medicaid in Florida in fraud and abuse. One of the cornerstones of the Republican plan is to create some penalties, to root out waste, fraud, and abuse.

That is the main, major change we have proposed. People can still stay on Medicare. We do offer choices. But, again, we must address the problem of waste, fraud, and abuse.

Let me talk for a second, too, about nursing homes. The proposals that the Republicans have advocated, we provide some change there, also addressing fraud.

But the other major change we have that affects the folks in Florida is, we are not advocating lessening of regulations or wheeling people out on the street from nursing homes. What we have said is we should give people some more compassionate, some more cost-effective alternative. Right now people have to divest themselves of any savings. They must expend all their savings and basically go on this program for the poor or transfer their savings to their relatives.

□ 2100

Once they have done that, they lie, cheat and steal in some cases to get on the programs or divest themselves of life savings. And then what do we do? We give them one choice. You go in a nursing home.

What we said is why not allow the elderly to live with their families, pay for some attendant care. It could cost one-third, it could cost 20 percent, and they could live with their families. Why not, in fact, give some alternatives they they could stay in their own home and not be forced into a nursing home, and we live longer and can live longer by ourselves with a little bit of help from our friends rather than this one forced option that we are forcing. So we can and we should make a difference for the elderly. And these are the choices we hold out for them.

I thank the gentleman.

Mr. SHAYS. If the gentleman would yield, just to close the loop on both programs, the bottom line to our Medicare plan is we do not increase copayments, we do not increase deductibles, we allow the premium to stay at 31.5 percent, we provide choice.

It is true, we ask the wealthiest of wealthy to pay a higher part for the premium for part B. I think sometimes Republicans do not like people to know we are asking the wealthy to pay more, and Democrats do not want people to know Republicans are asking the wealthier to pay more, but we are in that instance, and that makes sense.

Most importantly, we are allowing for choice in the program and providing for the kind of innovation you and others have talked about. In this way we are trying to work to save the program from bankruptcy and to make sure it can continue for future generations.

Mr. GUTKNECHT. I yield for one last minute to the gentleman from South Carolina. We are just about out of time. The clock is ticking.

Mr. GRAHAM. Welfare as you know it, we want to change it. One key difference, President Clinton's welfare bill says you cannot stay on welfare for more than 60 consecutive months. You can get off for 1 month or 1 day, and have 60 more months waiting on you. Our bill says 2 years, 5-year lifetime, big difference.

Mr. GUTKNECHT. I thank everyone for joining us tonight. As we started with Winston Churchill's quote, ''Truth is incontrovertible. Malice may deride it, ignorance may attack it, but in the end there it is.''

Mr. SHAYS. If we can end with Mr. Rabin's quote that, ''The politician is elected by the adults to represent the children.''

Mr. GUTKNECHT. We have a moral responsibility to make sure we preserve this last best hope. If we do not make some changes, whether in Medicare entitlements, the way the Federal Government spends money, we are going to leave our kids a legacy no one can be proud of. If we continue down the same path, continue to do the same things, we are only going to get the same kind of results.

I wish we had more time to talk about the President's budget. Recently he gave it to us. It is 20 pages, now, not a whole lot of detail, but it really, you know, back in January he said that the era of big government is over, but on the other hand, when you take a look at the budget and get the facts about this budget, you start to see that that obituary may have been written prematurely.

CUTTING ENVIRONMENTAL PROTECTION

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

Mr. PALLONE. Mr. Speaker, I rise tonight because of my concern over some of the statements that were made by my colleagues on the Republican side during this last 1 hour where they talked about the Republican cuts, budget cuts on the environment and the changes that the Republican leadership have proposed with regard to environmental protection.

Particularly, reference was made to the fact that President Clinton was in my State, New Jersey, yesterday and was highlighting the fact that this Congress, this Republican Congress, under Speaker GINGRICH and the Republican leadership, has done everything possible to turn back the clock or try to turn back the clock on environmental protection. The President was in New Jersey because of this concern over the Superfund Program, which is used by the Federal Government to try to force polluters, those who caused hazardous waste sites, to clean up their pollution, to spend the money to do it, and where the polluter cannot be found or the polluter is bankrupted or the corporation has ceased to exist anymore, the Federal Government steps in to do the cleanup itself.

The President was highlighting the fact that under the Republican leadership's proposals and the vast cutbacks that they have made in appropriations or spending for the Environmental Protection Agency, a number of Superfund sites in the State of New Jersey will not be cleaned up this year. In fact, the many shutdowns of the Federal Government which affected the EPA at many Superfund sites, the cleanup has either not occurred or was slowed down completely, in many cases at a considerable cost to the Federal Government. And what he was saying is that this cannot be allowed to continue, that we cannot allow this Republican leadership to turn back the clock on the Superfund Program to make it so that our environmental laws are not even enforced for lack of money to hire people to do the enforcement, which is essentially what is happening.

Now today, our environmental task force on the Democratic side, we have a task force that is trying to address environmental concerns and point out how the Republican leadership is cutting back and turning the clock back on the environment. Well, our Democratic task force issued a report based on a hearing we had a few weeks ago. The report, which I have here, shows dramatically the impact of the budget cuts that the Republicans have put forward on the environment.

What it shows, essentially, is that the Republicans are trying to hide a very dismal record. Anti-environmental legislative riders have been attached to appropriation bills, disproportionate budget cuts have targeted environmental programs, and curbs on enforcement activities have been widespread, which let polluters off the hook and sends the cleanup bill to the taxpayers.

We talk about, in the report, how the Republicans have specifically targeted environmental programs for particularly deep budget cuts. In other words, we know that we have to spend less and we have to downsize the Federal Government, but the Environmental Protection Agency has received a disproportionate share of these overall cuts. Overall funding for the EPA was cut by 21 percent. Pollution enforcement, the cops on the beat, the environmental cops on the beat, have been

cut by 25 percent. What that means is that you have these environmental laws on the books but you do not have any way of enforcing them. The polluters know if no one is out there watching them and they continue to pollute, discharging materials, violating their water discharge permits, discharging into waters and harbors, they do what they think they can get away with.

I would venture one other thing we found in our report and found in the forum, the cuts in environmental enforcement do not save money. In other words, the Republican leadership argues if we cut back on this environmental enforcement, somehow we are going to save money.

Nothing could be further from the truth. I mean, essentially what happens is that the environmental cop on the beat, if you will, those who go out there to find the polluters, they do not find them, they do not issue them summonses and, as a result, no fine is incurred and the Treasury actually loses money because they are not penalizing the polluters.

In addition, a lot of times, when pollution takes effect, it costs even more money in the long run to clean it up, whether it is the water, whether hazardous waste, whatever it happens to be, so the bottom line is it costs the Federal Government more money in the long run.

Some of the previous speakers on the Republican side also made the argument we do not need the Federal Government involved in all of this enforcement activity because the States can do it. I think the gentleman from Florida mentioned that almost every State or every State now has an environmental protection agency or something like it. But the reality is that the Federal Government sets preliminary standards, whether it is clean water, clean air, hazardous waste cleanup, whatever it happens to be. Without those Federal standards in place, many States simply have not historically established standards similar to the Federal ones. So I just wanted to point out we could talk all night. Of course, my time is up now. I just wanted to point out this fact. This Republican leadership is turning the clock back on the environment. I am glad the President came to New Jersey to point that out today.

PREVENTING TEENAGE PREGNANCY

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 60 minutes as the designee of the minority leader.

Mrs. CLAYTON. I have several of my colleagues who will participate with me on this special order as we are talking about the special order on preventing teenage pregnancy.

Mr. Speaker, 30 percent of all out-of-wedlock births are to teenagers below the age of 20. That astonishing reality should be alarming to all Members of Congress and to all citizens of our country. More importantly, the current debate on welfare reform is accelerating the need to address the issue of out-of-wedlock teen births. We want to end welfare as we know it, all of us say, but we do not want to replace it with welfare as we do not want to know it. We do not want to enact legislation that leaves a policy of national abandonment.

As we consider solutions to this issue, we must keep in mind no other industrialized nations with the standard of living comparable to the United States has a problem of this dimension. On the problem of teenage pregnancy, we have the dubious distinction of leading the world.

In January, the national campaign to prevent teen pregnancy began. This campaign is a privately funded nonpartisan effort. The goal of the campaign is to reduce teenage pregnancy rate by one-third by the year 2005. The mission of the campaign is to reduce teenage pregnancy by supporting values and stimulating actions that are consistent with a pregnancy-free adolescence. In order to accomplish this mission and reach the goal, the campaign will first work to raise the awareness level concerning this crisis. The campaign will reach out to national media to help raise awareness and to attract the interest of national leaders and organizations. It is critical that our Nation take a clear stand against teenage pregnancy and that the position be widely publicized.

Enlisting the support of the State and local media will be a vital part of this outreach to strengthen the knowledge base and to educate the public on this issue. These actions will force a national discussion about how religious, cultural and public values influence both teenage pregnancy and the way our society responds to the dilemma.

The campaign's second focus is to encourage and to stimulate innovative solutions through local schools, churches, civic groups, as well as local and State officials. The campaign does not advocate any plan other than community involvement. Each community would determine what would be appropriate and acceptable based on a community's standards and values. Let me again emphasize the national campaign encourages community involvement, but it does not recommend any plan of action. Again, each community would determine the action appropriate for their community plan. The parents, families, churches, teachers, Scout leaders, community members who know these teenagers best would determine what kind of program their communities could use to help their young people avoid teenage pregnancy and becoming teenage parents too early.

I think you will agree these decisions should be made by the community and at the community level by individuals and families who care the most about the greatest need to influence these young people.

I am delighted to have several people to join me today, and Congresswoman MEEK of Florida is going to share some of her remarks with us.

Mrs. MEEK of Florida. Mr. Speaker, I am very pleased to bring the subject of teenage pregnancy to the consciousness of everyone in this Nation, and I think this special order you have tonight will take us a long way to doing that and having people aware of what is going on to some of our best and most valuable resources, and that is our teenagers.

We all know that statistics show us that the baby boomers now have produced a new crop of teenagers, much larger than the baby boomers' population itself, so we are beginning to have more and more of the problems which you have described here.

Tonight I am going to take a few minutes and just talk about what is happening in the State of Florida. Most people know about Florida as a beautiful tourist State. They know about it as the State where the Sun shines all the time. They know about it as being a very warm climate.

The one thing people do not talk about a lot in the State of Florida is that our rate of teenage pregnancy is growing. Our rate of AIDS is growing. As a matter of fact, we are in the top five in this country as far as AIDS and teenage pregnancies. It is something that many of us as policymakers have been afraid or maybe a little reluctant to address as being a problem. But until we change some of the policies, and I think that is where you are on your way to changing some of the policies which underwrite what we do with our wonderful teenage children, certainly we will keep going the helter-skelter way as we are doing now; that is, one State may have a very strong policy, another one may have very little, and another one may have sort of a lukeworm policy.

I guess what we would like to see is that this country would face this as a problem, not to sweep it under the rug. Policymakers would no longer be afraid or a little concerned about the political incorrectness of addressing this problem.

□ 2115

Just to look at the social significance of teenage pregnancies in Florida, and I am talking about births by teenagers who are 18 years or younger in the State of Florida, if you will notice, this particular, I call it an epidemic, is almost a pandemic. But it is an epidemic in that some groups of teenagers, who once did not even have this problem, are now beginning to show an advancement in their teens whether they are white or black or any other ethnic group.

However, because of the policy related circumstances with minorities, teenage pregnancy incidence is much

higher than it is among some other ethnic groups, particularly with nonwhite teenagers. The growth in Florida since 1991, there were 8,274 teenage pregnancies. But now it is reduced a little bit because of some of the many things we are trying to do in Florida to sort of alleviate this problem.

But I do not think we are doing enough teaching and education and teaching youngsters that abstinence is the best policy. I go to the age-old dictum that we were taught, that that was the only way to prevent teenage pregnancy. Now we say safe sex, we say a lot of things. But I think perhaps we may have to go back to some of the age-old policies of combating this, that being not forced, but supported by a State policy.

It costs a lot. Teenage pregnancies cost Florida a lot of money. In doing so, it takes away some other programs that need the same kind of financial assistance.

The regular prenatal care and delivery of teenage babies costs the State of Florida $15.3 million. Now, think in terms of the health care delivery system in Florida. If this money could be placed toward fighting some of the many other health problems in Florida, then certainly we would have had that money to put in that pot.

Also in Florida, teenagers who have babies usually are at-risk babies. The prenatal care is much higher than a regular adult having a baby. So these teenagers bring with them certain deficiencies. One is that, with many of them, the babies have to be treated through neonatal care. That has a very high price tag on it. No matter what you say, these things cost money, and we must do our best to prevent them.

Just take the at-risk prenatal care that Florida spent in 1994 for teenage pregnancies; $16.4 million was spent just for the prenatal care. This has nothing to do with those who repeat and have a second pregnancy after the first one.

The emergency room and hospitalization is $1.7 million, prenatal intensive care, $10.8 million. My hospital in Miami, the public hospital, has a very high cost of parental intensive care.

Also, there is neonatal intensive care. Per client it costs more than any other care. In addition to that, many of them during the first year of life must be rehospitalized, because you remember the teenager's body is not as strong and not built for pregnancy as the adult's body. So that is a problem.

Then what happens when a lot of teenagers have a lot of youngsters? Then there is the cost of special education. Up until the time they are 14 years of age, that carries with it a great cost. I do not think I am trying to say that this is cost prohibitive. I am saying the money the State of Florida spends with teenage pregnancies, which are usually low birth weight babies which need neonatal care, which need very strong prenatal care, that it costs a lot of money.

Then the developmental kinds of services that are needed for the babies which are already born with a strike against them, and that is like the special education, costs $939 million. That is a lot more money, because these children who were born into the bodies of young teenage mothers that are not physiologically prepared costs this special social significance.

Then there are the developmental services, $6.8 million. That is why it is so very important, when you look at AFDC, at least 8 percent of the 8 years of age spends 14 percent in food stamps. If you take 2.5 years, 14.9 percent, and 8 years for 14 percent, the food stamps for 10 years would cost $129.8 million. These figures are statistically correct, but many times a lot of these figures do not include all the youngsters that go through the teenage pregnancy syndrome.

Medicaid in Florida ran up $40.8 million because of the teenage pregnancy problem. The crime, not including the cost, that is $2.6 million.

So I think that education is a key to our problems with teenage pregnancies. I do not think that it can be done altogether in the school. It is a problem in the home, the school, and the community. There is a lot to be done, a lot can be done, because right now many of the teenagers do not understand what makes them pregnant as well as how to take care of a baby born to a teenage mother. There are a large percentage of them born in Florida to teenage mothers. In 1994 it is 13 percent of the babies were born to teenage mothers, and the teenage birth rate was very high as well. Repeat births was like 23 percent in Florida. I can go on and on.

I guess the point I am making here is that teenage pregnancies have a high cost attached to them, not only in the problems to the teenage mother herself, but to the baby.

Regarding the impact of the teenage mother's baby, as it brings forth many things which, I think, if properly educated soon enough and the intervention is made soon enough, something can be done.

Florida has a lot of good programs and is fighting this problem. But we have not come to the point yet that we are able to stop that first child. Usually through education and through programs, we are able to slow down the rate of the second baby. But we still have problems with the first.

I think it is important that you brought this to our attention tonight, and I think we have to really put more focus on it. We need to look at it because it is interlinked very closely with Medicaid, and it is going to cause a problem which many of my colleagues have talked about. I want to thank you for bringing this to our attention.

Mrs. CLAYTON. I want to thank the gentlewoman from Florida for bringing up the Florida experience. Just to emphasize, the gentlewoman shared that indeed there are a myriad of solutions, but basically she felt education was one of them.

In addition to the educational part of abstinence, other educational programs of conception are also needed in that area. They have been successful in maintaining or reducing the second birth, but not as successful in intervening early on.

So I think there is much we can learn from the Florida experience. I certainly want to express sincere appreciation for the gentlewoman sharing that with us this evening.

The gentlewoman from Texas [Ms. JACKSON-LEE] is with us, and I appreciate her joining us.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman for yielding. Let me thank the gentlewoman for her leadership on this issue and bringing to the focus of America the importance of supporting the National Campaign to Reduce Teenage Pregnancy. I join the gentlewoman in the support.

I support the National Campaign to Reduce Teenage Pregnancy, especially enlisting the aid or help of the media, because teen pregnancy and too early teen births impact the teenager's health, education, and long-term self-sufficiency.

Educational attainment and poverty are related to adolescent child bearing. One million teenagers become pregnant every year, and most of these pregnancies are unintended. A lot of it comes from the lack of information about one's body, a lack of sex education information, and the youngster is simply a child guided by the words of her peers, or maybe the individual that has enticed her into a sexual act that results in the pregnancy.

We have heard much about the social cost of teenage pregnancy in terms of welfare and Medicaid. One-quarter of teen mothers live below the poverty level. But there is also a psychological cost. There is a cost in the future of that young mother and the future of that child.

Advocates for Youth have estimated the annual public cost in 1992 for AFDC, Medicaid and food stamps attributable to families begun when the parents are teens are $34 billion. I imagine that also includes the cost of the prenatal care that they do not get really and the neonatal costs that they have when the babies are low birth rate babies.

However, if we want to address the issue of teen pregnancy, then we must assist teens with a multidimensional program that provides reproductive health information and access, as well as teaching teens to communicate with their partners and their parents. And, yes, I wholeheartedly support the teaching and communication of abstinence and the ability to build one's self-esteem around the ideas of waiting and looking forward to a future and the availability and ability to raise one's child with the best resources possible.

Prevention of at-risk teen behavior should include attention to educational

and employment opportunities. All of us should be concerned when intergenerational teen motherhood affects the long-term chances of teenagers and their families.

I believe that teenage pregnancy prevention must be targeted at both boys and girls. That is a very important point. I have found times when we have spent time with young men, it is very valuable time, to inform them that it is their responsibility too; that their manhood is not intertwined with the creating of a life, and that that life then becomes dependent on them, and their future opportunities may be shortchanged because of the responsibility to this wonderful new life.

Treating teen pregnancy as if it is an issue that affects only young girls is shortsighted and is unlikely to be effective. Adult men are frequently the fathers of children born to teenage mothers. I hope that the link between sexual abuse and teen child bearing are also examined by the National Campaign to Reduce Teen Pregnancy. That is certainly an issue that I am hoping to address in my district.

I urge the media, parents, educators, and all those who care about children to talk with our young people about abstinence and postponement of sexual activity. Teen mothers have approximately a 60-percent chance of graduating from high school by the age of 25. Remember now, a 60-percent chance of graduating, way beyond the normal graduation time, but maybe by the age of 25, and only 60 percent, compared to 90 percent of those who postpone child bearing.

African-American and Hispanic teens who delay child bearing to age 20 are 3 to 5 times more likely to attend college as their counterparts who do not delay childbirth. Again that goes back to the quality of life of that new life that this young parent would bring into the world, the ability of taking care of that child, and warding that child away from the ills of life, the social ills, the lack of getting an education, drugs, the lack of self-esteem because they have not had the nurturing and care that would come about from a more mature parent.

For an African-American family in which the mother began child bearing before the age of 16, the average income is only 96 percent of the poverty level, not even the poverty level, but only 96 percent. The average income rises to 236 percent of the poverty level if she is between 26 to 27 years of age when her first child is born, and 275 percent if she postpones child bearing past the age of 27.

I am concerned about teen pregnancy because too-early births impact the teens and families in my State. In Texas there were 52,859 births to those age 12, underlined, age 12 to 19, in 1994 alone. The combined cost of maternity care and newborn care for these teen births in Texas was $339,407,639.

I have visited the Lyndon Baines Johnson Public Hospital in my community and have seen the neonatal unit with these very low birth weight babies. Loving as they are, and your great desire to love them and care for them and cry for them, we also recognize that we are in some way diminishing their quality of life by their low birth rate. Because of the lack of prenatal care, many of them are born to our teen mothers.

This is something that, if for nothing else, for that child that we want to bring into this world, giving he or she the most that we can give them, that we should emphasize this effort with respect to teen pregnancy. The combined costs of maternity care and newborn care for these teen births in Texas, as I said, some $330 million-plus.

In my district in Harris County, TX, in 1994, there were 3,598 births to teen aged 11 to 17. The estimated cost of maternity and newborn care for these teen births in Harris County alone was $23,102,758. Just a couple of weeks ago we saw the emphasis on teen pregnancy in Texas take national status when it was thought that a 10 year old was on the run who was about to give birth to a child out of wedlock. We now find out it was a youngster of 14. But just the horror of it and the thoughts of youngsters having children, and that does occur in my community.

□ 2130

Let me applaud, however, the school districts, particularly HISD, who have several schools that deal with pregnant teens and teens that have had children, and in particular, they provide child care for those teens. But they also expressed to me the difficulty of keeping those teens in school and again ensuring that those children are getting the best protection and help that they possibly can, both the child that has had the newborn and the newborn, of course.

It is encouraging that the pregnancy rate among sexually experienced teens has declined 19 percent in the last two decades, but there remains much that we as parents and friends of teens must do if we truly care about our young people.

I would also like to applaud the teen clinic in the hospital district supported by Baylor College of Medicine. That has been an outstanding light, Congresswoman CLAYTON, in prevention measures, in encouraging young teens to look differently or in another direction, and certainly after the first child, to discourage them from a future birth until they get their education and secure a marriage partner and have the opportunity to provide for that young child or that newborn.

There is no one program, however, that will work for all teenagers. When we look at the teen programs which have been effective, the teen pregnancy prevention programs have approached this social and personal issue holistically and comprehensively. That is the key. Adolescent pregnancy prevention must include reproductive health, education and access to contraception, along with the emphasis of education and prevention and certainly abstention.

The media must take responsibility for the explicit images of sexual activity that our children see on a daily basis. Might I add, even the media that shows television programs during the hours that you think young children are safe, during the 6 to 8 hours, maybe 6 to 9, the media has to take responsibility without enforcement and without regulation to do that. I am very glad that we have at least passed legislation that will give parents the V-chip to ward off violence, but it will also allow them to ward off unnecessary sexual activities.

The Internet, we must be concerned about that, as we saw sexual connotations and messages coming across the Internet. We must be diligent as parents and guardians of our children to ensure that they are viewing the right messages, and the media must help us do that.

A discussion of the postponement of sexual activity should be coupled with developing teens' communication skills and partners and parents. Finally, teen pregnancy must focus beyond the sexual activity of adolescence. When we talk about at-risk teens, we need to confront the environment which our young people are growing up with. When we see how early teen pregnancy can impact our children's educational attainment and long-term self-sufficiency, we need to confront this national issue of adolescent pregnancy and help our children flourish and develop their full potential.

It is key that we support this national campaign. It has to be combined with schools and churches, religious institutions, parents and nonparents, volunteers and community-based groups and youth support groups, so that we can in fact make sure that this is an effective effort, Congresswoman CLAYTON, and it is one that I accept the challenge of your leadership, but as well as this national campaign, one that I know that we will be working with our community leadership in the 18th district in Texas and Harris County to make sure we continuously work to put our young people first, but to ensure that they provide a good quality of life for the newborn child.

Mrs. CLAYTON. Well, I want to thank the gentlewoman from Texas for that very substantial statement, and also for her sharing what she understands to be a very interrelated problem that is not purely one approach. It is a holistic approach. We have to be engaged from various sectors, and to recognize the value of having good programs in the high school and good programs to encourage people, the young people, not only in terms of sex education but their self-esteem.

You know as I know, young people who feel that they have a future are going to not risk being an early parent. So we have to give hope, we have to

give that, and I am delighted that you are going to do your part in raising the awareness and giving that positive message to young people in your district. I applaud you for what you have done already, hope that you will continue that effort. Thank you for participating.

Ms. JACKSON-LEE of Texas. Well, I thank you very much, and I think that as I close on one point, you raised a very valuable point. I will close on this. When that teen has that first child, we should not abandon them, because we can still work with them to stem the tide or stop any additional births.

Mrs. CLAYTON. Absolutely.

Ms. JACKSON-LEE of Texas. We should continue to keep them in the system, as well.

Mrs. CLAYTON. We should stop a national policy of abandoning children simply because of the mistakes of their parents, but we should not give up on that parent themselves.

Ms. JACKSON-LEE of Texas. That is right.

Mrs. CLAYTON. Because they made the first error. We can still have them turn their lives around.

Ms. JACKSON-LEE of Texas. I think we must do that. Thank you.

Mrs. CLAYTON. This is not just a debate with women and by women. It is a debate that all people are joining, and I am pleased to have the gentleman join this debate. We have the distinguished gentleman from Virginia [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, I would like to first thank Mrs. CLAYTON for organizing this special order in support of the goals of the national campaign to reduce teen pregnancy. Representative CLAYTON's efforts to highlight this issue of teen pregnancy prevention are certainly timely as Congress continues to debate welfare reform and children and youth issues.

Mr. Speaker, last month I sponsored a public policy forum on health care issues confronting adolescents in the 1990's. That forum was sponsored with the Advocates of Youth, a national organization committed to public outreach and education on adolescent health issues.

The four panelists that were involved in that forum covered issues ranging from the increase in HIV/AIDS in the youth population to the current battles surrounding family life education in school districts. Everyone who attended that policy forum agreed that today's youth face greater challenges than ever before.

The challenges presented by teen pregnancy can seem insurmountable in light of the correlation between adolescent childbearing and education and economic attainment. According to research compiled by the Advocates for Youth, the chance of graduation from high school increases by 30 percent for teenagers who postpone childbearing, and among dropouts, teen mothers are less likely to return to school than others.

The organization goes on to report that early childbearing has an impact on the economic status of teens by not only affecting job opportunities and marital options and family structure, but particularly because of the effect it has on education. In fact, across all ethnic groups, delaying childbirth by just 1 year leads to significant improvement in subsequent economic vitality.

Not only does teen pregnancy affect the teen, but it also affects the entire community. Teen pregnancy prevention has been a priority in my State of Virginia because we have long recognized the devastating effects that early childbearing has on teens and their children and also on the community.

Representative JACKSON-LEE and Representative MEEK both indicated that teenage pregnancy caused expenses in their States. The statement is true in Virginia. One study found that one-half of all of our AFDC case loads, one-half of the people receiving AFDC, began their families with a teen pregnancy. You not only have AFDC, you also have the related expenses like Medicaid and other social services, so we see that it is a very expensive proposition for the community.

As a result, in response to this we have developed several programs to educate adolescents on the issue of teen pregnancy prevention. These programs function at the local level and place their emphasis on mentoring, parental involvement, postponing sexual activity, and the promotion of abstinence.

In addition, Virginia has a mandatory family life education curriculum in its elementary and secondary schools. We have found that these programs have been very instrumental in reducing teen pregnancy, particularly the programs that focus on education, increasing opportunity for our young people, giving them something constructive to do with their time, and giving them adult guidance. As Representative JACKSON-LEE indicated, those who feel that they have a future are not the ones getting pregnant.

We have found that these programs have been instrumental in reducing teen pregnancy and, thus, we have provided Virginia's youth with an opportunity to grow into adulthood without the burdens of early childbearing. These programs share the goals of the National Campaign on Teen Pregnancy, and I enthusiastically support both efforts.

Mr. Speaker, I would be remiss if I did not mention that there are programs in place right now that have been integral in reducing teen pregnancy by offering teens the opportunity for success. These programs involve job training, summer jobs and other activities, other activities to help them stay in school.

Unfortunately, Mr. Speaker, the Summer Jobs Youth Program, job training, Head Start and other dropout prevention initiatives are now at risk because of the misguided priorities in some of our budget initiatives. The recently passed omnibus appropriations bill targeted the Summer Jobs Youth Program for elimination, and drastically reduced Head Start youth training and school-to-work activities. If our goal is to eliminate the obstacles that young people face and instead provide them with opportunity, these programs must be fully funded.

Again, I would like to thank Representative CLAYTON for inviting me to participate in this special order, and I look forward to working with the national campaign on the important issue of teenage pregnancy prevention.

Mrs. CLAYTON. I want to thank the gentleman from Virginia, to say apparently Virginia may be leading the way, and hopefully we can share some of your positive and effective programs that you have. We, too, in North Carolina are beginning that. There are many programs like the Coalition to Prevent Teenage Pregnancy, which indeed has helped that.

I also want to just reemphasize something the gentleman said, and I understood you to say that there are special developmental programs that we need to have in place, too, if we expect young people to be able to have positive opportunity, and those are after-school programs. There is a summer training program, and these programs need to be in place because there indeed is evidence and research that when young people have idle time, and we feel for them because there is a lot of idle time is going to come in the summer, even when young people have idle time between 3 and 6, between the time they get out of school and when they go home, we know also that young people need supervision.

So we need to interject programs where young people can get engaged in that, and I think it is very helpful.

Mr. SCOTT. You mentioned the time between 3 and 6, between the time they leave school. It is also the time, 6 is the time the parents finally come home from work.

Mrs. CLAYTON. Right.

Mr. SCOTT. It is a time they are unsupervised.

Mrs. CLAYTON. Right.

Mr. SCOTT. Studies have shown that during that time, a significant number of pregnancies occur. We also found that those who think they have a future are less likely to get pregnant. Therefore, college scholarships and other activities designed to make sure those opportunities are available must be fully funded, and cutting back in that area will increase teen pregnancies.

Mrs. CLAYTON. My point is to suggest that young people, we want to instill responsibility in them and positive behavior, but also there is a reciprocal responsibility for society to make sure there are opportunities for work and career and positive development there, and we in Congress can play a part. Others also must play a part.

Again, I want to thank you for participating with that. I also know that this is not just one-sided, it is not a partisan view. Republicans and Democrats have an interest in this, to prevent teenage pregnancy, and I am delighted that my colleague CHRIS SHAYS, the gentleman from Connecticut, is joining me, and welcome your participation.

Mr. SHAYS. I am grateful to have this opportunity, Congresswoman CLAYTON, to participate in this very important dialog, and to salute you for your taking the leadership and making sure that we as a Congress begin to confront what is an extraordinarily serious problem for our country.

I am here to salute you, to participate in this issue, and also to compliment and to praise the President for establishing the National Campaign to Reduce Teen Pregnancy. I know that you circulated a letter, which I would like to read later in this special order. But first to tell you that as someone who is chairing the Committee on Human Resources and Intergovernmental Relations, we are going to be having a hearing on this issue and will obviously be inviting you to help lead that off.

It is incredible, the more I get into it, and candidly, I have not spent the kind of time that I should have, but to think that up to 1 million teenagers become pregnant in the United States, and that 85 percent of those pregnancies are unplanned and that the vast majority of mothers are simply unmarried, to think that teenage mothers are more likely to be impoverished, go on welfare and never finish school, to think what kind of future they have for themselves and the promise that they have for their children who they grow to love dearly.

I think probably more than anything else in my own childhood, what I value the most was that my parents taught me to dream, but my dreams were realistic. I mean, I really felt I could meet those dreams. It is hard for me to understand how a pregnant teenager, a young 15-year-old or 14-year-old who is giving birth is able to think of dreams that get that individual, get her out of the welfare cycle and get her the opportunity to think of being able to live what the American dream is, to think of what it must be like for her children.

□ 2145

I am stunned by the statistics that say that adult males are the fathers of approximately 66 percent of babies born to teenage girls. I am talking about adults impregnating young kids, the thought that, according to the U.S. New and World Report, that 65 percent of teenage mothers are unmarried, up from 48 percent in 1980 and that, most importantly, that 39 percent of 15-year-old mothers say the father of their babies are 20 years or older. Fifteen-year-old kids.

I have a 16-year-old daughter, and it is hard for me to comprehend a 15-year-old daughter, and it is hard for me to comprehend a 15-year-old young girl describing the fact that nearly 40 percent of these young girls are saying that they were impregnated by 20-year-olds or older, and for 17-year-old mothers, 55 percent of the fathers are adults, and for 19-year-olds, 78 percent are the fathers, are adults who have been involved in this relationship.

You sent a letter that you circulated, and hundreds of Members of Congress signed this letter, and I would love to read this letter for the RECORD. You drafted this letter to President Clinton. You said:

''Dear President Clinton, we write to applaud your efforts and those who have agreed to serve in the bipartisan National Campaign to Reduce Teenage Pregnancy. The mission of the National Campaign,'' quote, 'to reduce teenage pregnancy by supporting values and stimulating actions that are consistent with a pregnancy-free adolescence is,' end of quote, ''one that each of us supports, and the goal to,'' quote, 'reduce the teenage pregnancy rate by one-third by the year 2005' is one that each of us endorses.''

We are trying to reduce the pregnancy rate in the next 10 years by one-third. It seems to me obviously like a goal that all Americans could unite behind.

You go on in your letter to say: ''The increase in out-of-wedlock childbearing is alarming. Even more alarming is the vicious cycle into which pregnant teenagers are thrust. The young women, as well as the young men, who become teen parents have few expectations, few ties to community institutions, few adult mentors and role models, and little hope. Many live in communities where crime and drug use are common and where dropping out of school and chronic unemployment are even more common. This is a very costly human burden for our society.''

You then go on to say: ''In addition, teenage pregnancies cause a heavy burden on the federal budget, especially Medicaid funds, one of the elements of the budget that is spiraling. Food stamps and AFDC funds are also taxed by these young people is the dawn of their lives. Indeed, teen pregnancy is a strong predictor of a new generation of disadvantaged. As poverty is the most accurate predictor of teen pregnancy, teen pregnancy is a near certain predictor of poverty.''

Your letter then goes on in three more paragraphs:

''We believe the approach to this problem that will be undertaken by the National Campaign is correct. It is critical that this Nation first take a clear stand against teen pregnancy and, in doing so, attract the interest of more national leaders and organizations. Enlisting the support of the national media in supporting and stimulating State and local action are necessary steps in the effort to reduce teen pregnancy. These and other activities will help to foster a national discussion about how religion, culture, and public values influence both teen pregnancy and the responses to this dilemma. But most importantly we believe the intent of the National Campaign to strengthen the knowledge base, to educate, will be invaluable.''

And your last paragraph: ''The National Campaign to Reduce Teenage Pregnancy should not be bound by politics, party or philosophy. The situation is urgent. By our endorsement of this letter, please note that we stand behind you in the National Campaign. The goal is ambitious, but it is within our reach.''

And I would just salute the President for his establishment of this committee, the appointment of Dr. Henry W. Foster, Jr., as the senior adviser. He will be coming before our committee to begin that hearing, and we are grateful for his participation and for the nonpartisan approach which the President took in naming former Senator Warren Rudman, a Republican from New Hampshire, the former New Jersey Governor, Thomas Kean, a Republican from New Jersey, obviously, and the former Surgeon General, Everett Koop, actress Whoopi Goldberg, MTV President Judy McGrath, chairman of the executive committee of the Washington Post, Katherine Graham. I mean this is a distinguished committee and one which I salute the President for forming.

And again, I thank you for giving me the opportunity to, one, take a stand on this issue, to announce that our committee, because of your work and the work of others, will be holding hearings to alert the Nation of this nearly desperate problem and to hope that we, as American citizens, can do a better job of helping to have our young kids, our young kids, have dreams and hopes and to let them know that they can always be parents, they can always have a child. They just do not need to have a child when they are in school. They can grow to lead blessed lives, and they can grow to mature as individuals before they then try to help a young person grow as well.

Kids raising kids is kind of insane, and it is, I think, that history will look back on our generation, look back on Congress, look back on the White House, not just this White House and this Congress, but for the last few years and the last few presidencies, and say we were really asleep when we should have been awake. I thank you for this opportunity.

Mrs. CLAYTON. I want to thank the gentleman for his very important remarks, but also for his important announcement that his committee is going to have hearings on this subject which I think is going to be substantial, adding to the debate in that you will bring out a myriad of problems. One of the problems you identified indeed is adult males having some liability and responsibility for this whole problem, and we have not been focusing on that. So I am looking forward for the deliberation and thoughtfulness.

Mr. SHAYS. I look forward to working with you and other Members of Congress.

Mrs. CLAYTON. And we are joined by the gentlewoman from California. I am delighted to have Ms. MAXINE WATERS.

Ms. WATERS. Thank you very much, Congresswoman EVA CLAYTON, for your leadership on this issue. I join with you and others in congratulating the President for placing this very, very important issue high on his agenda. I think whether you are a Democrat or a Republican, you cannot help but be concerned about the rate of teenage pregnancy. I understand over 1 million teenagers are getting pregnant each year here in this country and that this rate of teenage pregnancy far outdistances what is happening in other advanced nations in this world.

Mr. Speaker, I have tried to pay some attention to this issue, and when I came to Congress a few years ago, I called Health and Human Services and asked them what could they do, using some discretionary money, to come into an area in my district where this is a problem and help us to create a program to deal with teenage pregnancy, at least find out what is going on. And so Health and Human Services, along with Family Planning, did come into one of the housing projects in my district known as Avalon Gardens Housing Project, and we were very fortunate that we were able to hire a young woman who is greatly interested in working with teen mothers, a young woman who has a background in working with troubled youngsters, and she has been doing an interesting job.

We worked with males and females between the ages of 12 and 25 years old, and in the first year, after the first year, we are very pleased to report that no pregnancies or repeat pregnancies have occurred. Some of the young ladies that we worked with had already borne a child, others had not, and we hoped to prevent them from doing so. And in the first year we have had no pregnancies or repeat pregnancies. But it is very, very work-intensive. We find that the young people in the program, both male and female, are looking for attention. Many have very low self-esteem. Many or all of them are poor. They have very few activities. They travel not far from their home in the housing project. They do not interact in programs and projects outside of the immediate community. They have very little information available to them. When we started to work with them, we found that very few knew much of anything about contraception.

And so the 15 to 20 people per day that she is working with are now involved in various kinds of activities. Some are athletic activities. We have formed a men's club, and we have been able to create opportunities to take them out of the community on some trips. I am pleased to say that some of them were with us last week when we took a group of boys and girls, young men and women, from Los Angeles, so-called south central Los Angeles, to Selma, AL, the commemorate the march from Selma to Montgomery. We did that because we found that most of them did not know very much about their history, surprisingly, not a lot about Martin Luther King, nothing about the marchers, the work that had been done. And in building this self-esteem, we think that that is very important, that they understand who they are, the kinds of sacrifices that have been made for them so that they could be successful in a democratic society, and we think unless there is self-esteem, people do not take responsibility, they do not feel comfortable, they do not have the confidence, and therefore many of their actions are irresponsible until you are able to build self-esteem.

So we are working very hard. This is but a drop in the bucket to what is needed in this Nation to deal with this problem.

Mrs. CLAYTON. It is a good example that you are sharing with us that others can do as well.

Ms. WATERS. It is, and we are very pleased because we really are hopeful. We are very, very optimistic about the possibilities for stemming the tide of teenage pregnancies. We believe that you can create real prevention. It does cost money, and some of the work that is being done that has helped in this area under the title XX is now threatened, and we believe that it is important for us to say to everybody that, if you really care about this issue, if you want to do something to stop babies from having babies, if you really want to get a hold of poverty in America, then we will invest some dollars to create opportunities for these young people and recognize that many of them are from so-called dysfunctional families, families where they, they come from one-parent families, where fathers are missing, and the cycle, this vicious cycle, continues because we have done nothing really to break the cycle.

We know everything we need to know about poverty, and one thing we know for sure is that when poor children bear children, that those children are going to be poor, and most likely those children are going to be the school dropouts. These are going to be the children with health problems. These will be the children who will be caught up in poverty and will not be successful. They will drop out of school because they are being born into the same conditions that their parents were born into when we do not break this cycle.

And so, EVA, I thank you for creating this opportunity for more discussion on this issue. I think we must urge our colleagues to get involved in this in a real way. This cannot be just a political issue used during the campaign. We have got to commit ourselves to embracing our young people, to providing for them opportunities that have not been available, to provide resources to get them out of these situations. And if we do this, I think we can do something about this problem.

Mrs. CLAYTON. I want to thank the gentlewoman from California in not only participating, but also sharing examples of her initiatives and what they do in Los Angeles to bring so much hope.

But she demonstrates one point. As we try to counsel young people, we should not think that this is easy, or not intensive, and is costly because we are dealing with troubled young people. We are not dealing with adults. So you cannot use the same formula that you have in counseling adults in family planning. You have to raise the esteem, you have to do development, you have to have a myriad of opportunity.

And I think she raised another point, is that as we are beginning to use the whole teenage pregnancy issue in pursuing the debate of welfare reform, we should not just do it as a political scapegoating of finding opportunity to hit at vulnerable children, we should not have a national policy of abandoning our children.

□ 2200

Certainly as we move toward welfare reform, both sides say we want to reform welfare as we know it, but we should not move to welfare reform as we do not want it. We do not want a welfare system that, whether by accident or on purpose, we have a national abandonment of children by saying we will not support children if they are born while the parent is on welfare.

This is not to suggest we are condoning it. We do not want it any more than anyone else. But we understand that you cannot punish young people by punishing their parents to make them do the behavior you want them to do. You have to give them a reason, counsel them, and discipline them, and that discipline has to be with having them be responsible.

I again thank all those who have participated. I look forward to continuing this debate, that our colleagues would understand that everybody here has something at stake. If we do not think we do, I think we are missing the opportunity to be responsible as Members of Congress, and we are missing the responsibility of being adults if we do not raise this issue to see our role or our way of participating in bringing the awareness out.

This is not an issue that Congress can do alone. This is an issue, obviously, where we can make a difference. But this is an issue where we have to encourage, as many of you have indicated in your community, where we get many sectors of our community, whether it is the church, the home, Boy Scouts, PTA, a variety.

Also, we have to understand that abstinence is one of those things we teach, but we also have to understand we have to teach contraceptives and family planning. The reality of where our young people are is that. When I was growing up, it was implicit that it

was abstinence. Now we have to make it explicit, to make sure that is one of the things young people know that they have that option.

But we reinforce that when we have opportunity that expands their future, expands their horizon of dreaming. You can dream dreams when people make that opportunity, the connection between work, the connection between education as a future for them.

As Members of Congress, we ought to consider in the whole budget debate, what things are we doing that are disincentives for young people to stay in school. I would submit that our education budget is not one that encourages, that we are investing in education. Certainly taking away the summer program is the wrong way to go if we are talking about making sure that young people are fully engaged during the time of the summer, but there are other programs that we can also do.

Mr. Speaker, I thank all my colleagues who have participated in this special order.

As we consider how and where to reduce spending, we must also not forget that teenage pregnancies cause a heavy burden on the Federal budget.

Medicaid funds, food stamps, and AFDC funds are especially hard hit by the teenage pregnancy problem.

If we want to balance the budget, let us begin by working to bring some balance to the lives of thousands and thousands of our teenagers, involved in premature childbearing.

A recent report to Congress on out-of-wedlock childbearing indicates that 35 percent of all out-of-wedlock births are to women over age 25; 35 percent are to women 20 to 24 years of age, and 30 percent are to teenagers.

One objective of welfare reform, shared by both political parties, is to reduce teenage childbearing. Pending legislation on welfare reform, however, embraces an unreasoned approach to reduce the number of out-or-wedlock births, by denying cash benefits to unwed teenage mothers.

This unreasoned approach is based on the perception that the system has failed and contends that any proposed change, no matter how austere, must be a good change.

Thus, those who propose eliminating welfare benefits to young unwed mothers argue that their approach can't make matters any worse than they already are.

Such proposals appear premised on the belief that if Government ignores teen parents, they will go away or get married. There is little or no research to support such contentions.

Reason, on the other hand, suggests that even if the belief held true for some, there would be many young children and mothers left destitute.

To have true welfare reform we must eliminate the need to pay these monetary benefits rather than just eliminating the funding.

As I stated earlier, we want to ''end welfare as we know it.'' But we do not want to replace it with welfare as we do not want to know it. We do not want to enact legislation that leads to a policy of national child abandonment.

An effort to reduce teenage childbearing is likely to require more than eliminating or manipulating welfare programs.

In fact 76 of the top researchers in this field signed a statement saying, ''welfare programs are not among the primary reasons for the rising number of out-of-wedlock births.''

My opinion on the issue revolves around three unanswered questions. First, if welfare is fueling the growth in out-of-wedlock births, they why do many of the States with the lowest AFDC payment levels have some of the highest out-of-wedlock birth rates? Second, why have out-of-wedlock births increased as the relative value of welfare benefits have gone down over the last 20 years? And third, why do other nations with more generous welfare benefits have lower teenage birth rates?

Teenage pregnancy is just one marker of disadvantaged—one result of growing up poor and poorly nurtured.

But, teen pregnancy is also a strong predictor of a new generation of disadvantaged.

The equation is as simple as this: As poverty is the most accurate predictor of teen pregnancy, teen pregnancy is a near-certain predictor of poverty.

While one in four American children now live in poverty, a 1991 report from the Casey Foundation compares the children of two groups of Americans: those who finished high school, got married, and reached age 20 before having a child and those who did not.

Of children in the first group, the poverty rate was 8 percent; in the second group the poverty rate was 79 percent.

Among teens, more births occur out-of-wedlock today than occurred 35 years ago.

This increase in out-of-wedlock births can be attributed to the certain changes in marriage patterns, sexual behavior, contraceptive practices, abortion, and the composition of the teenage population.

Young men and women are increasingly delaying marriage but not sexual activity. Teens make three sets of choices about sexual behavior and its consequences.

The first is whether and when to start having sex.

The second is whether to use contraceptives.

According to studies, in making the third choice—whether to become pregnant—the distinctions by income are dramatic.

In 1994, of all women age 15 to 19, 38 percent are defined as ''poor'' or ''low-income''; of these same women, 73 percent were projected to become pregnant. Of the 1 million teens who become pregnant each year, about half give birth, about 40 percent choose abortion, and the remaining 10 percent miscarry.

Once a teenager becomes pregnant there is no good solution. There is pain in adoption, there is pain in abortion, there is pain and suffering in giving birth and parenting a child. The best solution is to prevent the pregnancy.

Young people who believe that they have real futures to risk have real incentives to delay parenting. That is why when we demand responsible behavior, we have a reciprocal obligation to offer a real future beyond early parenting and poverty.

Reducing teenage childbearing is likely to require more than eliminating or manipulating welfare programs. Experience tells us that threats and punishment are not the best way to get teens to behave in a way that is good for them.

The most successful approach to reducing teenage childbearing is to design policies and procedures that are targeted to encourage positive developmental behavior through beneficial adult role models and job connections.

We must implement pregnancy prevention programs that educate and support school-age youths—10 to 21—in high-risk situations and their family members through comprehensive social and health services, with an emphasis or pregnancy prevention.

On average, it takes teens 1 year after becoming sexually active to receive family planning services.

The pregnancy rate among sexually experienced teens actually fell 19 percent from 1972–90, suggesting that teenagers who have access to birth control and are motivated have been successful at preventing pregnancies.

A recent study conducted by the Johns Hopkins School of Hygiene and Public Health analyzed the value reproductive clinics and other health care providers had when given an opportunity to intervene and provide contraceptive counseling to a group of sexually active teenage girls before they became pregnant.

The study shows that spending money on counseling these teenagers could help reduce future pregnancies.

Teenage girls seeking pregnancy tests are already sexually active, so even the most determined fundamentalist cannot claim that the clinics are telling these teens to have sex.

Unfortunately, clinics struggling for funds have a disincentive to serve teenagers who, by and large, cannot pay.

In addition, counseling teenagers is quite expensive because they need more attention than older women.

In the study, most girls who came for a test had reason to believe they might be pregnant: a late or a missed period.

But, a significant number—almost 14 percent—believed there was little chance they were pregnant.

One has to wonder why they came to the clinic. Perhaps it was a way to get someone that they could trust to talk to them.

Devoting more resources to preventing teen pregnancy will not only save us money in the long run, but it will improve the health, education, economic opportunities, and well-being of these young women and their families.

Supporting the National Campaign to Prevent Teen Pregnancy is an ideal way to acknowledge the problem of out-of-wedlock teen births. I urge all of my colleagues, Democrats, Republicans, and Independents to join in the campaign's effort.

THE 100TH ANNIVERSARY OF SPARROW HOSPITAL, LANSING, MI

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

Mr. CHRYSLER. Mr. Speaker, I rise today to recognize the proud history and accomplishments of Sparrow Hospital of Lansing, MI, which celebrates its 100th anniversary on March 18, 1996.

In the spring of 1896, a group of young women met at Lansing's Downey Hotel to discuss the growing need for a community hospital in the developing capital city. Armed with sheer determination, the 114 charter members of the Women's Hospital Association set about to raise funds to buy the local DeViney House, located on West Ottawa Street. Having just $400, they were forced to rent instead.

Not easily discouraged, these women opened and operated an 11-bed hospital, hired a doctor and a nurse, and donated their own linens.

As the needs of the community continued to expand, so did the needs of the facility. Expanding the operation several times, the hospital was finally located on a plot of land donated by Edward W. Sparrow—one of Lansing's pioneer developers.

Edward Sparrow donated the land at 1215 East Michigan Avenue and $100,000 to build the new hospital. Two years later on November 6, 1912, the 44-bed Edward W. Sparrow Hospital opened its doors. At the dedication ceremonies, it was avowed that the purpose of the new hospital was for ''receiving, caring for and healing the sick and injured, without regard to race, creed, or color.''

Sparrow Hospital in the years after has lived up to this purpose. Sparrow is a nonprofit organization, guided by volunteer boards, comprised of people representing a wide spectrum of community interests.

Through the efforts of its founders, and legions of others in the community, Lansing's first health service has grown to become today's Sparrow Hospital and the Sparrow Health System—a place where highly trained professionals work together to perform daily miracles.

Sparrow blends the knowledge and expertise of over 600 physicians, nearly 3,000 associates, and 1,400 volunteers with the most advanced technology, serving as a comprehensive health system for an eight-county population of nearly 1 million residents.

Sparrow is the regional center for pediatrics,burn treatment, cancer care, radiation therapy, neurological care, high-risk obstetrics, dialysis, and neonatal intensive care. Each year Sparrow treats over 120,000 residents, and Sparrow Health System services improve the health of thousands more.

The volunteers who first founded Sparrow and the continued community interest have made Sparrow Hospital and the Sparrow Health System the special place it is today. This spirit of volunteerism and community development will serve as a lasting legacy to the mid-Michigan community.

I would like to congratulate and commend all the individuals involved with the successful first 100 years of Sparrow Hospital, including the community itself, in celebrating this historic accomplishment.

OBJECTIVES OF NEW REPUBLICAN MAJORITY IN 104TH CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Connecticut [Mr. SHAYS] is recognized for 60 minutes.

Mr. SHAYS. Mr. Speaker, it is not my intention to use the full hour, but I would like to address the Chamber in regards to a number of issues dealing with what we are seeking to do in this new 104th Congress, this new Republican majority.

Mr. Speaker, I said earlier in part of a special order that former Prime Minister Rabin, the Prime Minister of Israel, had said that politicians are elected by adults to represent the children. I am struck by the power of that statement, because really what our task is as Americans, certainly in government, is to leave this country better for the generation that will follow. That is what our forefathers did for us. They founded a country and left it better for us, and we have to leave it better for our children.

Mr. Speaker, we have three main objectives in this Republican Congress: This is to seek to get our financial house in order and finally to balance our Federal budget, we are looking to save our trust funds, particularly Medicare, from insolvency, bankruptcy, and we are looking to transform our caretaking, social, corporate, even farming, welfare state into what I would refer to as a caring opportunity society.

We are not looking to throw our hands into the air and say, ''Listen, this is not a problem with the government, you're on your own.'' We are looking to help people grow the seeds. We just do not want to keep handing them the food.

We as Members of Congress have a solemn pledge to do a number of things, but obviously one of them is to vote on a Federal budget each year.

What some of the listening audience may not know and something I did not fully grasp, even after I was elected a Member of Congress in 1987, was that whereas on the State level I voted on one budget, here in Washington we vote on 13 separate appropriations bills, but they only constitute one-third of all the spending that we do in Washington.

When we vote out a budget, we are voting on one-third. When we vote, we vote on one-third. We think of how we spend one-third of the budget. Fifty percent of the budget is literally on automatic pilot. It is what we call our entitlements, it is food stamps, Medicare, Medicaid, welfare for mothers and children. It is agricultural subsidies. You fit the title, you get the money. We in Congress do not vote on it each year. It is on automatic pilot.

I can remember early on in my career as a Member of Congress, I would go back in a community meeting and I would say ''I voted to cut spending,'' and they said, ''I know you did, but how come it keeps going up?'' It is a good question. I went back to my office and I said, ''How come if we keep voting to cut spending and they actually pass, the budget keeps going up?''

I realized that in Washington, unlike any place I have ever been before, they use what they call a baseline budget. They say this is what it cost this year, and to run the same level of service, if it cost $100 million this year, and it is going to run to the same level of service, we spend $105 million to run the same level of service. So then if you only appropriate and spend $103 million, Washington calls it a $2 million cut.

If it costs $100 million and you spend $103 million, how can you call it a cut? It is a $3 million increase. The argument is you have more people and you have inflation, and so that is the baseline. Therefore, anything cut from the baseline is cut. I guess that is how you get these outrageous predictions that when we have voted on the budget that we have cut things like the earned income tax credit. This is a payment that goes to a working person who pays no taxes because they do not make enough to pay taxes, so they actually get money from the Federal Government.

The earned income tax credit was a program that was really inaugurated by Republicans but then expanded by Democrats, and the program is simply at a point where it will become the largest entitlement if we do not slow its growth. So we are allowing the program to grow from $19.9 billion in the last year to, in 2002, 6 years from now, $25.4 billion. That is referred to as a cut, and yet it is going from $19.9 billion to $25.4 billion. Only in Washington when you spend that much more money do people call it a cut.

The school lunch program, remembering the President and legislative leaders on the other side of the aisle literally going to schools, telling kids that they are going to lose their school lunch program because of what this new majority was doing in Congress. Yet when I look at that program, it is growing from $5.2 to $6.8 billion in the seventh year. Only in Washington when you go from $5.2 billion to $6.8 billion do people call it a cut. It is not a cut, it is a significant increase in spending. Admittedly it is not growing at 5.2 percent, it is growing at 4.5 percent. Then we are allowing States to reallocate 20 percent of that money for other programs dealing with food for Kids.

The student loan program, I was outraged when I heard Republicans were going to cut the student loan program, because, I mean, that is what the President said and the President would be, it seems to me, wanting to be accurate in his statement. When I questioned my own colleagues, I wrestled with the fact that the student loan program last year was $24.5 billion. In the seventh year, in 2002, the year we balance our budget, it grows to $36.4 billion. That is a $12 billion increase, $12 billion on top of the $24 billion spent last year, a 50-percent increase in the student loan program We are still allowing students to borrow up to $49,000. The average loan will still be $17,000.

What did we originally attempt to do? When a student graduates, they are given a grace period of 6 months before they have to start paying back the loan. The Federal Government, the taxpayers, men and women who work who pay money into this general fund of the Federal Government, were paying and are paying the interest from

graduation to that first 6 months. Our proposal was that you simply take that period of 6 months and you say that student pays the interest, and we amortize it during the 10 years that the student is allowed to pay back the loan. In some cases they are given more than 10 years, but 10 years tends to be the average.

□ 2215

So we are saying that a student will have to pay the interest from graduation to the first 6 months, and no longer it will be the taxpayers. Believe it or not, we save in the 7 years about $4 billion doing that, close to it.

Now, what did it amount to in terms of the student costs? Because we amortized it during that 10-year period, it amounts to about $9 more for the average $17,000 loan. Nine dollars more is the cost of a pizza. It is also the cost of a move and the most inexpensive soda.

I have no trouble whatsoever telling the student who has borrowed money from the Federal Government at lower interest rates that they are going to pay $9 more a month in order to save $4 billion for the taxpayers of this country.

So we are increasing the student loan 50 percent, not cutting it; increasing it.

The Medicaid program, which is health care for the poor and nursing care for the elderly poor, it is growing under our plan this last year $89 billion to $127 billion. Only in Washington when you go from $89 billion to $127 billion do people call it a cut. It is not a cut. It is a significant, almost a gigantic increase in spending funded by the taxpayers.

Medicare is going to grow from $178 billion, which it was this last year, to $289 billion, over $100 billion more spent in the seventh year than spent today. We will be spending 60 percent more in the course of the seventh year to what it was last year, and people say, well, that is 60 percent more. But you have all of these elderly people who are growing into the system. It is accurate we do have more elderly, but on a per elderly, it is going to grow 49 percent, going to grow from $4,800 to $7,100 per beneficiary.

What we are doing with Medicare? We are going to save $270 billion, that number, by the Congressional Budget Office, was moved to $240 billion. The President called it a cut. We viewed it as a savings, particularly since we knew we were going to spend more each and every year. I mean $4,800 per beneficiary. Per senior, the $7,100 is a significant increase, not a cut, a significant increase, a 50 percent of 49 percent increase per beneficiary in the seventh year. But referred to as a cut.

I was trying to wrestle with this idea how the President and others and my colleagues on the other side of the aisle could call it a cut, and it would be like if my daughter was able, if we were able to afford it, we told our daughter that she could buy a new automobile, she could buy a Taurus automobile for $20,000 retail price and the dealership A sold it for $20,000 and dealership B sold it for $17,000 for the same automobile instead of 20.

I would hardly tell her that the $20,000 we gave her to spend that she was foolish and irresponsible because she saved $3,000 buying the same automobile. Now like in the argument that she could buy this automobile for $20,000 in one dealer and buy a better automobile, one that had a sunroof and had a few extra points, a better engine, other features to it, and if she bought it for 17, I would hardly say that she cut the program, that she was foolishly saving but not saving, cutting, when she was doing what I would hope any rational person would do, get a better program and spend less to do it.

Now, how could we possibly say that by saving $270 billion we are or $240 billion later, scored by the Congressional Budget Office, we are getting a better program? That on the face of it seemed like it looked too good to be true.

I think most seniors could answer why it is true. There is not a senior, not a senior who cannot describe the extraordinary fraud in some cases, and the outrageous abuses we see in this program. It is a great program, but it is a very, very wasteful program. We look to save money. We save $240 billion in Medicare by not increasing the copayments on seniors. Maybe we should have, but we did not. Not increasing the deductible, maybe we should have. We did not. Not increasing the premium on seniors, we kept it at 31.5 percent. Now, 31.5 percent of the premium, that is on Medicare part B, is going to cost more each year because 31.5 percent, as health care costs go up, that premium will cost more the taxpayer, though, is still going to pay 68.5 percent. That tax revenue is coming out of general funds. We have Medicare part A, which is the hospital program, and we have Medicare Part B, the health care services, all the equipment, all the doctors costs, all the other costs associated with serving health care, non-hospital costs.

Now, what we learned last year and actually in the years before, we were being told, not listening, this Congress is the first Congress that said we are going to do something about it, we learned that Medicare was going to go bankrupt, insolvent, starting this year, according to the trustees, five of whom are the President's appointees, and we learned that, in fact, this was going to happen.

So what we looked to do is to save money in the Medicare part A trust fund and save money in the Medicare part B trust fund. We looked to do that so the program would not go bankrupt. What we then found out is last year, instead of $4 billion more going into the fund than going out, in Medicare part A, did not happen. In fact, $36 million more went out than went in; $36 million in this program is not gigantic, but we were supposed to have $4 billion more coming into the program, which did not. I mean that sets off alarm bells to any rational person. That says, my gosh, this fund is going insolvent 1 year sooner than we were told and by $4 billion more than we expected that it would happen.

What did we do then? We did not increase the copayment. We did not increase the deductible. We did not increase the premium. We left it at 31.5 percent. What did we do? We said the wealthier, if you made more than $125,000, would have to pay all of Medicare part B, not just 31.5 percent, all of it. It is still the best deal in the world for seniors. But if you make $125,000, that is not well known, Republicans do not like the wealthy to know we want them to pay more, I guess it is not the Republican thing. I am hard-pressed to know why Democrats clearly do not want people to know Republicans are asking the wealthier to pay more, because Democrats like to tell people the Republicans just want to help the wealthy and hurt the poor. That is simply not true. But that is what they like to say. So Democrats are not sharing that the wealthier are paying more and Republicans are not making that point either.

The fact is if you make over $125,000 of taxable income, you will pay all of Medicare part B. That gives us $9 billion more of our $244 billion savings. Where do we find the biggest savings? The biggest savings is not we slow the growth of payments to doctors and hospitals, which we do, not as much as the President, but we do, the biggest savings is that we allow seniors for the first time to have choice in Medicare.

Why would that save money? Because the Federal Government does such a pathetic job of controlling the growth of these programs that there is just simply a lot of opportunity to save. Now, we are allowing private sector, the private sector to get involved. When the private sector gets involved, they cannot say you are going to get less than you are going to under Medicare part B, they cannot say that because they are not allowed to have that happen. They have to provide the same level of service or better.

The fact remains, if they cannot offer anything less and charge less, they have to attract seniors. The way they attract seniors is they say we will give you eye care, dental care, we will give you prescription care, costs of helping pay prescription drugs. They will also in some cases say we will rebate the copay or deductible, maybe we will pay the Medigap. That is the difference between what Medicare pays and what the beneficiary has to pay. Quite often they want to shield themselves from any costs, so they simply buy a Medigap program.

There will be some private sector groups that will come in and do all of the above or part of the above, but they will make it less expensive than it is for a senior today.

Now, seniors can stay in the old system. They can stay in the fee-for-service. They can get Medicare just as they

have gotten it. They do not have to leave. If they leave and they do not like the program, they do not like the program, what they do, they leave, they have the opportunity to go right back into the private care model. They have the opportunity to go right back every 30 days for the next 24 months.

A senior who moves into private care who does not like it, maybe does not like the doctors, does not like the program, does not feel they are getting the kind of care they want, does not think the Medigap coverage or the dental care, prescription care, warrants their leaving their fee-for-service, they can go right back into the traditional fee-for-service system.

It is amazing, but the plan saves an extraordinary amount of money because the private sector simply is going to police the system better than the Government sector does.

Now, I chair the Medicare task force and Medicaid task force for the Committee on the Budget. I am also chairing the Human Resource Committee that oversees the Department of HHS. We oversee HUD, Labor, Education, and Veterans Affairs, but we also oversee HHS, Health and Human Services. That means we oversee FDA, HCFA, which is the Health Care Administration, that basically handles Medicare programs. We oversee the Centers for Disease Control. We have looked into the Medicaid program, the Medicare program. It is astounding to know that we have contracted out to private carriers simply to police the system, but we do not give them any incentives to do it right.

Basically, the carriers do not have the bottom line kind of ability in a bill that is presented on Medicare, if a doctor takes care of someone's broken or sprained ankle, and they do a chest x-ray, which is clearly not related to the sprained ankle, they can submit the bill and know it is likely it will be paid, even though it should not be paid, because HCFA does not require any more than 5 percent of the bills to be checked and only less than 1 percent, less than 1 percent of all the dollar amounts of bills to be checked.

So what has the GAO told us, the Government Accounting Office, what have the inspectors general told us? They said, if there was a basic auto-adjudicated system, with software to kick out these inappropriate bills, the Federal Government would save about a half a billion dollars.

Well, that is your government at work. The Government, your government at work chooses not to save a half a billion dollars. The Government has set up a Byzantine system of changing the purchase of health care products. We know that the Veterans' Administration is able to buy a particular product that Medicare pays, and for the last 4 years has paid $4 billion more than the Veterans' Administration pays for that same product. In other words, if we paid the same price for what the Veterans' Administration pays for that particular product, the Federal Government, the taxpayers, would have saved over $4 billion.

I can go on. I mean, why is it that men under Medicaid are sometimes, and Medicare, Medicare particularly, why would they have been charged for giving birth. It is humanly impossible, but it happens. And we go on and on.

I mean I had in one of my community meetings, I always have people come up and tell me the outrageous bills that they get. One of them was a nurse, and she said she knew health care services, she knew that this bill was incorrect. She had looked at it, knew it was incorrect, and went to the hospital. The hospital said, well, we are not properly paid by Medicare, so we have to find other bills in order to get what we think we are properly due.

It is why doctors sometimes go into nursing homes, poke their head in a window, Emily, how are you doing, John, how are you doing? They see 15 people in 15 minutes, and they are able to make out like bandits. I mean I can go on and on.

One of the ways we save in our Medicare plan is that we make health care a Federal offense, finally we prevent people from going State to State. We are going to save billions of dollars by finally getting tough, finally in a Federal way against abuse in Medicare.

Now, there is lots I could deal with and talk about as I yield the floor. I do not want to just make mention of a few more issues. I know this looks like a food fight to a lot of people. Republicans and Democrats on the floor yell at each other. I am not proud of that. We look like Little League deciding who is safe at second. In fact, we probably are doing a disservice to Little League to say we look like Little League. They might take issue at that. We are pretty childish at times.

I guess my point to this Chamber, to put it on the record, is that this is not a food fight. It is an epic battle about what kind of country we are going to become. I look and think of what we have done, allowing the Federal debt since the Vietnam War to go from $430 billion to now $4,900 billion. In 22 years, in 22 years, we have allowed the Federal debt to increase ten-fold. That is during the time of peace. It is not during a time of war when you just spend whatever you have to spend and then you pray that you will succeed in your battle against, in this case, Hitler's Germany. We just spent what we had to and we ended up with a sizable debt.

But since the Vietnam war we have allowed the debt to increase ten-fold, ten-fold in 22 years. I think of what I like to think of myself, as a historian, I certainly would appreciate it, that was my college degree in American history. I think of how historians graded the Congress after the death of Lincoln, the Reconstruction Congresses.

□ 2230

It is not a proud time in our history, the time after the Civil War. I think that historians will look at the Congresses over the last 22 years, and even the White House of both parties, and say this was not our proudest moment. I think I am being kind. I think they will say it was one of the darkest times in our history, when we have literally been willing to mortgage our children's future for present-day expenses.

I do not think that when historians will look at what we have done in Congress, in the White House, and, candidly, I think historians will be not complementary even of the American people, because the American people, as much as they may feel they are not part of this process, they are very much a part of it.

I would have liked to have shut down the Government after Thanksgiving break and not open it up. I was on the losing side in my own conference. I think it was a mistake to open the Government until we balanced the budget. I regret dearly that we did.

I think it is a mistake to vote out increasing the national debt until we come to grips with the balancing the budget. I prayed that Congresses of earlier years and the White House of earlier years would have, at least one of them, would say no more, we are not going to allow these deficits to continue. We are not going to mortgage our children's future. We care to leave this country better than we found it. If only 10 years ago a Congress or White House, one of them had said no more, we are not going to allow this to continue.

So I say well, you know, it did not happen. We are not going to shut down the Government I do not suspect. We crossed that line, and I guess we will just continue working day by day until the White House and Congress come to grips. We need to have an agreement, but it cannot be a superficial one. It has got to be a substantive agreement.

How did I start this special order? I started this special order by pointing out that 50 percent of our budget are entitlements. Fifty percent of our budget. We do not vote on them, they are on automatic pilot. Only one-third of the budget is what we vote on, the 13 different budget items.

Congress has the upper hand in the negotiations with the President on appropriations. He vetoes a budget, the Government shuts down. That is not good necessarily for us or the President, but it calls the question. And it is certainly not something Federal employees wanted. They are caught in the middle.

But it is much bigger than Federal employees. It is whether we are going to finally come to grips with the budget. When the President vetoes entitlements like he did, when he vetoed our balanced budget bill, when we wanted to reform Medicare and Medicaid and welfare, what did we end up with? Not nothing. We ended up with what exists, the automatic pilot, what is existing law.

So for Congress to simply cave in and allow the President to allow and force

us to spend more on appropriations without a corresponding change in entitlements would be very foolish and irresponsible, in my judgment.

I learned a great term when I was in graduate school when I was getting my MBA and MPA and majoring in economics, a concept I wish I had learned earlier. It is called opportunity costs. If you spend money here, you give up the money to spend it here. If you spend money here, you give up the opportunity to spend it here. If you spend some money here, you can maybe spend some money here. But you give up opportunities, depending on how much you spend.

Our entitlements are growing at 10, 11, 12 percent. If we do not get a handle on the growth of Medicare and Medicaid, if we cannot slow Medicare and Medicaid to about 7 percent a year, and prevent them from growing at 9, 10, 11 percent, if they go up at 9, 10, 11 percent, then the appropriations part of our budget is going to be continuing to be squeezed and squeezed and squeezed. Our need to help our young children dealing with teenage pregnancies, a whole host of things I think are necessary, are simply not going to be able to be funded, if we just allow entitlements to grow and grow and grow.

I know a number of good Members in both the House and Senate are quitting. They say this is not a fun place anymore. I am hard pressed. I have been here 7 years and I love this job, and I have never felt I have been critical of serving in Washington. I love Washington. I love this opportunity. I mean, this Congress was formed by our Founding Fathers in the Constitution of the United States. I mean, I look at this flag with great reverence. I look at the Constitution with great reverence, and I look at what the Constitution did. It established a Congress, it established a Senate, it established a White House, and they knew there would be times we have disagreements.

Our Founding Fathers knew that sometimes it might even look like kids, but they knew that ultimately we would have a system to resolve our differences.

So I just ask the American people to see beyond just this debate that seems to not be as substantive as they want, and look for the fact that this truly is an epic battle. I would encourage some of my colleagues who are quitting and not running again because they say this is not a fun place to level with the American people and acknowledge this really has never been a fun place. It has been an important place, but not a fun place.

Candidly, I am not so sure it matters whether it is a fun place anymore. I am not even certain that the issue of whether we are always civil to each other is an overriding issue. It is not pretty to look at, and I regret it and like to think I am not a part of that kind of dialog. But when I see some of the people I have admired over the years quitting, and I admit I do not walk in their shoes, their moccasins, I do not know what their life experiences are, but it seems to me on the outside looking in on what they are doing, that they really were part of a Congress over the years that allowed us to get in the mess we are in.

We are in this mess, and it is very serious, and it requires a lot of heavy lifting. We have got to confront the seniors, we have got to confront the young, we have got to confront the rich and poor, and we have got to come to solutions to our problems.

It is a very contentious time. My take on their leaving, not to be unkind, is that simply that now that the difficulties are here, now that we are clawing to get out of the deep hole we find ourselves in, they are quitting. They are quitting when it is tough. They helped get us in this mess, and, frankly, I think they should stay to help get us out of this mess.

When I hear a colleague say, ''Well, now that I am not running again, I can really be honest with the American people,'' I am thinking to myself, why were you not honest when you were running? Tell the American people the truth. They are going to have you do the right thing. Tell the American people things that just simply do not add up, and they are going to give you confused messages. So I think it is a shame they just did not tell them the truth while they were candidates. If they told the American people the truth, I do not think we would be in the mess we are in today.

Mr. Speaker, with that, I have a sense you were not sure that this was going to be as long a time as it has turned out to be, and I notice a colleague on the other side of the aisle, so you will probably be here a little longer than you wanted, but I thank you for giving me this opportunity.

SUMMER YOUTH EMPLOYMENT PROGRAM

The SPEAKER pro tempore (Mr. METCALF). Under the Speaker's announced policy of May 12, 1995, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, the hour is late, and I will try to compress my remarks into about 30 minutes.

Mr. Speaker, I think it is very important that we realize also that the hour is late for the funding of the Summer Youth Employment Program, and that is the subject which I feel compelled to talk about tonight. We are going to be talking about it more this week. The members of the Congressional Black Caucus at a meeting on Friday decided we would make this item a priority item this week and try to rally our colleagues, both Democrat and Republican, to come to the aid of the young people in our country.

Most of those young people reside in big cities, and that is where most of the money for the Summer Youth Employment Program has traditionally gone, to big cities. That is where the population is, in big cities. It has gone to big cities because that is where the poor young people are.

There are requirements for the program. It is a means-tested program. You have to be poor. You have to meet certain standards in terms of poverty before you can participate in the program.

So it has gone to the big cities, where the poor youth are. It has gone to a large number of minority youth, Hispanic and African-American. It has gone to a large number of young people who come from poor neighborhoods that do not have people voting as they should vote, so they do not have much political power.

For all these reasons, the program seems to have become very unpopular, certainly become a cast-off by the leadership perhaps in both parties. But certainly the Republican majority in this Congress seems to delight in going after the Summer Youth Employment Program.

The Republican majority in the rescission process more than a year ago zeroed out the program. It was zeroed out for 1995, the past summer, and zeroed out for 1996 and forevermore.

Why does this Summer Youth Employment Program merit being targeted for the hostility of the Republican majority in this Congress? I do not know. I cannot understand. There are protestations from both sides of the aisle about being concerned about young people, about being concerned about youth. We have heard some eloquent speeches tonight about being concerned about pregnant teenagers.

Well, I think one of the speakers said if you are concerned about pregnant teenagers, that means you have to be concerned about programs that impact on both males and females. So we are talking about male and female youth and being concerned about them.

Here is a program that is targeted to young people in a very direct way. Here is a program that does not have a lot of red tape. Here is a program that does not have a great deal of bureaucracy. The money goes to young people to pay them to do jobs in the summer. The money goes to young people to pay them for about 2 months, I think it is an 8-week program. They work at minimum wage. They work for a limited number, 6 hours a day for 4 or 5 days a week. It is a very short program, about 30 hours, I think, a week.

For a small amount of money, it reaps a great dividend. There are many young people who have never been employed before who are employed for the first time. They learn good work habits. They get a sense of worth, self-worth.

I was surprised the other night as we were talking about the dilemma of the Summer Youth Employment Program that one of my assistants who is a college graduate already, she does a lot of my case work and who voluntarily works with young people, was talking

about how upset the young people are about the fact that the summer youth program appears to be lost. Normally at this time of the year, there is notification that there is a program and there are dates already offered as to when you can file your application and the process has already started. But they were told it is a hazy situation at best, and, at worse, we have to recognize the fact that there is zero in the budget for the Summer Youth Employment Program.

Yes, the President did ask, I think, for $900 million for this year's program. I think the budget for the previous was $1 billion. He asked for $900 millionsome in his budget. But the Republican majority zeroed that out. They asked for zero. The Senate, the other body, has not made any effort to put the Summer Youth Employment Program back in either.

The Republican majority zeroed it out for 1995, but it was saved by the Senate before. The other body put it back in in the conference process. We regained a program that was of a smaller size, but it was nevertheless a program. I think you had more than 600,000, about 700,000 young people serviced in the 1995 program.

I might add that is a long way from the original Summer Youth Employment Program. They used to serve in New York City, for example, 90,000 young people in the summer. New York City is a big place, with 8 million people and a lot of young people. Our school system has 1 million young people in school. Of that number, teenagers are about 400,000. So of that 400,000, 90,000 received jobs at the height of the program in the late 1960's and the early 1970's. I know, because I was the commissioner of the Community Development Agency, which was the agency responsible for community action programs. Those community action programs were primarily the employers of the summer youth program youngsters.

Community action programs operate all year round. They did various things for the community in the area of housing, education, and cleaning streets and doing all kinds of things. They employed those 90,000 young people. In 1995, the number had dropped from 90,000 to 32,000. So, all we could do is give 32,000 young people jobs.

□ 2245

They are upset. They have good reason to be upset. So my assistant, Necole Brown, was explaining to me about how upset the young people are about the fact, the prospect that there will be absolutely no jobs this summer, and she said, you know, the first job I ever had was in the Summer Youth Employment Program, the very first job I ever had. The first job my brother ever had was in the Summer Youth Employment Program. The first job my sister ever had was in the Summer Youth Employment Program. For the first time, I felt like I was somebody, that I belonged to the mainstream as a result of having that job during the summer.

The story can be told by numerous others. The numbers are very large. I meet lots of young people, because I started my career in the community action program in a local community action agency in Brownsville, which was a front-line employer. So I saw the faces of the young people who were employed by the hundreds summer after summer, and I still meet them on the street 20 years later. I meet them and they remind me that they were employed. They think it was my Summer Youth Employment Program, and they tell me about what they are doing. Not all of them have made good in life, and I have not done a case study to tell you exactly what the longitudinal effect of it has been, but most of them have been greatly helped by that program. And if you do a longitudinal study, careful study of youth who went through the Summer Youth Employment Program, I am sure you will find a great positive benefit between the difference of among poor youths who when through the program and those poor youths who never had the opportunity.

We have had longitudinal studies done of Head Start. Head Start is a program for poor youngsters starting in preschool, and they followed youngsters who went into the program 20 and 25 years ago, and those longitudinal studies always show great benefits when you compare the youngsters in the Head Start Program with a control group that they used of youngsters who did not go into the Head Start Program who came from the same kind of backgrounds.

These programs do benefit young people. We do not know a lot about how to handle our present crisis with youth, but we do know that some things work, some things work and they work very well. We cannot solve all the problems. Nobody is going to stand here, I am certainly not going to stand here and pretend I can tell you what the prescription is for handling teenagers in 1996.

There are some teenagers, I just wrote a letter for one recently, who have all the benefits in the world, came from a very good family, you know, good income in the family, they took good care of him and put him through the best schools, and still he is in trouble with the law, facing 3 or 4 years in jail because of drugs. Not only did he have drugs, but when the police approached the car, he tried to drive off, so the situation is worse. Here is a good youngster from a good family, and I am writing a letter to try to get some kind of leniency and get the judge to look at the situation in total. He has a good opportunity to be rehabilitated because he has the support of a family.

I do not know why he went wrong, though. I cannot explain the phenomenon of young people who have all the advantages in the world going wrong, but there are many of them. They come from all neighborhoods, and Members of Congress certainly know some of them. They have relatives and they have friends who are confronted with this situation. But there are situations where youngsters in poverty, when you apply some kind of assistance, you get a result. There are some things that we know do work, that large numbers, the greatest, overwhelming majority will rise to the occasion if they get some help.

One of the things that Necole Brown told me about the young people she is working with. My office is not equipped to work with young people. I do not have a grant for that.

I have what you call a youth advisory committee where I wanted to get involved a little bit, have youngsters tell me what is going on, but we get more and more involved, because once you show them attention, teenagers want more attention, and they respond in such a way that it inspires you to get more involved, you want to do more for them. So we found ourselves trying to do more and more all the time. But right now the rock bottom thing is to get them access to summer youth employment, those minimum wage jobs, about 30 hours a week can mean all the difference in the world.

We say we care. We say we care as a nation. We say we care as a Congress. But we do things which are quite the opposite. In fact, it is kind of an evil situation that we confront when we have people who are knowledgeable about exactly what is going on and they stand here and tell us that we do not have the money to fund a Summer Youth Employment Program where youngsters all across the country can get same jobs this summer. It will bust the budget. We do not have the money in the budget. What are we talking about? We are talking about probably $600 or $700 million out of a trillion-dollar budget, $600 or $700 million. The same people who stand here and tell us that we do not have the money to fund a program for youth, which will employ more than 600,000 young in the cities, give them hope and help us to deal with some of these problems that cost so much more money. It costs $20,000 to keep a young person in jail for a year, and yet here is a Summer Youth Employment Program, we are going to pay minimum wage for 2 months, 10 weeks, 8 weeks, I am sorry. That tiny amount of money we cannot invest. It is some kind of distorted, evil kind of thinking that comes out with a conclusion that we cannot afford it.

The same people who say we cannot afford it will do nothing about the fact that the CIA just discovered the fact that it has $2 billion in its petty cash fund that it did not know it had. Two billion dollars, the auditors have discovered $2 billion. That is what has been made public. When the CIA makes something public, we always have to sort of look at it and add something to

it because we know they do not tell the truth. They are in the business of not telling the truth, so it is probably more than $2 billion, $2 billion.

So we have written a letter to the President saying that, you know, you can solve the problem of the Summer Youth Employment Program. It is the same letter we intend to distribute to the whole Congress and certainly the Republican leadership of this House, which started the problem. The Republican majority instituted this attack on the Summer Youth Employment Program, this irrational attack, this evil attack, this attack which runs counter to the purposes of any sane group of people who want to help young people. We hope that they will also read the letter and respond.

We wrote to Bill Clinton, the members of the House Committee on Economic and Educational Opportunities. The gentleman from Michigan [Mr. KILDEE] and I initiated the letter. We will be asking other people to join us:

DEAR MR. PRESIDENT: We respectfully and urgently request that the $2 billion in unspent funds recently discovered by auditors of the CIA be reprogrammed to eliminate the cuts in title I Head Start and the Summer Youth Employment Program. We have noted with great shock and indignation the revelation that the CIA has $2 billion in unspent funds that no one in the government was aware of, $2 billion that no one in the government was aware of. It is our understanding that these funds are not on any budget schedule and therefore are available to be utilized for more positive purposes. More specifically, Mr. President, we propose that the following budget actions be initiated by your administration:

Transfer $1.1 billion to title I, the education programs that go to the elementary and secondary schools, title one. Transfer $300 million to Head Start; $300 million is that amount that Head Start has been cut in the budget initiated by the Republican majority in the House of Representatives. And transfer $600 million to summer youth employment programs, $600 million.

It all adds up to $2 billion; $2 billion is a lot of money but look at the great good you can do if you put it to positive purposes. We are certain the Democratic Members of both the House and the Senate would enthusiastically support these actions. We are also certain that the Republican opposition would find it very difficult to show cause why these recently discovered funds that are free and available cannot be used to guarantee the same level of funding for these vital education programs.

Mr. President, we look forward to working closely with you and to achieve this very practical goals.

I would like for the Republican majority of this House to show cause, tell us why you have attacked the Summer Youth Employment Program and, if your reason is that there is no money in the budget and it is impossible to make room for the program now, then tell us why you cannot join with us in reprogramming $2 million that the Central Intelligence Agency has that it did not know it had, that nobody knew it had. So it certainly is not on anybody's budget schedule. Tell us.

This is a challenge and this is a moral challenge. If you care about morality, if you care about family values, if you care about pregnant teenagers, we have heard some eloquent speeches about pregnant teenagers and people who want to take steps to deal with the problem of pregnant teenagers in any way possible, and I applaud every suggestion that was made. I applaud those speeches on both sides of the aisle. We need to come to grips with the problem. But you certainly do not care about the problem of pregnant teenagers if you are going to wipe out a program like the Summer Youth Employment Program which is quite simply, a direct way of giving hope to young people. It gives hope.

I heard the people who talked before me about teenage pregnancy use the phrase over and over again about hope, hope for young people. I heard the gentleman from Connecticut [Mr. SHAYS] on the other side of the aisle talk about dreams and the fact that as a young person his parents guaranteed he had the opportunity to dream and how you wreck the dreams of young people when their dysfunctional lives lead to pregnancy and you throw them into a quagmire that they can never get out of. I heard this with great sympathy.

I hope that we as intelligent people, we as intelligent people also act as honest people, because we are not honest, it is not honest to look at the situation and see the $600 million will solve the problem, $600 million will take us a long way toward giving some of those teenagers hope, the males and the females because they are both part of the problem; $600 million will save us a great deal of money by keeping young people out of trouble, out of jail.

Jail always costs $20,000 or more per year for young people. All of these are so obvious, so self-evident until only some kinds of evil force can be at work to not make decisionmakers in Washington see it and act on it. What is going on? I really do not know what is going on.

Mr. Speaker, I think the gentleman from New Jersey wants to join me here. And before I go any further, I want to give him an opportunity to join us. I think we will take our entire hour at this point. The gentleman from New Jersey [Mr. PAYNE] is welcome to join this discussion. Mr. PAYNE is the chairman of the Congressional Black Caucus, which had a retreat last week on Friday. On Friday, we looked at all the priorities and all the problems. We concluded that the problem facing us more right now, the problem that has a deadline on it, the problem that has a time clock, a time bomb ticking away is the problem of summer youth employment. Summer youth employment, the program, decisions need to be made now. They need to be made soon. The process needs to be engaged.

We have a lot of talk about AmeriCorps, and we are all for AmeriCorps. Both of us serve on the committee, the Committee on Economic and Educational Opportunities, which is responsible for AmeriCorps. It used to be called the Education and Labor Committee when we passed the bill that created AmeriCorps. Nobody ever said to us, when you create AmeriCorps you have to get rid of the Summer Youth Employment Program.

I want everybody to hear me carefully. If you bring AmeriCorps into our neighborhoods this summer and there is no Summer Youth Employment Program, I fear for the safety of the AmeriCorps youth. It would not be just to wipe out the Summer Youth Employment Program and then send in middle-class youngsters from the AmeriCorps program and expect there not to be a reaction. It is wrong. It is unjust. And I hope you understand how explosive that could be.

Mr. Speaker, I yield to the gentleman from New Jersey [Mr. PAYNE].

Mr. PAYNE of New Jersey. Mr. Speaker, let me first of all commend my friend and colleague, the gentleman from New York [Mr. OWENS], for calling this special order tonight. I appreciate having the opportunity to participate in this with him. Through our service together on the House Committee on Economic and Educational Opportunities, we have worked together many years on issues and projects, on educational issues, on issues of jobs, and I have always admired the gentleman's strong stand and his conviction and his willingness to stand up for what he believes in.

So it is with that pleasure that I participate in this special order tonight and also to reiterate, as he said, that the Congressional Black Caucus held a retreat where we talked about the state of black America where we discussed issues that confront us as a people and this Nation as a country. One of the issues that continually came up and the issue that we overridingly talk about was the fact that the summer youth employment is an extremely important, critical and key issue to us in our communities.

Tonight I am proud to join with him in standing up for young people in our communities.

☐ 2300

There is one concept now which all Members of Congress from both sides of the aisle can agree. It is the importance of instilling in our young people a strong work ethic. That is what made this country great; that is what made America what it is today. And a sense of personal responsibility. We hear so much about personal responsibility in the new majority's rhetoric. Personal responsibility also includes the opportunity to feel that personal responsibility by virtue of being able to have concrete, tangible goals that people can see and do, and that is where employment comes in.

That is what the summer youth employment program is all about.

More of us can remember what it was like when we got our first summer job. We can all remember that; my colleague mentioned that, too. Many

times it was during elementary school or high school, and no matter how menial the job was, how unimportant it seemed to other people, we felt a sense of accomplishment, we felt a sense of pride, and we worked to live up to our employer's expectation as we collected our first paycheck. Many of us began saving for college. Some of us dreamed of one day owning our own businesses. My brother was very successful in having a business for 20 years that he ran, where he was involved with high technology in manufacturing computer forms. And so it was a dream that started when we had an opportunity to have a summer job.

Today in too many of our economically deprived communities there is a serious shortage of summer jobs, despite the eagerness of thousands and thousands and thousands of young people who want to become gainfully employed. In the past, the summer job program has enjoyed strong bipartisan support for all the years. There has been a wide recognition of the value of providing low-income youngsters with valuable work experience at a critical time in their life were they learn these work ethics, work experience, the whole value of work.

Young people need an alternative to hanging out on the streets, for drifting out in the community, and they will see this opportunity to be productive, to hold a job, if we will extend it to them, if we would reach out and say there is a job, because many times as I walked down my boulevards and my streets in my districts, sometimes late a night just to encounter the young people, they say, ''Mr. Congressman, won't you come on over here,'' and I will go over, and we will talk, and they will say, ''I'll stop hanging on this corner doing things that I'm doing that is not right if I could find a job..'' And they challenge: ''Mr. Congressman, can I come down to your office tomorrow and get a job?''

And it is a very shallow feeling when you say, ''Well, come down, and we'll work at it,'' but knowing that there are very few jobs available.

I have been working with young people most of my adult life as a school teacher, as president of the YMCA of the USA before coming to Congress, and I have seen how positively young men and women respond when they are given an opportunity to hold a job, to earn a paycheck, that pride.

I believe the new majority in Congress have made a big mistake in targeting summer youth employment programs for elimination, a big mistake. It would be abundantly unfair to pull the rug out from under so many deserving young men and woman.

There is much emphasis today on dealing with the crime problem in our Nation, especially in our urban centers where crime is rampant. Congress sees to have no problem with spending billions of taxpayer dollars on new prisons to warehouse offenders. The majority of Congress voted to increase the expenditures for prisons from $7.9 billion to $10.5 billion, an increase, money taken away from prevention and put into more prison construction. When they talk about the costs per inmate, the costs of construction is not even built in. Any other kind of business, you build in the cost of construction, and it is $20,000 plus just for correction officers, food, health, and all of the things that go along with having 24-hour, 7 days a week, 360 days a year custodial care over a person. And so it certainly would be a much better investment in an employment program if we took the money and put young people back on the right track.

So I hope my colleagues will join with us in restoring the $635 million for this summer program. In keeping with our efforts to compromise on the budget, it actually will bring down the figure from last year. It is only 75 percent of the 800 million that was appropriated last year, and so it is in keeping with gradual decrease.

Let me just say once again that years ago, when I was employed in the downtown business community, there were jobs available at the utilities firm, at the insurance companies, at the transit company, and young people would come and get summer jobs, and so the necessity for government to be the employer of last resort was not even necessary at that time.

Today in my community those companies no longer have summer jobs available. Those companies no longer have the work force they had in my city of northern New Jersey. At one time 500,000 people lived there, just about 1 million people were there during the day. Today we have a city of 275,000 where during the day the numbers do not swell much because the employment opportunities are not there. So if the full-time employment opportunities are not there, then the summer job opportunities are not there.

And so I just appeal to the President, when he sends back his veto message, and I personally mentioned this to him on yesterday when he was in New Jersey, that young people must not, must not, be sacrificed, that when this CR comes back, it must have in it the money to restore summer youth employment, which was not in either bill, and it must be in the bill when it comes back.

I had the opportunity to work as a waiter, a truck driver, a lumber handler, a warehouse man. I worked as a longshoreman. I did just about—postal employee. I was a teacher. I did it all, and it gave me the whole sense of feeling empowered because of earning my way.

As a matter of fact, as I conclude, I was a newspaper boy. I remember at the young age of 9 starting my job. I think you were supposed to be 12, but I just told them I was old enough. But I started a job, and at that time it was just delivering of 3-cent newspapers. This was back in the forties, and I made three-eighths of a cent a paper, and I only had 30 customers, so I had to build my route up. I built it up to over 125 customers because then in order to make a dime, I had to deliver 30 papers. And so that was slow. And so it just gave me the opportunity to have my own business, to move, to earn, and actually made about maybe $3 a week, and had 50 cents taken out on a payroll deduction at that time to put down when I decided that I was going to go to Seton Hall and that it was not enough of a scholarship money in order for me to go.

And so I can remember very clearly those days, and it instilled a pride.

We do a disservice to young people today when we take away the opportunity for them to achieve. It is unfair that they do not have the opportunity to be successful. It is just like in some school districts that the young people do not have the opportunity to learn, and then they fail standardized tests. It is unfair. We have to stop being unfair to young people. We have to start treating them with dignity, self-respect, the total person, the mind, the body and the spirit, the triangle which makes the full person.

This Nation is taking away from our future a major ingredient and the opportunity to earn a living, an opportunity to learn, and we need to talk about that at some other time. But the gentleman was kind enough to yield, and so I will conclude by urging my colleagues on both sides of the aisle to join with us in restoring these very, very crucial and important funds.

Mr. OWENS. Mr. Speaker, I thank my colleague from New Jersey. He is from the great city of Newark, and he mentioned the fact that Newark used to have a bustling downtown area filled with people, you know, not too many years ago, and that has declined greatly now.

I am going to talk a little bit about that. That is part of the problem. And we have had a situation develop where our cities have been drained of resources. Money has flowed from our cities to the rest of the country, and we have lost a great deal of the resources that we need to keep our own cities going. And it is not through mismanagement, it is not that our cities are not still, our cities and our States, are not still very wealthy States.

New York State is a State in the Nation which provides the greatest amount of surplus over in terms of the Treasury, and when you compare what New York State receives from the Federal Government, what it receives from the Federal Government in terms of aid is much less than it pays in, and that has been true for the last 20 years. In 1994, the last year that they have figures available, New York State paid into the Federal Treasury $18.9 billion more than it got back from the Federal Treasury in terms, in Federal aid. New York State was the, you know, most generous of the States, but New Jersey also paid far more into the Treasury than it got back from the Federal Government.

And this has been a pattern. Michigan, many of the Northeastern States, have consistently paid more into the Treasury. The States with the large cities like Chicago and Detroit, Philadelphia, those States are being discriminated against in many ways by the Federal Government policies.

One way we would get our money back in terms of Federal aid would be through programs like the summer youth employment program. New York City, for example, over the last 20 years has lost $10 billion in Federal aid, and we hear on this floor a lot of criticism about New York State and New York City spending too much money on Medicare and Medicaid. Medicare and Medicaid, we have the highest expenditures in the country. But even with the highest expenditures in the country in Medicare and Medicaid, New York State is still putting in, paying out to the Federal Government, $18.9 billion more than it is getting back. We do not have any big defense plants, we do not have any disasters like hurricanes or earthquakes or floods. There are a number of ways that we do not receive money back from the Federal Government that other areas do. Highway funding; we have a great need for mass transit funds, and they are being cut.

Now I want to focus on the summer youth employment program. But you cannot tell the whole story and you cannot show how vicious, how vicious the process is here in Washington, unless you look at the total picture.

And at this point I want to pause and make certain that everybody understands that for the next few days we are going to be talking about this problem. The summer youth employment program will be on our agenda, and a lot of people say, well, the situation is not so bad because the continuing resolution says that all programs will be funded at 75 percent of their last year's funding level. Well, you know that is not true of the summer youth employment program. The last year was zeroed out. There is no authorization, there is no—the rescission process killed the program. So it would be 75 percent of zero that you are talking about.

Let me read from the latest statement on it that appeared just a few days ago in the House action reports. The Congressional Quarterly's House action report reads that the bill that the House has put forth, H.R. 1944, has no funds for the summer youth employment program. Yes, the President had requested $958 million for this program, but since the fiscal year 1995 rescissions and disaster supplement appropriations bill—I am sorry that was H.R. 1944. The bill that we are talking about is the appropriations bill for the Labor, Education and Health. That is the bill we are talking about, H.R. 2127. H.R. 2127 for this year is the bill that has this language in it—I mean that has no funds for the summer youth employment program.

Since the fiscal year 1995 rescissions and disaster supplemental appropriations bill, which was H.R. 1944, rescinds all funds that were appropriated in advance for the summer of 1996, the summer of 1995 will be the last year for the operation of this program. The last year, gone; 1995 is the last year that there are funds available.

So they have been clear that let every member of Congress understand when you talk to your constituency, understand that there is no amount in the budget for which we can take 75 percent of. It is zero at this point.

Now the Senate, I do not know why the Senate has abandoned the program also, because it did take the initiative last year, and in the conference process put back the money for the 1995 summer youth employment program. This year the Senate majority has done nothing, and the Senate Democrats have an amendment that they are using to try to get back the funds for the summer youth employment program. They have an amendment which includes a number of things, Senate Democratic education—this is as of March 12. I am reading from the day's national journal, Congress Daily. Senate democratic education amendment would provide $1.28 billion for the title I compensatory education program, $208 million for school improvement programs, $91 million for school-to-work programs, and $60 million for the Goals 2000 program.

□ 2315

In addition, the Democratic amendment would provide $136 million for Head Start, as well as $635 million for the Labor Department's Summer Jobs Program and $333 million for aid to dislocated workers. The Democratic amendment is being proposed but there is no guarantee that that is going to be passed. We are in a situation where the summer youth employment program has zero in the budget for it at this point, and a lot of work has to be done to save the situation.

Why the hostility toward the summer youth employment program? Why are we in a situation in a Congress where family values are touted by everybody on both sides of the aisle, in a Congress where young people are said to be of great concern by both sides of the aisle, and I have heard the Republican majority speak again and again about being concerned about the future. Children are the future, should not be made to pay for the debts that we make today. They are very concerned about drastic budget cuts, draconian cuts in order to guarantee that our children will not have to pay for the debts we make today.

I am glad they are so concerned about children. I am, also. There is a lot of concern about unborn children, children in the womb. I am concerned about them, too. I think every mother who has a child has to think twice about it, because of this cruel backward world we live in where we will propose to pay $20,000 to keep a juvenile delinquent in jail but we are not willing to pay 2 months' salary to a youngster who wants a job during the summer. There is something radically wrong with our thinking.

We have a lot of arrogant sophomores who think they are philosopher kings, and they spout off about saving money and the need to downsize the Federal Government while they are completely blind to the fact that the CIA has a $2 billion slush fund.

They are blind to the fact that today's New York Times talks about a new set of jet fighters we are going to build that eventually will cost $1 trillion, a whole system of jet fighters that we are going to be building, all the manufacturing companies are gearing up, and that cost is going to be $1 trillion. do you want to saddle your children with $1 trillion in costs for a new jet fighter plane when we have the most modern sophisticated jet fighter planes already?

One is being manufactured at Marietta, GA, in Speaker GINGRICH's district. That one, the F–22, is already the most sophisticated thing you can imagine. Why do we need another set?

We say we are going to downsize Government, the era of big Government is over, but the defense spending continues to go on at the same pace. The CIA is the same size that it was 10 years ago. Yet we say we are downsizing Government.

We also insist that places like New York State and New York City get their house in order in order to qualify for the largesse that the Federal Government confers upon them. I have just told you, the Federal Government does not do New York State any favors.

If New York State stood alone, it would be in receipt of $18.9 billion that it does not have now. If you gave us back the $18.9 billion in 1994 that we paid into the Federal Government, which was greater than the amount we got back in terms of aid, we could solve our budget problems.

In fact, just give us back half that amount. If we had $9 billion, the New York State budget could be balanced, we could increase the budget for education, we could take care of our own youth this summer. We could have a New York State summer youth employment program, if you give us back the great amount of money we pay in that we do not get back in terms of aid.

I mention this because last Thursday, March 7, the Washington Post, and I think it is very significant that the Washington Post did this and not the New York Times. I would like to know where is the New York Times on this issue. I have never seen them do an article of this magnitude. The Washington Post, last Thursday, had a front page article which talked about this very situation.

It is entitled, ''U.S. to New York: It's Still Dutch Treat. Balance of Taxes to Services Favors Washington—So Does the Rhetoric.'' It was written by a reporter, a Washington Post staff writer,

named Malcolm Gladwell. Mr. Gladwell makes some very interesting statements here, and I commend him on his research here but I marvel at his naivete. I am going to read some of this. We have a little time left.

Quoting from Mr. Gladwell's article on the front page of the Washington Post:

In a memorable outburst late last year, Representative Newt Gingrich declared that New York City was saddled with ''a culture of waste for which they want us to send a check.'' The rest of the country, the House Speaker said, in a blunt summation of Federal urban policy, '' is not going to bail out the habits that have made New York so extraordinarily expensive.''

I guess one of those programs that have made us extraordinarily expensive is the summer youth employment program. We get more than anybody else in terms of young people because we have more poor young people in our city than anybody else.

To repeat the quote, NEWT GINGRICH says, ''We will not be saddled with a culture of waste for which they want us to send a check. The Federal Government is not going to bail out the habits that have made New York so extraordinarily expensive.''

Continuing to read Mr. Gladwell's article:

As Republicans campaign in the New York primary, no one is talking about aid to the cities, mass transit and urban renewal. And the prevailing assumption in Washington, as Gingrich put it, is that places like New York City are financial sinkholes, inefficient, wasteful, and a drain on the public purse. It is a powerful new idea, central to the fate of American urban life. But it has one problem, economists say: It isn't true.

According to statistics complied by economists at Harvard University, Illinois, Massachusetts, Ohio, New Jersey and Michigan—in other words, those States powered by the metropolitan economies of older cities such as Chicago, Boston, Cincinnati and Detroit—all send billions of dollars more to Washington each year in Federal taxes than they get back in social programs, defense spending or public works projects. And the biggest contributor of all to the Federal budget—the cash cow of the United States Treasury—is the place Gingrich derided as a dead weight on the rest of the country: New York City.

New York State in 1994 contributed $18.9 billion more to the Federal Government than it received in return. It ran a surplus of that amount in 1994.

The Speaker's home State of Georgia, meanwhile, is one of a large number of southern, largely Republican States that receive far more from the Federal Government than they send out in taxes.

Quoting Mr. MOYNIHAN:

I told Mr. Gingrich, what are you talking about, my friend? In Atlanta, 59 percent of the children are on AFDC, Aid to Families with Dependent Children, in a single year. Where do you think that money from from?

By the way, Atlanta is in Georgia, in case somebody does not have their geography straight. Atlanta is in Georgia. Georgia is the Speaker's home State.

The idea that cities like New York run huge surpluses with Washington is, according to urban experts and economists, one of the best-kept secrets in American politics, an idea that—if it ever gained currency—could force a fundamental transformation in the relationship between the Federal Government and the States.

Here is where I applaud Mr. Gladwell's naivete. It is a beautiful purity. He thinks that if we really understood the facts, if we really had the information, it would change our behavior. But, of course, most of the people on the Budget Committee here, Republicans and Democrats, understand this fact very well. Most of the people on the Appropriations Committee understand this fact. They are not dumb. The idea that Congressmen are dumb and do not understand statistics and do not understand the complexities of the modern world is a ridiculous idea. Congressmen are some of the smartest people in the world. They understand. They have the knowledge. But where is the morality? Where is the integrity which says that this is not just? I am going to read Mr. Gladwell's statement again.

The idea that cities like New York run huge surpluses with Washington is, according to urban experts and economists, one of the best-kept secrets in American politics, an idea that—if it ever gained currency—could force a fundamental transformation in the relationship between the Federal Government and the States.

I hope that by ''currency'' he means that the American people, ordinary people with common sense out there, are going to learn more and more about this injustice and begin to pressure to have something done about it. I hope that that is what he means, because it is understood by the people who are making policy here. They are bullying the situation. Power, the power to harass the cities, the power to neglect the cities, the power to swindle the cities.

We had a big swindle in the private sector. Money flowed from the depositors in New York City, Detroit, Philadelphia. The big cities of the Northeast poured money into their banks and the banks would not invest in the big cities, very little investment in the infrastructure, very little investment in shopping malls, in stores there. They said that the cities were a bad risk, so the money flowed out to the Midwest, the South, the West, into the savings and loan associations, into the banks, and they used the money to invest in shopping malls and condominiums and all kinds of programs which were supposed to be not risks but good buys, good investments.

Then came the savings and loan scandal, which up to $300 billion was found to be bad investments or crooked investments, stupid investments, and the taxpayers of the whole country were saddled with a bill which they do not even know about yet because nobody talks honestly about it in the Government here, of about $300 billion it has amounted to, the savings and loan swindle, money we have to pay back to depositors, plus the administration of the process of getting all this straightened out. It is still going on. They put out reports that are not very clear, but at least $300 billion of public money has gone down the drain.

That is the private sector taking the money out of the cities, refusing to invest in the cities, and putting it into so-called better investments in the South, the West, the Midwest, and losing the money. Now we have the Federal Government, and this has been going on for some time. It was started really by the New Deal, and I am going to read on quickly because he talks about that.

The New Deal was an altruistic action, where Franklin Roosevelt and the people who conceived the New Deal were not dumb, either. They understood that the wealth was in the Northeast. They understood that the States in the Northeast had more money, and they wanted to help the rest of the country by having programs which spread the money across the rest of the country. They wanted to.

They did not talk about States rights. If New York had talked about States rights 50 years ago, then you would have never had the money to have the agricultural subsidy program across the rural areas of the country. You would not have the money to rebuild the infrastructure in the cities. The WPA would have been limited to those States that could pay for it.

But they did not have States rights and block grants and all this nonsense about States being able to administer programs better. Fortunately, that was not around, and the beneficiaries of that are mainly the southern States. Southern States get more than anybody else. When you add up all the figures in this same Harvard report, $65 billion more go into the southern States than they pay out to the Federal Government; $65 billion.

One of the biggest recipients is Mississippi. It gets $6 billion more from the Government than it pays in. But Virginia, Georgia, a number of others, Georgia gets $2 billion more from the Federal Government than it pays in. The county where the Speaker resides is the county that gets the most money from the Federal Government per capita than any other county in the country, in the whole country. Speaker GINGRICH's district gets more money from the Federal Government per capita, per person, than any other.

Let me read on from the Washington Post article of Tuesday, March 7, by Mr. Malcolm Gladwell:

It strongly suggests, for example, that the decline of many northeastern American cities may be due not just to mismanagement—as is now popularly imagined—but to the emptying of their coffers by the Federal Government.

□ 2330

It also suggests that keeping cities healthy should not be seen by Congress as an act of charity so much as a prudent step to protect one of the Treasury's real moneymakers.

Let me repeat that.

The cities should not be treated as an act of charity,

Aid to cities:

So much as a prudent step to protect one of the Treasury's greatest moneymakers. Money has been drained steadily from the cities. The policies of the Federal Government the last 20 years have been draining money away from the cities, but the cities are the moneymakers.

Cities are still, despite this great drain and despite the stress on their infrastructures, they are still producing more tax money than any other part of the country:

Manhattan sends an awful lot of money to Washington, says Sigurd Grava who teaches urban planning at Columbia University. But Manhattan is beginning to suffer from problems that require very heavy capital investment, and that is where we should expect the money to be coming back. And if the money does not come back from the Federal Government, then we have a serious dislocation. The cow is being milked in the city, and that is fine because that is what cows are for. But you have to feed the cow, too.

There are two reasons why States in the Northeast tend to pay much more to Washington than they get back. The first is that the northeast is still, as it has been since colonial days, the seat of much of the country's wealth. As a result, the region pays the lion's share of the country's taxes.

I heard somebody here before talking about the terrible amount of taxes the pay, and I think the American people really deserve as individuals and families to be relieved of some of the tax burden. We should have corporations paying a greater share of the taxes, because corporations are making great amounts of money. We should do something about the great tax burden on the families. But let us understand where the taxes are coming from. They are still coming from the Northeast in great amounts.

In New York State, for example, the per capita income in 1994 was $25,999, which means, according to the Harvard study, on average every New Yorker paid just about $5,000 in Federal taxes. In Connecticut, the same statistics are $29,402, and $6,281 for every individual family.

But in a much poorer State, such as South Carolina, for example, where the per capita income is $17,695 the average Federal tax bill was just $3,816. The other side of the equation is that what States get back from Washington, and here the Northeast is an exception as well, New York State, New Jersey, and Connecticut each have over the years gotten a big chunk of Federal funds for Medicaid programs. We have been criticized for spending money on Medicaid and Medicare. I say if you are going to spend money, and I can think of no more noble way to spend it than to help people, if they are spending it for the health of people, to take care of people, the elderly, the sick, the injured, children, their health, then that is a great way to spend money.

Let us get rid of the corruption in health care programs. Let us get rid of the waste, but if you are spending it on health care instead of on weapons systems that are not needed, then you are certainly a few steps higher on the moral plane than those people who are spending it for weapons systems.

They go on to say:

By national standards, our Medicaid programs tend to be quite lavish. But if all the payments the Federal government makes to the States are totaled, the Northeast's share of money for welfare, salaries of military personnel, public works projects, social security checks, highway construction, and other federally funded programs lags well behind the rest of the country. New York State got $3,948 per capita from Washington in 1994, while New Jersey received less, $3,648. Both were well below the national average of $4,732 and far behind North Dakota at $6,001, or New Mexico at $6,734, both of which received large Federal agricultural and land management subsidies.

You want to know where the money is going in this country? You want to know where the great injustice is, where those people who are really on corporate welfare because many of these agricultural subsidies are not going to individuals and families, they are going to agricultural businesses, and it is going to States that receive Federal agricultural and land management subsidies. The biggest winner of all in terms, and economists say there is nothing wrong with this kind of income redistribution. In an open economy such as ours, it is not necessary, even desirable, that Federal expenditures of taxes always be in balance in every State.

Harvard economists Monica Friar and Herman Leonard wrote in a 1995 balance of payments report, an annual study initiated 20 years ago by Senator Moynihan, indeed one of the main purposes of a progressive income tax is that the more well-to-do, wherever they may reside, pay a higher share for the services provided by the government.

They go on to talk about the New Deal and how the people who concocted the New Deal knew that they were spreading the wealth throughout the entire country, what would they say if they heard people talk about block grants now and the States having the right to do what they want to do.

New Yorkers ought to wake up. Maybe they ought to get on board block grants, States' rights, and have New Yorkers have the right to take the money back. If New York had control of the $18.9 billion, the State, half of that is the city, $9 billion, we could have a summer youth program without begging anyone. We have been begging, begging; we begged last year. I have a set of letters here written by the Congressional Black Caucus, where we begged the Honorable MARK HATFIELD, Senate Committee on Appropriations, we begged Honorable BOB LIVINGSTON, chairman of the Committee on Appropriations, we begged DAVID OBEY to help us, we begged ROBERT BYRD, the ranking member on the Senate Committee on Appropriations, we begged for a summer youth employment program in 1995.

Now we are on our knees again begging. We are begging to help young people, begging to do something which makes a great deal of sense. We are begging to do something which anybody with common sense knows is right and is productive. We are begging.

Let me just conclude by saying that I appreciate the eloquent statements made by the persons who were concerned about teenage pregnancy. But I am very sorry that the hypocrisy is so thick in this Chamber. I am very sorry there is so much hypocrisy that we can talk in ''hifalutin'' terms about helping teenagers with the problem of teenage pregnancy, helping teenagers with their lives, sense of self-worth, and then we turn down a program which is directly aimed to help teenagers.

Let me tell you about the teenage problem where it first originated in America. Let me tell you about the teenage pregnancy, where it happened, overwhelming in moral terms. America's greatest teenage pregnancy problem existed for 232 years, when Africans were enslaved in this country. For 232 years, African girls who were enslaved were required in this country to become pregnant in order to be able to keep eating.

Let me read you just in closing from ''Bull Whip Days: The Slaves Remembered,'' an oral history, where the slaves during the Federal rightist project told their stories, and they were recorded and here is a slave named Hilliard Yellerday, who says, and this is teenage pregnancy on a massive scale, when a girl became a woman, she was required to go to a man and become a mother. There was generally a form of marriage. The master read a paper to them telling them they were man and wife. Some were married by the master laying down a broom and the two slaves, man and woman, would jump over it. The master would then tell them they were man and wife, and they could go to bed together.

Master would sometimes go and get a large hale, hearty Negro man from some other plantation to go to his Negro woman. He would ask the other master to let this man come over to his place to go to his slave girls. A slave girl was expected to have children as soon as she became a woman. Some of them had children at the age of 12 and 13 years old. Negro men 6 feet tall went to some of these children.

This is a testimony by Hilliard Yellerday, an ex-slave woman.

Here is a system that oppressed teenagers, and we have a system that neglects teenagers, plays games with teenagers, and refuses to offer the simplest form of health at the lowest cost, the summer youth employment program. We are in a moral dilemma as great as those slave masters who made their slave girls become pregnant as soon as they were old enough to become pregnant.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. COLLINS of Illinois (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of medical reasons.

Mrs. CHENOWETH (at the request of Mr. ARMEY) for today and March 13, on account of medical reasons.

Mr. CHRISTENSEN (at the request of Mr. ARMEY) for today, on account of a death 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 Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

(The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:)

Mr. MICA, for 5 minutes, on March 13.

Mr. CHRYSLER, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes each day on March 12, 13, 14, and 15.

Mr. DUNCAN, for 5 minutes each day on March 12 and 14.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) and to include extraneous matter:)

Mr. ABERCROMBIE.

Mr. SCHUMER in two instances.

Mrs. MEEK of Florida in two instances.

Ms. DELAURO.

Mr. PICKETT.

Mr. GUTIERREZ.

Mr. POSHARD.

Mrs. KENNELLY.

Ms. PELOSI.

Mr. JOHNSTON of Florida.

Mr. KLECZKA.

Mr. DELLUMS.

Mr. COYNE.

Mr. MCDERMOTT.

Mrs. SCHROEDER.

Mr. ACKERMAN.

Mr. FAZIO of California.

Mr. JACOBS.

Mr. STARK in two instances.

Mr. FRANK of Massachusetts.

Mr. TORRES.

Mrs. MINK of Hawaii.

(The following Members (at the request of Mr. GUTKNECHT) and to include extraneous matter:)

Mr. HOKE.

Mr. SOLOMON.

Mr. BURTON of Indiana.

Mr. KNOLLENBERG.

Mr. WALKER.

Mrs. ROUKEMA.

Ms. ROS-LEHTINEN.

Mr. HAYWORTH.

Mr. SCHAEFER.

Mr. GOODLING.

Mr. RADANOVICH.

Mr. LAZIO of New York.

Mr. MCDADE.

Mr. WATTS of Oklahoma.

ENROLLED BILL SIGNED

Mr. Thomas, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 927. An Act to seek international sanctions against the Castro government in Cuba, to plan for support of a transition Government leading to a democratically elected Government in Cuba, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. Thomas, from the Committee on House Oversight, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following titles:

March 8, 1996:

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 Federal funds in obligations of the United States.

March 11, 1996:

H.R. 927. An act to seek international sanctions against the Castro government in Cuba, to plan for support of a transition government leading to a democratically elected government in Cuba, and for other purposes.

BILLS APPROVED AFTER SINE DIE ADJOURNMENT

The President notified the Clerk of the House that, subsequent to the sine die adjournment of the First Session of the 104th Congress, he had approved and signed on the following dates bills of the following titles:

January 4, 1996:

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, 1996:

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, 1996:

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, 1996:

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 16, 1996:

H.R. 1295. An act to amend the Trademark Act of 1946 to make certain revisions relating to the protection of famous marks.

BILLS AND JOINT RESOLUTIONS APPROVED

The President notified the Clerk of the House that he approved and signed on the following dates bills and joint resolutions of the House of the following titles:

January 4, 1996:

H.J. Res. 153. Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.

January 6, 1996:

H.J. Res. 134. Joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes.

H.R. 1358. An act to require the Secretary of Commerce to convey to the Commonwealth of Massachusetts the National Marine Fisheries Service laboratory located on Emerson Avenue in Gloucester, Massachusetts.

H.R. 1643. An act making appropriations for certain activities for the fiscal year 1996, and for other purposes.

January 26, 1996:

H.R. 2880. An act making appropriations for fiscal year 1996 to make a downpayment toward a balanced budget, and for other purposes.

February 1, 1996:

H.R. 1606. An act to designate the United States Post Office building located at 24 Corliss Street, Providence, Rhode Island, as the ''Harry Kizirian Post Office Building.''

H.R. 2061. An act to designate the Federal Building located at 1550 Dewey Avenue, Baker City, Oregon, as the ''David J. Wheeler Federal Building.''

February 8, 1996:

H.R. 2924. An act to guarantee the timely payment of social security benefits in March 1996.

February 10, 1996:

H.R. 2029. An act to amend the Farm Credit Act of 1971 to provide regulatory relief, and for other purposes.

February 12, 1996:

H.R. 1868. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes.

H.R. 2111. An act to designate the Federal Building located at 1231 Nevin Avenue in Richmond, California, as the ''Frank Hagel Federal Building.''

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

February 13, 1996:

H.R. 2353. An act to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to carry out certain programs and activities, to require certain reports from the Secretary of Veterans Affairs, and for other purposes.

H.R. 2657. An act to award a congressional gold medal to Ruth and Billy Graham.

March 5, 1996:

H.R. 1718. An act to designate the United States courthouse located at 197 South Main Street in Wilkes-Barre, Pennsylvania, as the ''Max Rosenn United States Courthouse.''

SENATE BILLS APPROVED

The President notified the Clerk of the House that he approved and signed

on the following dates bills of the Senate of the following titles:

February 6, 1996:

S. 1341. An act to provide for the transfer of certain lands to the Salt River Pima-Maricopa Indian Community and the city of Scottsdale, Arizona, and for other purposes.

February 8, 1996:

S. 652. An act to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies.

February 10, 1996:

S. 1124. An act to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, to reform acquisition law and information technology management of the Federal Government, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 11 o'clock and 39 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 13, 1996, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

[Omitted from the Record of March 8, 1996]

2222. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–217, ''Closing of a Portion of a Public Alley in Square 5259, S.O. 92–45, Act of 1996,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

2223. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–218, ''Highway Trust Fund Establishment Temporary Act of 1996,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

[Submitted March 12, 1996]

2224. A letter from the Director, Office of Management and Budget, transmitting OMB's estimate of the amount of discretionary new budget authority and outlays for the current year, if any, and the budget year provided by H.R. 1868, pursuant to Public Law 101–508, section 13101(a) (104 Stat. 1388–578); to the Committee on the Budget.

2225. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's report entitled ''Annual Report to Congress—Progress on Superfund Implementation in Fiscal Year 1995,'' pursuant to 45 U.S.C. 9651; to the Committee on Commerce.

2226. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the design and development subphase two of the NATO Improved Link Eleven [NILE] project (Transmittal No. 06–96), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

2227. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning a cooperative project with Norway for development of a composite hull structural monitoring system (Transmittal No. 05–96), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

2228. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

2229. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled ''Program Review of the Economic Development Finance Corporation For Fiscal Year 1994,'' pursuant to D.C. Code, section 47–117(d); to the Committee on Government Reform and Oversight.

2230. A letter from the Assistant Secretary for Human Resources and Administration, Department of Energy, transmitting a report of activities under the Freedom of Information Act for calendar year 1995, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2231. A letter from the Director, Office of Personnel Management, transmitting notification that it is in the public interest to use procedures other than full and open competition to award a particular OMP contract, pursuant to 41 U.S.C. 253(c)(7); to the Committee on Government Reform and Oversight.

2232. A letter from the Vice President and General Counsel, Overseas Private Investment Corporation, transmitting a report of activities under the Freedom of Information Act for calendar year 1995, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2233. A letter from the Secretary of Transportation, transmitting a report of activities under the Freedom of Information Act for calendar year 1995, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2234. A letter from the Director, Selective Service System, transmitting a report of activities under the Freedom of Information Act for calendar year 1995, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2235. A letter from the Administrator, Small Business Administration, transmitting a report of activities under the Freedom of Information Act for calendar year 1995, pursuant to 5 U.S.C. 552; to the Committee on Government Reform and Oversight.

2236. A letter from the Staff Director, U.S. Commission on Civil Rights, transmitting a report of activities under the Freedom of Information Act for calendar year 1995, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

2237. A letter from the Chairman, U.S. Nuclear Regulatory Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1995, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

2238. A letter from the President, Boy Scouts of America, transmitting the Boy Scouts of America 1995 report to the Nation, pursuant to 36 U.S.C. 28; to the Committee on the Judiciary.

2239. A letter from the Comptroller General of the United States, transmitting a report entitled, ''Financial Audit: Federal Family Education Loan Program's Financial Statements for Fiscal Years 1994 and 1993'' (GAO/AIMD–96–22), pursuant to Public Law 101–576, section 305 (104 Stat. 2853); jointly, to the Committees on Government Reform and Oversight and Economic and Educational Opportunities.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLILEY: Committee on Commerce. H.R. 2972. A bill to authorize appropriations for the Securities and Exchange Commission, to reduce the fees collected under the Federal securities laws, and for other purposes; with an amendment (Rept. 104–479). Referred to the Committee of the Whole House on the State of the Union.

Ms. PRYCE: Committee on Rules. House Resolution 380. Resolution providing for consideration of the bill (H.R. 2703) to combat terrorism (Rept. 104–480). Referred to the House Calendar.

DISCHARGE OF COMMITTEES

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

[The following action occurred on March 11, 1996]

H.R. 2276. The Committees on Government Reform and Oversight and the Budget discharged from further consideration. Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WALKER (for himself, Mr. BROWN of California, Mrs. MORELLA, Mr. SCHIFF, Mr. ROHRABACHER, Mr. CRAMER, Mr. DAVIS, Mr. EHLERS, Mr. BOEHLERT, Mr. WELDON of Pennsylvania, Mrs. SEASTRAND, Mr. HASTINGS of Florida, Ms. LOFGREN, Mr. MCHALE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MINGE, Mr. OLVER, Ms. RIVERS, Ms. JACKSON-LEE, and Mr. BAKER of California):

H.R. 3060. A bill to implement the Protocol on Environmental Protection to the Antarctic Treaty; to the Committee on Science, and in addition to the Committees on International Relations, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. YOUNG of Alaska:

H.R. 3061. A bill to resolve certain conveyances under the Alaska Native Claims Settlement Act related to Cape Fox Corp., and for other purposes; to the Committee on Resources.

By Mr. COX of California (for himself and Mr. DUNCAN):

H.R. 3062. A bill to authorize the States to assist the Attorney General in performing functions under the Immigration and Nationality Act relating to deportation of aliens; to the Committee on the Judiciary.

By Mr. ARCHER (for himself and Mr. THOMAS):

H.R. 3063. A bill to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, and to simplify the administration of health insurance; to the Committee on Ways and Means, and in

addition to the Committees on Economic and Educational Opportunities, Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOYER:

H.R. 3064. A bill to increase the overall economy and efficiency of Government operations and enable more efficient use of Federal funding, by coordinating Federal financial assistance programs and promoting local flexibility; to the Committee on Government Reform and Oversight.

By Mr. COBURN (for himself, Mr. BURR, Mr. STUPAK, and Mrs. LINCOLN):

H.R. 3065. A bill to amend the Federal Food, Drug, and Cosmetic Act to revise the review of radiopharmaceuticals under section 505 of such act; to the Committee on Commerce.

By Mr. CUNNINGHAM:

H.R. 3066. A bill to amend the Native American Programs Act of 1974 to authorize appropriations for fiscal year 1997, 1998, 1999, 2000, and 2001; and for other purposes; to the Committee on Economic and Educational Opportunities.

By Mr. FAZIO of California (for himself and Mr. RIGGS):

H.R. 3067. A bill to control access to precursor chemicals used to manufacture methamphetamine and other illicit narcotics, and for other purposes; to the Committee on Commerce, and in addition to the Committees on the Judiciary, and International Relations, 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. GUTKNECHT (for himself and Mr. HANCOCK):

H.R. 3068. A bill to accept the request of the Prairie Island Indian Community to revoke their charter of incorporation issued under the Indian Reorganization Act; to the Committee on Resources.

By Mr. HAYWORTH:

H.R. 3069. A bill to authorize the Secretary of the Interior to provide assistance to the Casa Malpais National Historic Landmark in Springerville, AZ; to the Committee on Resources.

By Mr. BILIRAKIS (for himself and Mr. BLILEY):

H.R. 3070. A bill to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, and to simplify the administration of health insurance; to the Committee on Commerce, and in addition to the Committees on Ways and Means, the Judiciary, and Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 3071. A bill to combat terrorism; to the Committee on the Judiciary.

By Mr. PORTMAN:

H.R. 3072. A bill to direct the Secretary of the Army to convey to the village of Mariemont, OH, a parcel of land that is under the jurisdiction of the Corps of Engineers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. ROUKEMA (for herself and Mr. TORRICELLI):

H.R. 3073. A bill to amend the Communications Act of 1934 in order to allow the continued operation of certain overlapping stations; to the Committee on Commerce.

By Mr. FATTAH (for himself, Mr. HILLIARD, Mrs. MEEK of Florida, Mr. JEFFERSON, Mr. GORDON, Ms. NORTON, Mr. ENGLISH of Pennsylvania, Mr. DELLUMS, Mr. FOGLIETTA, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GONZALEZ, Ms. JACKSON-LEE, Mr. KLECZKA, Mr. KLINK, Mr. PASTOR, Mrs. COLLINS of Illinois, Mr. BARRETT of Wisconsin, Mr. COYNE, Mr. CLINGER, Mr. UNDERWOOD, Mr. QUINN, Mrs. CLAYTON, Mr. FOX, Mr. OWENS, Mr. FRAZER, Mr. RUSH, Mr. TOWNS, Mr. JACOBS, Mr. THOMPSON, Ms. MCKINNEY, Mr. HASTINGS of Florida, Mr. CLYBURN, Mr. PAYNE of New Jersey, Mr. CLEMENT, Mr. GUTIERREZ, Mr. ABERCROMBIE, Mr. NADLER, Mr. CONYERS, Ms. LOFGREN, Mr. HORN, Mr. STOKES, Mr. BROWN of California, Mr. FLAKE, Mr. BONIOR, Mr. FROST, Mr. BRYANT of Texas, Mr. KILDEE, Mr. WYNN, Mr. RICHARDSON, Mr. FIELDS of Louisiana, Mr. LEWIS of Georgia, Ms. WATERS, Mr. SCOTT, Mr. DIXON, Mr. LIPINSKI, and Mr. ENGEL):

H. Con. Res. 151. Concurrent resolution recognizing the importance of African-American music to global culture and calling on the people of the United States to study, reflect on, and celebrate African-American music; to the Committee on Economic and Educational Opportunities.

By Mr. LANTOS (for himself, Mr. BEREUTER, Mr. BARR, Mr. BASS, Mr. BARTLETT of Maryland, Mr. BALLENGER, and Mr. WATTS of Oklahoma):

H. Res. 378. Resolution deploring recent actions by the Government of Serbia that restrict freedom of the press and freedom of expression and prevent the Soros Foundation from continuing its democracy-building and humanitarian activities on its territory and calling upon the Government of Serbia to remove immediately restrictions against freedom of the press and the operation of the Soros Foundation; to the Committee on International Relations.

By Mr. PORTER:

H. Res. 379. Resolution expressing the sense of the House of Representatives concerning the eighth anniversary of the massacre of over 5,000 Kurds as a result of a gas bomb attack by the Iraqi Government; to the Committee on International Relations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

205. The SPEAKER presented a memorial of the Legislature of the State of West Virginia, relative to requesting the Congress of the United States to enact legislation that would enable the States to control the indiscriminate importation of solid waste; to the Committee on Commerce.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 294: Mr. MOLLOHAN, Mr. OLVER, Mr. GEJDENSON, Mr. MARTINEZ, Mr. SABO, Ms. ROYBAL-ALLARD, Mr. JACOBS, Mr. EVANS, Mr. LAHOOD, and Mr. WYNN.

H.R. 449: Mr. THOMPSON.

H.R. 777: Mr. FLANAGAN, Mr. GUTIERREZ, and Mr. WATT of North Carolina.

H.R. 778: Mr. FLANAGAN, Mr. GUTIERREZ, and Mr. WATT of North Carolina.

H.R. 779: Mr. DIXON, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. BROWN of Florida.

H.R. 780: Mr. DIXON, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. BROWN of Florida.

H.R. 833: Ms. BROWN of Florida.

H.R. 878: Mr. WHITFIELD, Mr. FUNDERBURK, and Mr. BAKER of Louisiana.

H.R. 957: Mr. WELLER.

H.R. 969: Mr. TRAFICANT.

H.R. 972: Mrs. LINCOLN.

H.R. 1127: Mr. CRAPO.

H.R. 1226: Mr. HUTCHINSON and Mr. CUNNINGHAM.

H.R. 1462: Mr. CARDIN and Mr. QUINN.

H.R. 1499: Mr. HAMILTON.

H.R. 1527: Mr. MCINNIS.

H.R. 1591: Mr. BRYANT of Texas.

H.R. 1618: Mr. HANCOCK.

H.R. 1625: Mrs. CHENOWETH and Mr. COBURN.

H.R. 1627: Mr. MCDADE.

H.R. 1677: Mr. DINGELL.

H.R. 1733: Mr. LONGLEY, Mr. MONTGOMERY, and Mr. CRANE.

H.R. 1776: Mr. EHLERS, Mr. FRELINGHUYSEN, Mr. PARKER, Mr. MCINTOSH, Mr. BARRETT of Wisconsin, Mr. ENGLISH of Pennsylvania, Mr. KLECZKA, and Mr. MONTGOMERY.

H.R. 1805: Mr. TRAFICANT, Mr. WHITFIELD, Mr. FUNDERBURK, Ms. MOLINARI, and Mr. PETE GEREN of Texas.

H.R. 1846: Mr. REED and Mr. FLAKE.

H.R. 1965: Mr. GALLEGLY, Mr. BILIRAKIS, and Mr. MCHUGH.

H.R. 2071: Mr. FRAZER.

H.R. 2167: Mr. MARTINEZ and Mr. HALL of Ohio.

H.R. 2270: Mr. LARGENT.

H.R. 2306: Mr. HINCHEY and Mr. HOYER.

H.R. 2400: Mr. HAYES and Mr. COBURN.

H.R. 2480: Mr. MCHUGH.

H.R. 2511: Mrs. MALONEY.

H.R. 2566: Mr. BARRETT of Wisconsin.

H.R. 2579: Mr. HALL of Ohio, Mr. SMITH of New Jersey, Mr. CARDIN, and Mr. BRYANT of Tennessee.

H.R. 2634: Mr. HOLDEN.

H.R. 2651: Mr. BONIOR, Mr. OLVER, and Mr. FRANK of Massachusetts.

H.R. 2654: Mr. WAXMAN.

H.R. 2655: Mrs. ROUKEMA.

H.R. 2664: Mr. CRAPO and Mr. POMEROY.

H.R. 2682: Mr. LAZIO of New York.

H.R. 2694: Ms. NORTON, Mr. LAFALCE, Ms. LOFGREN, Mr. FILNER, Mr. HINCHEY, Mr. FROST, Ms. EDDIE BERNICE JOHNSON of Texas, and Mrs. LOWEY.

H.R. 2727: Mr. FUNDERBURK, Mr. NEY, and Mr. HERGER.

H.R. 2740: Mr. BONO and Mr. MCCOLLUM.

H.R. 2747: Mr. YOUNG of Alaska, Mr. MINGE, and Mr. WELLER.

H.R. 2757: Mr. COBLE, Mr. SANDERS, Mr. BOEHLERT, and Mr. KLECZKA.

H.R. 2771: Mr. BARTON of Texas.

H.R. 2779: Mr. BARCIA of Michigan, Mr. CAMP, Mr. CUNNINGHAM, Mr. GANSKE, Mr. MCHUGH, Ms. PRYCE, and Mr. ROYCE.

H.R. 2827: Mrs. LOWEY.

H.R. 2828: Mr. BILIRAKIS and Mr. FOLEY.

H.R. 2844: Mrs. LOWEY, Mr. FRAZER, Mr. BLUTE, Mr. HOKE, and Mr. MEEHAN.

H.R. 2898: Mr. ALLARD and Mr. BROWNBACK.

H.R. 2911: Mr. BUNNING of Kentucky, Mr. DORNAN, Mr. FUNDERBURK, Mr. STOCKMAN, Mr. HUTCHINSON, and Mr. HOLDEN.

H.R. 2921: Mr. MILLER of Florida.

H.R. 2925: Mr. SCARBOROUGH, Mr. KNOLLENBERG, Mr. BARCIA of Michigan, Mr. STUMP, Mr. TAYLOR of North Carolina, Mr. ZIMMER, Ms. DUNN of Washington, Mr. HOSTETTLER, Mr. SAXTON, Mr. FOX, Mr. BARR, Mr. HAYES, Mr. PORTMAN, Mr. MICA, Mr. MCINTOSH, Mr. SALMON, Mr. COMBEST, Mr. CRAMER, Mr. PICKETT, Ms. PRYCE, Mr. LATHAM, Mr. SHADEGG, Mr. NUSSLE, Mr. THORNBERRY, Mr. DICKEY, Mr. CRAPO, Mr. BUNNING of Kentucky, Mr. GORDON, Mr. DUNCAN, Mr. SANFORD, and Mr. BARTLETT of Maryland.

H.R. 2926: Mr. OXLEY.

H.R. 2938: Mr. NEY, Mr. LINDER, and Mr. DAVIS.

H.R. 2959: Mr. RIGGS and Mr. RICHARDSON.

H.R. 2976: Mr. BURTON of Indiana, Mr. DEFAZIO, Mr. FROST, Mr. HILLIARD, Mr. HUTCHINSON, Mr. OLVER, Mr. POSHARD, and Mr. RANGEL.

H.R. 2992: Mr. BLILEY.

H.R. 2994: Ms. MOLINARI, Mrs. LOWEY, Mr. HOUGHTON, Mr. WALSH, Mr. KLINK, Mr. KLECZKA, Mr. NEAL of Massachusetts, and Mr. DOOLITTLE.

H.R. 3002: Mr. HASTERT.

H.R. 3011: Mrs. CHENOWETH, Mr. CUNNINGHAM, Mr. FUNDERBURK, Mr. DAVIS, Mr. CRANE, and Mr. CLINGER.

H.R. 3012: Mr. BILIRAKIS, Mrs. COLLINS of Illinois, Mr. LEWIS of Georgia, Mr. CONDIT, Ms. MCKINNEY, and Mr. THOMPSON.

H.R. 3032: Mr. FOX.

H.R. 3043: Mr. GREENWOOD.

H.R. 3050: Mr. BREWSTER, Mr. TRAFICANT, Mr. FROST, Mr. MINGE, and Mr. LIPINSKI.

H.J. Res. 90: Mr. HANCOCK.

H.J. Res. 117: Mr. BARCIA of Michigan.

H.J. Res. 162: Mr. HUTCHINSON and Mr. HUNTER.

H. Con. Res. 10: Mr. CLINGER.

H. Con. Res. 102: Mr. ROHRABACHER and Mr. OLVER.

H. Con. Res. 119: Mr. SHAYS, Mr. DIXON, and Mr. ROMERO-BARCELO.

H. Con. Res. 140: Mr. MARTINEZ, Mr. LEVIN, and Mr. FRANK of Massachusetts.

H. Con. Res. 149: Mr. WAXMAN, Mr. HAYWORTH, Mr. MCDERMOTT, Mr. BENTSEN, Mr. COBLE, Mr. HALL of Ohio, Mr. ROYCE, Mr. FRANK of Massachusetts, Mr. ANDREWS, Mr. ZIMMER, Mr. JOHNSON of South Dakota, Mr. DELAY, Mr. GRAHAM, Mr. SERRANO, Mr. HASTINGS of Washington, Ms. DELAURO, Mr. OWENS, Mr. SHAYS, Mr. TAYLOR of North Carolina, Mr. MANZULLO, Ms. FURSE, Mr. WATTS of Oklahoma, Mr. HAMILTON, Mr. HINCHEY, Mr. CUNNINGHAM, and Mr. MANTON.

H. Res. 30: Mr. KINGSTON, Mr. STARK, Mr. DINGELL, Mr. LATHAM, and Mr. CHRISTENSEN.

H. Res. 39: Mr. PAYNE of New Jersey, Mr. SANDERS, Ms. LOFGREN, Mr. FARR, Mr. STARK, Mr. WYNN, Mr. HILLIARD, Mr. MCDERMOTT, Mr. DEFAZIO, Mr. REED, Mrs. KENNELLY, Mrs. CLAYTON, and Mr. DURBIN.

H. Res. 358: Ms. PELOSI, Mr. TORRES, Mr. DOOLEY, and Mr. FRANK of Massachusetts.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1963: Mrs. THURMAN.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2202

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 1: At the end of subtitle A of title I, add the following new section (and conform the table of contents accordingly):

SEC. 108. DETAIL OF DEPARTMENT OF DEFENSE PERSONNEL TO ASSIST IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

(a) AUTHORITY OF SECRETARY OF DEFENSE.—Section 274 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) During each fiscal year, the Secretary of Defense may make not more than 10,000 Department of Defense personnel available to assist—

''(A) at the request of the Attorney General, the Immigration and Naturalization Service in preventing the entry of terrorists, drug traffickers, and illegal aliens into the United States; and

''(B) at the request of the Secretary of the Treasury, the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States.

''(2) Section 377 of this title shall apply in the case of Department of Defense personnel made available under paragraph (1).''.

(b) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

''§ 374. Use of personnel to maintain and operate equipment and to provide other assistance''.

(2) The item relating to such section in the table of sections at the beginning of chapter 18 of title 10, United States Code, is amended to read as follows:

''§ 374. Use of personnel to maintain and operate equipment and to provide other assistance.''.

(c) EFFECTIVE DATE.—Subsection (d) of section 374 of title 10, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act.

H.R. 2202

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 2: After section 836, insert the following new section (and conform the table of contents accordingly):

SEC. 837. SENSE OF CONGRESS; REQUIREMENTS REGARDING NOTICE.

(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 under this Act should be American-made.

(b) NOTICE TO RECIPIENTS OF GRANTS.—In providing grants under this Act, the Attorney General, to the greatest extent practicable, shall provide to each recipient of a grant a notice describing the statement made in subsection (a) by the Congress.