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Senate

The Senate was not in session today. Its next meeting will be held on Monday, June 3, 1996, at 1:30 p.m.

House of Representatives

WEDNESDAY, MAY 29, 1996

The House met at 2 p.m. and was called to order by the Speaker pro tempore [Ms. GREENE of Utah].

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 29, 1996.

I hereby designate the Honorable ENID GREENE to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

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

When we think on Your name, O God, or meditate on Your providence, we recall all the wonderful gifts of life that we have received from Your hand. For the gifts of forgiveness and grace, for justice and mercy, for hope and faith, for healing and helping, and for all Your wonders we give our thanksgiving. Yet, above all else and soaring over all Your creation, we recognize Your gift of love, a love that passes all human understanding and a love that transcends all our customs and edicts. For this gift of eternal love that makes each day alive with new possibilities, we offer these words of gratitude and praise. Amen.

THE JOURNAL

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

Pursuant to clause 1, rule I, the Journal stand as approved.

Mr. CHABOT. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

Mr. CHABOT. Madam 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 the provisions of clause 5 of rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. CHRISTENSEN 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 28, 1996.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Friday, May 24, 1996 at 2:00 p.m.: that the Senate passed with amendment H. Con. Res. 178 and requested conference.

With warm regards,

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

DEFINITION OF A TOBACCO SUCKER

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

Mr. FUNDERBURK. Madam Speaker, recently a politician in North Carolina asked if I could describe a tobacco sucker. The answer is a tobacco sucker is one who believes that David Kessler of the FDA, the gentleman from California, HENRY WAXMAN, and Bill Clinton are friends of tobacco. That is a tobacco sucker.

Madam Speaker, caught in the middle of the assault on tobacco by the Clinton administration are thousands of small hardworking tobacco farmers

☐ 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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in the Second District of North Carolina. These farmers are not the giant tobacco corporations the Clinton administration, the FDA, and some in Congress attack regularly. These are small farmers who struggle from year to year just to make ends meet. These are the people who provide the jobs and pay the taxes.

The end result of the Clinton crusaders will be to make tobacco products illegal. The White House talks about American jobs, but it will stop at nothing to wipe out a proud and legal American industry and watch its profits head offshore. The tobacco farmers in my district generate over $43,000 in taxes for each acre of tobacco, and tobacco products, provide the Treasury over $11.5 billion annually.

WHO IS REALLY GOING TO BENEFIT IF CONGRESS RENEWS CHINA'S MOST-FAVORED-NATION STATUS?

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

Ms. KAPTUR. Madam Speaker, who is really going to benefit if Congress renews China's most-favored-nation trade status for another year? Will more of our citizens get good jobs with good benefits? No. Will prices go down in our stores? No. We will all wait for that day. But will leading importers from China make billions off trading our jobs for outsourced production to China? Absolutely.

People like David Glass will benefit. Who is he? He is the chief executive officer of Wal-Mart, the leading United States importer from China. Last year he earned over $1 million trading off the handiwork of Chinese women who earn 10 cents an hour working 14-hour days. So did his top five executives, who hauled off over $3 million just last year.

Evidently Wal-Mart believes China's repressive regime is somebody they want to do business with. Last year, Wal-Mart imported 1,000 shipments from China by relying on 700 Chinese contract sweatshops. Can Members imagine how many jobs that would create in our country, including in those communities in which Wal-Mart does business here? I say it is time to revoke China's privileged trade status until we get a fair shake for American and Chinese workers and consumers.

EXPRESSSING SUPPORT FOR A BIPARTISAN SOLUTION TO SAVE MEDICARE BEFORE IT GOES BANKRUPT IN 2001

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

Mr. CHRISTENSEN. Madam Speaker, I rise today to express my support for a bipartisan solution to save Medicare before it goes bankrupt in 2001.

Frankly, I've been surprised by the scare tactics and demagogurey by the other side.

They know Medicare is going bankrupt, but they would rather attack Republicans than fix the problem.

Despite the false claims and disinformation being perpetuated by Washington union bosses, the truth is that our plan would increase Medicare spending from $4,900 per beneficiary in 1996 to $7,100 per person in 2002. That's a $2,200 per senior increase in Medicare spending.

Our plan requires us to spend smarter. It cracks down on waste, fraud, and abuse.

For me, this is not a partisan issue—it is a personal issue. I have loved ones who depend on Medicare. Like so many other American seniors, my grandmother, who still teaches school, needs Medicare as a safety net.

So lets end the partisan sniping. Saving Medicare will not be easy; it is a task that will require wisdom, courage, and resolution. Only by working together will we be able to preserve and protect this vital program.

THE AMERICAN PEOPLE WANT CONGRESS TO WORK FASTER AND WITH LESS POLITICAL POSTURING

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

Ms. DELAURO. Madam Speaker, last week after much pushing, prodding, and pulling, the House passed an increase in the minimum wage. This past weekend what I heard over and over from the residents of Connecticut's Third District, which I represent, was: ''Finally. What took so long?''

Madam Speaker, the American people want us to continue to focus on policies that protect their families, honor their work, and safeguard the future for their children, but they want these policies to move through this Congress faster and with less political posturing.

The American people want retirement security, so let us make pensions portable. They want health care reform, so let us cover preexisting conditions. They want a balanced budget, but they do not want us to raid the Medicare system.

I challenge the Republican leadership to listen to what the American people are saying. They want to see that Medicare is preserved and not destroyed, and that we do not provide a tax break for the wealthiest Americans at the expense of seniors who have played by the rules all their lives, and all they want is a decent, safe, and a dignified retirement.

WELFARE REFORM: THE WHITE HOUSE NEEDS TO LEAD, FOLLOW, OR GET OUT OF THE WAY

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

Mr. BALLENGER. Madam Speaker, during the 1992 presidential campaign, candidate Clinton promised to end welfare as we know it. Not only has he not ended welfare as we know it, but he has acted as the protector and champion of welfare as we know it. This Republican-led Congress has sent the President a welfare bill based on commonsense reforms, and he vetoed it not once but twice. So much for ending welfare as we know it.

Timed to undercut a speech by Senator ROBERT DOLE, the President announced his support for Republican welfare reform planned by Wisconsin Governor Tommy Thompson. However, he failed to promise his signature on a waiver allowing the Governor's plan to go forward. Such a waiver, implementing these types of reform, would not be necessary if the President had signed the welfare reform legislation sent to him by the Republican-controlled Congress. Again, a great display of this President's skill at saying one thing and doing another.

TIME TO LEARN THE TRUTH ABOUT WHITEWATER

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

Mr. TRAFICANT. Madam Speaker, a jury found Jim McDougal and his wife, Susan McDougal, guilty; guilty on 22 counts. They face 10 years in prison, 10 times that, 100 years and over $5 million in fines. A jury found Arkansas Governor Tucker guilty on two counts. He faces 10 years and a half a million dollars in fines. I do not know if the McDougals are innocent or guilty. I do not know if Tucker is innocent or guilty, but I know one thing for sure. If they have any friends left in the savings and loan industry, now is the time to call them up.

As a Democrat I want to say this, is it any wonder the American taxpayers got shafted for over $100 billion in savings and loans ripoffs, after seeing what happened in Little Rock? I think it is time to find the truth. They had better make a loan. They are sure facing a lot of penalties.

STATES KNOW BEST WHEN IT COMES TO THE WELFARE OF THEIR CITIZENS

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

Mrs. SEASTRAND. Madam Speaker, over 200 years ago 13 States came together to form the foundation of a new nation. Their union was based on the belief that big centralized government is bad government. Today, 37 States later, that belief is especially true when you consider welfare reform.

History teaches us again and again that States know best when it comes

to the welfare of their citizens. Unfortunately, this is a lesson lost on President Clinton.

When it comes to welfare waivers, the President refuses to allow States to do it their way. He has denied waivers outright in Illinois, Massachusetts, and Wyoming, and has forced other States to come to Washington on bended knee.

His plan would not allow States to limit benefits to less than 5 years nor would it provide for any new flexibility in operating child protection programs.

Madam Speaker, there was a historical reason why this country was named the United States of America, and we should do everything in our power to prevent it from becoming the united state of big Bill Clinton government.

WHITEWATER AND THE WHITE HOUSE, SOMETHING IN COMMON

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

Mr. OXLEY. Madam Speaker, the bodies keep piling up on the porch of the White House. Yesterday, three more people were convicted in the Arkansas savings and loan scandal that has threatened to envelop more and more people. This is just one more example of what has happened with the White House's mishandling of this terrible incident. Something stinks in Arkansas, and that stench is stretching all the way to the White House.

Whitewater and the White House, something in common staying together, and yesterday was one more example of that fact.

COMPLAINTS ON WHITEWATER ARE REPUBLICAN ATTEMPTS AT DISTRACTION FROM THE REAL ISSUES

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

Mr. WARD. Madam Speaker, I rise today because I am not surprised that what we are hearing about from the other side of the aisle is what we are hearing about. Anything, anything to avoid the subjects that we have been talking about on this side. Those subjects are the incredibly slow work that we saw in increasing the minimum wage. Those subjects include the incredibly slow work we have seen about truly protecting people who rely on Medicare and Medicaid, and people who have relied on the strides that we have made in the environment, and in education.

What we have seen over this last 1½ years makes us wonder, it makes us wonder, but today it all becomes clear. What becomes clear is that they are trying to distract us. The efforts that are being made again in these 1-minutes this morning by the other side are simply to distract us from these main issues. Madam Speaker, I would hope that we can stick to these main issues and work to do these things.

□ 1415

WELFARE REFORM

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

Mr. EHLERS. Madam Speaker, I started political life as a county commissioner in Kent County, MI. We had a county welfare department that won a number of awards for providing better services at lower cost than most counties across the United States.

But most of the programs that we instituted required a waiver from Washington, and we had to fight and kick and scream in order to get those waivers. I thought it strange that we would have to fight with the Federal Government in order to save them money.

I went to the State legislature, and once again I got involved in battles at the State level requesting waivers from the Federal Government to improve the welfare program and to provide better services at less cost. Once again I thought it strange: Why should we have to fight the Federal Government to save taxpayers money?

Now that I am here, I strongly support giving the States and local communities more to say about operating their welfare programs, because I am convinced that they can do a better job at less cost than we have with our current system. I applaud the Republicans in the House for introducing a bill which will bring that about and make it possible for us to save money for the people of this country.

WORK TO BE DONE

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

Ms. JACKSON-LEE of Texas. Madam Speaker, I think it is important this morning and this afternoon to emphasize that there is work to be done. I realize that the headlines of yesterday evening, that we would hear a lot of spin talk and dragging Whitewater and a variety of other issues all the way to the White House.

But I really want to speak about what the American people have said to me when I go home to the 18th Congressional District, and that is about senior citizens who are appalled that we are still talking about cutting $166 billion from Medicare, about medical professionals who will say to me that the medical system is in an uproar because they cannot care for sick and the needy. I also hear from young people who say that they are looking forward to an entry level job, but they have got families and they need an increase in the minimum wage. They are gratified that we did some work last week after long, long months of trying.

So I hope my Republican colleagues will get down to the business of working. As we approach this omnibus science bill, I hope they will realize that science is the cutting edge of the 21st century. I hope we will not drag Whitewater into our work. I hope we will work for the American people.

IT IS TIME TO SAY ''NO'' TO THE STATUS QUO AND REFORM WELFARE NOW

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

Mr. CHABOT. Madam Speaker, this Congress has twice passed welfare reform legislation that emphasizes work and personal responsibility. President Clinton, who told America that he would ''end welfare as we know it,'' has, on both occasions, vetoed that legislation. Now he tells us once again that he's ready to keep his promise that he really is willing to reform welfare. Well, we'll see.

We will soon give President Clinton another opportunity to put his money where his mouth is. We will make one more effort to send him a bill that will move millions of Americans from that cycle of dependency on big government to a life of productivity and responsibility for self and family.

Madam Speaker, let's hope for the sake of generations of Americans caught in the welfare trap that the President isn't just pulling our leg once again. Let's hope that he'll finally agree to keep his oft-repeated campaign promise to ''end welfare as we know it.''

WHITEWATER CONVICTIONS

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

Mr. ROHRABACHER. Madam Speaker, 4 years ago President Clinton kicked off his Presidential campaign. His theme was honesty in government, and the example he pontificated about was the S&L debacle that was then costing the taxpayers tens of billions of dollars.

The conviction of President Clinton's cronies in Arkansas suggests that while candidate Clinton was making honesty the theme of his campaign, his own gang was engaged in looting a savings and loan institution in Little Rock. We have come to know, unfortunately, that our President, President Clinton, is a politician that has absolutely no shame.

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

Mr. WALKER. Madam Speaker, I ask unanimous consent that the following committees and their subcommittees

be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule: Committee on National Security; Committee on Transportation and Infrastructure; and Permanent Select Committee on Intelligence.

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

The SPEAKER pro tempore (Ms. GREENE of Utah). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ORDER OF CONSIDERATION OF AMENDMENTS AND POSTPONING VOTES ON AMENDMENTS DURING CONSIDERATION OF H.R. 3322, OMNIBUS CIVILIAN SCIENCE AUTHORIZATION ACT OF 1996

Mr. WALKER. Madam Speaker, I ask unanimous consent that during consideration of H.R. 3322, pursuant to House Resolution 427, following disposition of the amendment offered by Representative WALKER or his designee and specified in House Resolution 427, the following amendments or germane modifications thereof be considered in the following order and notwithstanding their amending portions of the bill not yet read for amendment: An amendment offered by Representative SCHIFF regarding National Science Foundation funding; amendment No. 3 by Representative GEKAS; amendment No. 7 by Representative THORNBERRY; amendment No. 22 by Representative TRAFICANT; an amendment offered by Representative ROEMER regarding endocrine disruptors; an amendment No. 2 offered by Mr. CRAMER; amendment No. 14 by Representative LOFGREN; and amendment No. 8 by Representative BROWN of California, following disposition of which committee shall resume consideration of the bill pursuant to House Resolution 427.

Further, I ask unanimous consent that the Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any of these amendments to the bill, or any amendments thereto. The Chairman of the Committee of the Whole, may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business provided that the time for voting by electronic device on the first of any series of questions shall be not less than 15 minutes.

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

There was no objection.

WELFARE REFORM

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

Mr. COOLEY. Madam Speaker, on welfare reform Bill Clinton has performed one shameless flip-flop after the next. During the 1992 Presidential campaign, candidate Clinton promised to end welfare as we know it. President Clinton never offered any serious welfare reform program. There was never even a vote on welfare reform when the Democrats controlled the Congress during the first 2 years of his Presidency. Clinton on the record opposes the idea of allowing governments to pursue their own welfare programs, saying there is a danger that some States will get into a race to the bottom.

When the Republicans led the Congress, we kept our promise and sent Bill Clinton a bill that would genuinely reform welfare. We not only sent it to him once but we sent it to him twice, and he vetoed it both times. Madam Speaker, I think we need to look at welfare reform very seriously and offer the American people a new program that will truly, truly revise welfare.

BLOATED CONGRESSIONAL MILITARY BUDGET

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

Ms. MCKINNEY. Madam Speaker, you would think that my Republican colleagues have learned their lesson. Over the past year, the American people have expressed their outrage over the 1996 congressional military budget which gave the Pentagon $7 billion more than they asked for. Well, Madam Speaker, here we go again. This year the Republican led Congress has decided to give the Pentagon $13 billion more than what it asked for. Maybe my Republican colleagues did not get the message. Why don't they use the extra $13 billion on environmental programs which their 1997 budget cut by 19 percent. Or maybe they could use the money to provide student loans to the 2.5 million young people who will have their student loans reduced under the Republican budget.

Madam Speaker, we know that our military budget is much larger than the military budgets of all of our enemies combined.

So, since there is no country—or, even group of countries that poses a credible threat to our national security, on behalf of the American people I must ask if the real threat the Republicans fear is a foreign power, or the wrath of the defense industry.

OMNIBUS CIVILIAN SCIENCE AUTHORIZATION ACT OF 1996

The SPEAKER pro tempore. Pursuant to House Resolution 427 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3322.

□ 1425

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3322) to authorize appropriations for fiscal year 1997 for civilian science activities of the Federal Government, and for other purposes, with Mr. BURTON of Indiana in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Pennsylvania [Mr. WALKER] and the gentleman from California [Mr. BROWN] each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I yield myself 6 minutes.

Mr. Chairman, I am pleased to bring before the House H.R. 3322, the Omnibus Civilian Science Authorization Act of 1996. This bill provides fiscal 1997 authorizations for the National Science Foundation, NASA, the U.S. Fire Administration in FEMA, NOAA, the research programs of EPA, the National Institute of Standards and Technology, the research programs of the Federal Aviation Administration, and the earthquake hazards reduction program. This legislation provides 5 percent or $285 million more in basic research spending than the Clinton administration budget.

This chart to my left indicates the basic funding research and shows that we are higher in funding the fundamental science of the country than what the Clinton administration budget calls for.

In addition, this bill calls for $3.7 billion for environmental science including $1.25 billion for the global climate change programs, and it ends corporate welfare. In short, this represents a sound and responsible approach to the funding of our Nation's Federal civilian research and development efforts.

The legislation authorizes $19.3 billion for fiscal year 1997. The President's request for these programs is $20.3 billion.

We provide $3.2 billion for the National Science Foundation, a $31 million increase over fiscal year 1996, plus $26 million for basic research grants and $25 million for South Pole environmental and safety renovations.

We provide $13.5 billion for NASA, including full funding for the space station, an increase in space science and life and microgravity research and $1 billion for the missions to planet Earth.

We provide $27.6 million for the U.S. fire administration. The President's request is that same number.

We provide $1.37 billion for what are called the dry programs of NOAA, including full modernization of the National Weather Service, $100 million for basic climate change research, and a complete project authorization for the

installation of the Advanced Weather Interactive Processing System, the new weather forecasting technology so crucial to public safety.

We provide $490 million for EPA's Office of Research and Development.

We provide $385.8 million for the National Institute of Standards and Technology, $21 million over current funding and $10 million more than the President's request for the core functions of that agency.

We provide $186 billion for the research and development programs of the Federal Aviation Administration, its current funding level.

We provide $95.2 million for Earthquake Hazards Reduction Program. That is the President's request.

We are considering this science authorization bill in the same coordinated manner as last year, whereby we combined our individual authorization bills into one vehicle, a process which enables us to consider civilian research and development in a broad, rational context. We do not include the Department of Energy's programs in this bill, since we have already passed fiscal 1997 authorization in last year's bill. The subcommittee of jurisdiction, however, may consider a more detailed specification of those numbers in the near future.

Along with providing funding, this bill includes some important policy provisions. In the NASA title, for instance, we have included language advancing the commercial use of the space station; making important amendments to the Commercial Space Launch Act; procurement changes to encourage the agency to use existing commercial technology in its programs, and to purchase private sector science and environmental data. Within NOAA, we revise the National Weather Service's Organic Act to allow the privatization of specialized weather services. And, at EPA, we have charged the Assistant Administrator for Research with responsibility for the quality of science at EPA, and we require the Science Advisory Board to review EPA's research budget.

We have made some tough choices in crafting this legislation, choices made in the context of what is likely to be contained in the budget resolution and in the context of moving us along the glide path which leads to a balanced budget. Why? Because the Committee on Science has decided to be relevant to the process. We realize that if we, as authorizers, are going to have an impact on the funding decisions that will be made in the appropriations process, we have to commit ourselves to a realistic plan. Believe me, as all of our committee members know, those choices have not always been popular and they surely have not been easy.

□ 1430

But I am proud of the work that we have done, and that good work is reflected in the fact that our bill passed the committee with bipartisan support.

The tenor of the policy debate has now changed within the Congress and the science community as the emphasis has shifted from industrial policy to basic research and from status quo subsidies to new knowledge. Quite simply, we have proven to our colleagues and to the science community that this committee is serious about its responsibility and it is up to the challenge of setting our priorities and is tough enough to effect real change.

At the conclusion of general debate, I will offer a manager's amendment to address the jurisdictional problems we have had with two other committees and to make some administrative changes at the request of the National Science Foundation. The chairman of the Subcommittee on Basic Research, the gentleman from New Mexico, Mr. STEVE SCHIFF, will also have an amendment to add $41.2 million to NSF's university research grants account to reflect the work of the Committee on the Budget to bolster basic research.

Finally, I would like to acknowledge for special thanks the cosponsors of the legislation, the Chairs of our subcommittee who have been a part of the team, and without whose help we could not have brought this bill to the floor, the gentleman from Wisconsin, Mr. JIM SENSENBRENNER, the gentleman from California, Mr. DANA ROHRABACHER, the gentleman from New Mexico, Mr. STEVE SCHIFF, and the gentlewoman from Maryland, Mrs. CONNIE MORELLA.

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

Mr. BROWN of California. Mr. Chairman, I yield myself 10 minutes.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I hardly know where to start with this bill. I an not sure whether I should discuss the policy proposals in this bill or the process by which this bill was put together. Maybe I should start with my deep regret that we have come to the floor today so deeply divided on support for Federal research and development [R&D] programs, issues that should elicit bipartisan support.

And I note the chairman indicated that there was bipartisan support for his bill. The rollcall will show that one Democrat, who probably did not know what he was voting, for, voted in support of this bill, and this does not exactly indicated to me strong bipartisan support.

But both because of the proposals being made and the process that was used in putting this bill together, I cannot support H.R. 3322.

My difficulties with this legislation start with the title: Omnibus Civilian Science Authorization Act. This is not an omnibus bill.

When the House considered H.R. 2405 last year, the gentleman from Pennsylvania was enthusiastic about his revolutionary idea to bring all of the Science Committee authorization bills into a single, omnibus bill. Among its other virtues, he argued, was that it would permit Congress to consider priorities among the civilian science portfolio.

I was skeptical last year and I remain skeptical today. As I predicted last year, packaging the committee's bill together into a single bill has not expedited its consideration in the Senate. Indeed, last year's authorization bill remains languishing there without any Senate action on any of its provisions. This year's bill is likely to face the same fate.

Nor does the claim that packaging these bills together permits Congress to set priorities stand up to closer scrutiny. As I also pointed out last year, much of the civilian R&D science and technology portfolio is not in this committee's jurisdiction. For example, neither NIH nor USDA, which together constitute a very significant fraction of the total of civilian science budget, are included in this bill. And, as the Resources Committee and the Transportation Committee have reminded us, neither are some of the research programs in NOAA, the Department of the Interior, and the Federal Aviation Administration. So the fact is that we only have some of the civilian science portfolio in front of us. We can't trade off the space station for more AIDS research in this bill.

The case is even tougher to make this year because the so-called omnibus bill is less omnibus than last year's bill. The committee has, for political reasons, left behind programs, indeed entire Federal departments, that are under our jurisdiction and should be included in this bill. The Department of Energy's civilian research and development portfolio, a modest $4.7 billion per year effort, has been dropped from this bill, reportedly due to differences within the ranks of the majority on our committee. Likewise, the external programs at the Department of Commerce's National Institute of Standards and Technology have been left behind, for the second year in a row, for political reasons on the other side of the aisle.

Of course, the argument that we are setting priorities assumes that Members could actually offer amendments to move funding from one agency to another. But, under the rule which we are considering today, amendments which move funding from one title to another are subject to a point of order.

The idea that we are somehow setting priorities is one of the most absurd fictions that we will be hearing from the other side today. As we all know, the real task of setting priorities is done in the Appropriations Committee, where the 602(b) allocation forces hard choices among sometimes disparate programs. The bill today has little relevance to those decisions. It doesn't tell the HUD–VA–IA Subcommittee how to allocate funds between NASA and the housing program, or NSF and veteran's hospitals.

Once you get beyond the title, the substantive policy problems emerge.

Those programs that are contained in the legislation are treated so poorly and so arbitrarily that it would have been better to leave them out as well. This legislation cuts science programs so deeply that it is actually an antiscience bill. It treats environmental and ''soft path'' energy research so badly that this is an antienvironment bill. H.R. 3322 makes major cuts and omissions to technology development programs, casting it as an antijobs and competitiveness bill. And by leaving DOE out all together, this is clearly a bill that is antienergy independence.

On science issues, the chairman has argued eloquently, if erroneously, that the Federal Government should be focusing on basic research and leave the rest of the work to the private sector. In this bill, the Republicans make large cuts to applied and developmental research work and then seek the gratitude of the scientific community for making smaller cuts to the basic science funded in this bill.

The Brown substitute to H.R. 3322 provides $170 million greater support for basic research than the Republican proposal. But, in addition to total funds authorized, there are important differences from H.R. 3322 in the details of the allocations made and in the policies applied to the agencies.

The majority has expressed a preference for NASA space science through a more generous allocation than the substitute—so generous that the agency appears not to know what to do with the excess above its request. On the other hand, H.R. 3322 provides less than 1 percent growth for NSF, the premier basic research funding agency in the Science Committee's jurisdiction and the agency with the broadest charter for advancing research and education in science and engineering. The Brown substitute provides 3.3 percent growth for NSF, which will allow small growth above inflation, instead of the effective cut in the Republican bill, and this chart will show the differences in some of those areas.

H.R. 3322 also totally ignores a major component of the Federal civilian basic research funding by excluding authorizations for the Department of Energy. DOE has the largest basic research budget, after NSF, in the Science Committee's jurisdiction. This negligence is hardly consistent with the majority's claim to champion and protect basic research in the Federal R&D budget. The Brown substitute by contrast includes the President's request for DOE.

Further, unlike H.R. 3322, the substitute places no ban or restrictions on legitimate areas of scientific inquiry. The substitute presumes that the usual merit review process will be used by the agencies to select the most promising research directions to advance fundamental knowledge.

This distinction between basic and applied research is at the heart of the Republican proposal, and yet it is a distinction entirely without relevance the real world. I have worked at science policy for decades and cannot find the seam between basic and applied research. The reality is that ideas move along a continuum from the lab to the market and removing support to any one part of this process will stop progress.

What is more important in this bill is the overall funding level proposed. This bill, together with the DOE funding levels set during the debate on last year's omnibus bill, cuts fiscal year 1997 funding for the R&D programs under our jurisdiction $1.3 billion below this year's funding levels and is $2 billion under the President's request for fiscal year 1997. These cuts pose a grave threat to our civilian R&D activities. They are ill-advised and entirely unnecessary to achieved a balanced budget.

In contrast, the Republican bill essentially eliminates EPA's ability to fund research related to global climate change, an area often characterized by the Members on the other side of the aisle as ''liberal claptrap.'' H.R. 3322 also continues an oblique attack on NSF's support for the behavioral and social sciences through elimination of an NSF scientific directorate and specific guidance to the agency in the accompanying legislative report.

Finally, the Brown substitute provides the resources needed to ensure NSF's ability to administer its research and education programs. H.R. 3322, on the other hand, imposes cuts of nearly 6 percent below the current year appropriation for NSF salaries and administrative expenses. Such a cut applied to a lean organization—only 6 percent of the total budget goes for running the agency—will result in staff reductions that could reach 10 percent of authorized strength. The net result would be to impede virtually all business operations of NSF from payments to scientists to the timing and quality of research award decisions.

As the green glow following Earth Day has faded, so has the Republican interest in the environment. The bill made major cuts to environmental programs when it was reported out of committee, cutting environmental R&D at the Environmental Protection Agency, the Mission to Planet Earth Program at NASA, and the oceanic and atmospheric programs at NOAA. The cuts to NOAA reported by the committee are particularly ironic, since they cut the coastal zone program by 80 percent the day after the House voted overwhelmingly to reauthorize the Coastal Zone Management Program as a manifestation of bipartisan concern for the environment. While these cuts, along with other damage to the NOAA programs, will be corrected by a manager's amendment to delete large sections of the bill to resolve the protests by the Resources Committee, the bill's antienvironmental slant remains evident in the remaining sections.

For example, the bill bans specific areas of environmental research. After arguing for science-based regulatory decision making in their regulatory reform efforts last year, the Republicans have tried to ban environmental research that they find troubling. Examples of this are the ban on indoor air quality at EPA contained in this bill, and the ban on funding for the climate change action plan efforts.

Continuing with the policy paradoxes found in this bill, I must raise again the anticompetitiveness bent of this legislation. The private sector Council on Competitiveness just issued a study on a U.S. R&D policy for competitiveness that pointed out the need for joint industry-government research programs. Over the past few months, we have heard from a number of industrial leaders who have argued in favor of the joint technology development programs and manufacturing extension programs at NIST. Yet the Republicans have left these programs out of this bill.

Last year, the Technology Subcommittee of the Science Committee unanimously approved H.R. 1871, to authorize the external technology programs at NIST. That bill has never been taken up by the full committee. We have tried to offer this consensus legislation to the omnibus bill last year and again this year, but the Republicans have blocked our efforts. The omission of these technology development programs at NIST and cuts to applied and developmental R&D programs throughout this bill pose a great threat to our ability to compete in the world. While other countries are increasing their R&D, we are cutting ours. What is wrong with this picture?

One last major point to be made is the signal being sent by not offering a DOE title to this bill. Initially, a DOE R&D authorization was to be included in this bill, but a number of committee Republicans apparently thought that the cuts went too far. As a result, the DOE R&D provisions were pulled from the bill with vague promises that such a bill may be considered someday by the committee. But Members need not wait for the committee to act to see what those proposals were, because they were incorporated into the report accompanying the budget resolution. The report calls for a radical reduction in DOE's energy research programs, including a call to phase out DOE's R&D directed at solar and renewable energy technologies, new fossil energy technologies, and energy conservation measures. Many of the committee's Republicans have written to the Budget Committee and the Appropriations Committee disagreeing with these priorities, but we find nothing in H.R. 3322 to give Members the opportunity to vote on these radical proposals.

Finally, Mr. Chairman, I would like to spend a few minutes discussing the procedural abuses in bringing this bill to the floor. The minority's dissenting views set out these concerns in some detail, and I will not repeat them all here. Suffice to say that no opportunity was missed to minimize the ability of Members to understand or challenge the bill. The legislative record is inadequate and nonexistent on many issues. Subcommittee markups were bypassed over the objections of the minority. No bill was introduced prior to markup, and Members first saw the chairman's mark on a Monday morning for a Wednesday morning markup, during a week in which no votes were scheduled until after 5 on Tuesday.

Instead of a reasonable, deliberative, and collegial process, the committee's markup was reduced to rubberstamping the chairman's proposal. The quality of the committee's work product has, in my view, suffered as a result.

Mr. Chairman, you don't need to take my word for this. I understand that the chairman of the Resources Committee, Mr. YOUNG, vehemently objected to numerous provisions in his committee's jurisdiction, none of which had been reviewed by his committee, stating

''there is no reason to have our Members precipitously consider another flawed and controversial measure.'' As a result, we now have a manager's amendment which will delete a number of pages from the committee bill.

Mr. Chairman, one of the traditional prerogatives enjoyed by the minority is the right to complain about its treatment at the hands of the majority. The gentleman from Pennsylvania, when he served as this committee's ranking minority member, knew no peer in that regard. It is interesting now to see what sparked his complaints.

In 1992, Mr. WALKER complained bitterly about the process by which the then-Democratic majority brought one bill—H.R. 5231, the National Competitiveness Act of 1992—to the committee for a markup. In that case, the subcommittee held over 25 hearings and heard from over 100 expert witnesses. Copies of the bill had been sent to over 200 experts in the fields of science, technology, and trade for review and comment. On May 13, 1992, a draft of a bill was provided to the minority subcommittee staff, and to all members of the committee. The subcommittee chairman invited members to submit suggestions prior to the bill's introduction, and a number of members, including minority members, raised issues and concerns. The subcommittee met on June 24, 1992. At the subcommittee markup, the subcommittee ranking member, Mr. Tom Lewis, stated, ''We have made considerable progress in working out our disagreements on the National Competitiveness Act of 1992, H.R. 5231, since it is was introduced on May 21.'' While the subcommittee chair continued to express concerns and reserve final judgment on the bill, it was reported out of the subcommittee on a voice vote. The full committee met a week later, on July 1, 1992, and Mr. WALKER was given an opportunity to offer and debate a substitute amendment which clearly could have been objected to as nongermane. We debated this single bill on the floor for over 3 days.

Mr. Chairman, I know that our procedural complaints are often dismissed with the comment that the Republicans aren't doing anything that we didn't do to them when we were in the majority. I cannot speak for other committees and other former Chairs, but I will say that I tried to fully respect the rights and privileges of all members and the integrity of the committee process.

This self-serving statement aside, these squabbles tend to divert attention from the more serious issue at stake: the traditional role of expert committees. As political power has become concentrated in the hands of a few at the top of the Republican leadership, committees have become increasingly marginalized. Bills have been brought to the floor which have never been reported by the committees of jurisdiction. When bills have been reported, the House leadership has arbitrarily changed them to its liking before the bill comes to the floor. The committee structure is being replaced by webs of personal influence that binds Members to their leadership, and weaken the value of their individual votes.

The minority objects to these efforts to bypass the collective, considered judgment of committees through tactics that discourage members from obtaining information and participating in thoughtful discussion, negotiation, and compromise.

For all of these reasons, I urge my colleagues to join with me in voting against H.R. 3322.

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

Mr. WALKER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I appreciate the remarks of the gentleman from California, who is obviously opposed to this bill because this bill goes in a different direction than the ideology that has been promoted by this Congress now for 60 years.

For 60 years the science programs moved more and more toward Washington decisionmaking, toward more and more big spending that drove us into deficit budgets, toward more and more pork barrel, and then toward the end of the process, toward funding corporate welfare in this country and calling it science spending.

I understand that the gentleman's ideology forces him to stick with the status quo and not want to change anything in the direction that science has been going. This bill represents a real reform bill moving us in new directions, and the Democrats are determined to oppose those reforms and those new directions. But in the opinion of this Member, this is exactly the direction we have to go if we ultimately are going to balance our budgets.

Mr. Chairman, I yield 6 minutes to the gentleman from New Mexico [Mr. SCHIFF].

Mr. SCHIFF. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, within H.R. 3322, my Subcommittee on Basic Research has jurisdiction over three titles of this bill, title I, the National Science Foundation, title III, the U.S. Fire Administration, and title VIII, the National Earthquake Hazards Reduction Program.

In the Basic Research Subcommittee, support for all three titles has traditionally been bipartisan. This is particularly true for the activities of the National Science Foundation.

The National Science Foundation [NSF] is the principal supporter of fundamental research and education conducted at colleges and universities in the fields of mathematics, science, and engineering.

NSF accomplishes this through grants and contracts to more than 2,000 colleges, universities, and other research institutions in all parts of the United States. The Foundation accounts for approximately 25 percent of the Federal support to academic institutions for basic research.

As chairman of this committee and vice chairman of the Budget Committee, Mr. WALKER, has voiced his strong support for basic research. I share those same views. There are provisions in this bill requiring financial disclosure of high level employees, protecting Reservist and National Guard personnel recalled to active duty, and tasking NSF to find ways to reduce costs.

Title I authorizes $3.25 billion for NSF in fiscal year 1997. Research and related activities is funded at $2.34 billion. Unlike the administration's budget, which zeros out academic facilities modernization, H.R. 3322 provides $100 million for this account. The bill also continues full funding for the Laser Inferferometer Gravitational Wave Observatory [LIGO] and provides $25 million for the South Pole Safety project.

In this tight fiscal climate, the committee has had to set priorities for the future in R&D funding. Realizing this fact, H.R. 3322 freezes the salaries and expenses account at $120 million. In an effort to reduce the bureaucracy and increase the focus on basic research, the bill directs NSF to eliminate at least one directorate. Further, H.R. 3322 requires that NSF review its programs and directorates to determine whether they are organized to meet the needs of their customer—the research community—into the 21st century.

The science community needs to understand that the Republican and Democrats in both the House and Senate, on both the Appropriations and Authorization Committees, have been supportive of basic research. Because Members understand that basic research is the economic foundation for our future, they have sheltered these programs when many others are being drastically reduced or eliminated altogether.

There are many good provisions in this bill. As I have stated previously, members of this committee on both sides of the aisle have traditionally been strong supporters of NSF. This is partially true because NSF administers research that is merit based on peer reviewed. Other agencies should endeavor to emulate this model of success.

Title III of H.R. 3322 authorizes $27.6 million, the administration's request, for the U.S. Fire Administration [USFA] and the National Fire Academy. This relatively small amount of money goes quite a distance toward protecting both people and property from the devastating effects of fire and arson, particularly, I might add at this tragic time in the Southeast, where I live.

The Fire Administration was created over 20 years ago in response to an increasing number of fire-related deaths and injuries in this country. The programs, at the Fire Administration help to reduce loss of life and property to fires by educating the public, collecting and distributing data, conducting research into fire suppression technologies and techniques, and promoting firefighter health and safety. Since the Fire Administration was established, fire-related deaths have decreased from 9,000 per year to 4,300 per year; fire-related injuries have decreased from 300,000 per year to 27,000 per year; and firefighter deaths have decreased from 250 per year to 100 per year. This agency clearly deserves commendation for its success.

In addition, the Fire Administers the National Fire Academy in Emmitsburg, MD. The Fire Academy is lauded by firefighters nationwide for the fire and emergency training it provides. Each year tens of thousands of firefighters and emergency service personnel are trained in the latest fire protection and control activities through both on- and off-campus programs.

Over the past couple of months, in my home State of New Mexico, wild fires have been burning out of control because of dry weather conditions. Lives, property, and precious national monuments are threatened. The hundreds of firefighters who are out on the front lines, risking their lives, need the continuing support of an agency that helps them to do their jobs more safely.

Finally, title VIII of H.R. 3322 reauthorizes the earthquake research, education, and mitigation programs of the Federal Government. Specifically, the bill provides $95.3 million for the National Earthquake Hazards Reduction program [NEHRP] for fiscal year 1997.

NEHRP was established in 1977 in response to the catastrophic loss of life and property suffered during earthquakes, and to a growing consensus that a Federal research and development program might lead to a method for predicting an earthquake and/or at least reducing the devastating effects of one. While prediction has remained somewhat elusive, the program has greatly improved our knowledge of both the earth science and engineering aspects of earthquake risk reduction.

NEHRP is administered by four Federal agencies, the Federal Emergency Management Agency [FEMA], the U.S. Geological Survey [USGS], the National Science Foundation, and the National Institute of Standards and Technology [NIST]. FEMA is the agency charged with coordinating the program, and, in addition, is responsible for public education, earthquake hazards mitigation programs, emergency planning, and information gathering and dissemination. The USGS conducts research on earthquake risk and effect. The NSF performs fundamental earthquake studies, engineering research, and postearthquake investigations. NIST conducts applied engineering research and code development and distribution.

Each of the NEHRP agencies has separate budgets. The funds in this title for NSF and NIST are from sums already authorized in previous titles for the two agencies.

The $95.3 million authorized for NEHRP in this legislation is what the administration requested for fiscal year 1997.

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Mr. Chairman, I want to conclude my opening presentation to commend the gentleman from Pennsylvania [Mr. WALKER], our chairman, for bringing this bill to the floor. In my experience in 7½ years in having the privilege of serving in the House of Representatives, with several noted exceptions, I have seen authorizing committees being diminished in their real role in the U.S. House of Representatives. I believe that is because the authorizing committee have tried to avoid making the tough decisions that the Committee on Appropriations must always make.

It is easier to authorize everything which in reality means authorizing nothing. Under Chairman WALKER we are presenting a plan, a plan that can be and will be debated on the House floor but a plan that shows the Committee on Science is committed to promoting priorities in science and research development.

Mr. BROWN of California. Mr. Chairman, I yield 5 minutes to the gentlewoman from Texas, Ms. EDDIE BERNICE JOHNSON.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, as we consider the merits of H.R. 3322, the Omnibus Civilian Science Authorization for 1996, one large portion of the bill is noticeably absent. Members interested in the authorization levels for the Department of Energy's programs will not find a title authorizing those programs in this legislation.

Although programs relating to conservation, renewable energy sources and fossil energy are of obvious importance to the Nation, they will not be considered as a part of this omnibus bill.

Under the language of the omnibus science bill considered during the last budget cycle, the authorizations for DOE programs for this fiscal year were included. This was accomplished through an amendment offered by Chairman WALKER and agreed to by the full House by a voice vote.

It is unfortunate that the House will not have the opportunity to set policy guidelines for the Department of Energy through this bill. A separate bill dealing with DOE is scheduled for subcommittee considerations, but I suspect that the full committee will never see the legislation, nor will the House as a whole. I find this process objectionable.

With regard to the language of the bill that is before us, I will be supporting an amendment offered by Mr. TANNER and myself to provide authorization to the Advanced Technology Program and the Manufacturing Extension Partnership. These programs, which assist American companies in bringing new technologies to the marketplace, are critical for our economic development.

Although the Science Committee leadership has been opposed to these programs in the past, calling them corporate welfare, the appropriators, and the Senate, have seen fit to fund both the ATP and the MEP. Many on the Republican side of the aisle have expressed their support for these programs, as a fine example of government-industry partnerships which help America stay competitive.

Our overseas competitors have been continuing their investment in new technology, while America has moved away from this critical part of our economy. Large corporations which must constantly please stockholders are preoccupied with the bottom line, and are slow to invest in high-risk technology which can often have long-term rewards.

Small businesses often do not have the necessary capital to invest in high-risk technologies. The ATP and the MEP are programs which assist both large and small companies with high-risk investment.

The ATP, for example, is a program which has assisted many small businesses with new technology. Forty-six percent of ATP awards have gone to small businesses, or to joint ventures led by a small business.

Public-private partnerships are a viable and effective way to keep America competitive in the global economy, and our support of the ATP and MEP is one way for this Congress to assist American business in the global marketplace. I urge my colleagues to think carefully about this issue, and I yield back the balance of my time.

Mr. WALKER. Mr. Chairman, I yield myself 1 minute.

The gentlewoman from Texas has mentioned again, as the chairman or as the Member from California did, the lack of an energy authorization in this particular bill.

I would refer both Members to H.R. 2405, the blue engrossed version of the bill that passed the House last year which we have already sent to the Senate, for fiscal year 1997 numbers for the Department of Energy. If they will refer to page 93, lines 6 through 17, they will find that we have already done our work in that regard and the reason why it did not need to be included here.

Mr. Chairman, as I made mention before, there may be a more detailed version of this to come out of the subcommittee at some later date, but the fact is the work of this committee has been completed, unlike past years when they were in control, when we hardly ever got anything done in that area.

The Advanced Technology Program to which the gentlewoman referred is one of the largest corporate welfare programs that this Nation has ever created. Some of the biggest corporations in America have benefited from the taxpayers' largesse through that program. It is a definition of what the American people want to change. It is one of the true reforms in this bill that we have decided not to go ahead with that program and use corporate welfare as a way of what we call science spending.

Mr. Chairman, I yield 7 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Chairman, it is easy to say you're in favor of balancing the budget. Congress has been saying it for years. But, until recently, those of us who are willing to

follow the words with actions have not had enough votes to bring the budget under control. Now, we do. Actions speak louder than words, and this body has proven it. We made the tough choices and passed a balanced budget resolution, only to be confronted with an administration that wants to put those choices off and some colleagues who say they want to balance the budget as long as they don't have to cut any programs.

The majority of us still have responsibility for putting the Government on a path to fiscal responsibility. We still have to make those hard calls. In the area of civil science, H.R. 3322 does that. In our civil space program, this bill represents a savings of $308.7 million dollars from the President's request. It preserves and strengthens NASA's historic focus and contributions in basic science areas, such as astronomy, astrophysics, aerodynamics, life, and microgravity sciences. It reduces those programs which amount to commercial welfare, and restructures programs, such as Mission to Planet Earth, that bust the President's own NASA budget in the outyears. The administration abdicated its responsibility to maintain programs consistent with available resources when he sent two sets of books up here last month. He left the tough choices for Congress to make. We made them.

The bill fully funds the international space station and the space shuttle. The House passed a multiyear authorization of the station last year to put this program on a sound financial footing consistent with the balanced budget resolution. H.R. 3322 reaffirms the sound fiscal decisions we made last year. It also includes full funding for life and microgravity research, much of which will take place on the station and shuttle. This area of research is important in improving life on earth through new knowledge of materials and human physiology.

H.R. 3322 increases the funding for space science. This area of NASA basic research has brought us amazing discoveries from programs such as the Hubble space telescope and the Galileo probe to Jupiter. This increase preserves space science as the bipartisan priority it has always been for the Science Committee and protects if from the disproportionate cuts inflicted by the administration's outyear budget. Most of the increases are dedicated to small, focused science missions that stimulate education and drive costs down. The space science community has made the greatest strides in increasing the bang taxpayers receive for their buck by redesigning missions to be faster, cheaper, better. We need to reward success and ensure that space science does not suffer disproportionately in the President' budget. This bill does that.

The bill reduces the President's request for Mission to Planet Earth by $373.7 million, but still provides over a billion dollars and fully funds the AM–1, Landsat–7, and TRMM satellites; earth probes; and Mission to Planet Earth science, which alone accounts for $508 million. In 1992 the Science Committee concluded that Mission to Planet Earth was not a core NASA mission. Therefore, the Science Committee treated it as a discretionary program to be funded with whatever funds remained after NASA's core programs were funded. In NASA's fiscal year 1994 authorization, the Science Committee reaffirmed Mission to Planet Earth's status as a ''level of effort program that accomplishes as much as possible with whatever resources can be provided.'' Since the NASA budget is coming down, so must this discretionary program.

This year and last, several congressional witness testified that Mission to Planet Earth can be done at a lower cost by using new technology, exploiting commercial investments in earth observation, and leveraging existing environmental data bases which remain largely unanalyzed by scientists. The bill directs NASA to begin taking those steps that will shift the focus on Mission to Planet Earth to science instead of hardware.

We provide full funding for basis research efforts in aeronautics but control the rate of increase in the Advanced Subsonic Technology Program to prevent it from mutating into corporate welfare. H.R. 3322 saves $34 million from the President's request for this program within the aeronautics budget.

We fully fund the new technology programs that are vital in taking our civil space program into the next century. These include new millennium spacecraft technology and the reusable launch vehicle. These programs will lower the cost of future government civil and national security space activities. They will also provide a boost to our commercial space industry as we transfer this technology into the private sector, making it more competitive with foreign space industries which receive huge, direct, operating subsidies from their governments.

Balancing the/budget means making cuts and setting priorities, which we've done. H.R. 3322 builds on NASA's strengths and experience in basic research and fundamental science. It provides more than a billion dollars for studying this planet and the resources needed to bring the aviation industry into the next century. More importantly, it will continue NASA's accomplishments in revealing the wonders of the universe and set the stage for the future of human development of space. By passing H.R. 3322, we will enable NASA to continue achieving breakthroughs in science and keep the Government on the path toward balancing the budget.

□ 1500

Mr. BROWN of California. Mr. Chairman, I yield myself 1 minute, and I hope this will be the last time I do it. If I take 1 minute to clarify everything the other side said, it would be using up too much of my time.

The gentleman from Pennsylvania [Mr. WALKER] cited the fact that we had an energy authorization bill from last year as the reason for not having it in this year's bill. Actually, we had an authorization for NSF in last year's bill, but we also have one in this year's bill. It is a little distingenuous on the part of the gentleman from Pennsylvania [Mr. WALKER] to use the argument with regard to energy that we had an authorization last year, when he did not mention that for the NSF.

What has occurred, of course, is that the Department of Energy has a number of items in it which the gentleman from Pennsylvania [Mr. WALKER] does not like and which he calls corporate welfare or liberal claptrap. All research is divided into three parts in his mind: basic research, which is good; and corporate welfare; and liberal claptrap, which he seeks to avoid.

Mr. Chairman, I yield 4 minutes to my good friend, the gentleman from Tennessee [Mr. TANNER], a member of one of our subcommittees.

Mr. TANNER. Mr. Chairman, I appreciate the gentleman yielding me the time.

Mr. Chairman, I am deeply concerned about the direction H.R. 3322, the Omnibus Civilian Science Authorization Act of 1996, will take this Nation. It purports to support basic science and end corporate welfare, but I believe the policies advocated by the bill look to the past rather than to the future.

The bill would kill programs that support small business and create good, high-paying jobs in this worldwide economy. First, it eliminates the Manufacturing Extension Partnership Program. MEP centers, as they are known in 42 States, assist small- and medium-size firms employing fewer than 500 workers to modernize in order to compete in the demanding global marketplace in the 1990's and beyond. This program has strong support of the business community, State and local governments, and the Congress.

Mr. Chairman, we are not talking about big, multinational corporations. There are 381,000 small manufacturers who are struggling to maintain their competitiveness. Their competitors are just as likely to be companies in Asia or Europe as another company down the street. The MEP is a highly successful program for small business and this Nation.

Second, the chairman of the committee wants to terminate the Advanced Technology Program. Although large corporations do participate in this program, approximately half of the ATP awards have gone to small businesses. Not only businesses participate in this program, but more than 100 universities are working on 157 ATP projects.

This type of industry-government-university partnership is what nonbiased outside experts are recommending as the trend for the future. As

Brian Rushton, president of the American Chemical Society, stated:

The National Institute of Standards and Technology's Advanced Technology Program is a vital component of our nation's technology competitiveness portfolio. ACS strongly urges Congress to continue to support ATP. ATP supports market incentives and encourages companies to invest for the long-term in high-risk, high-payoff technologies.

Mr. Chairman, not alone in their view is the Council on Competitiveness. In its publication ''Endless Frontier, Limited Resources,'' it concluded as its central finding that R&D partnerships hold the key to meeting the challenge of transition our Nation now faces. Eliminating the ATM and the MEP program is not eliminating corporate welfare, it is just eliminating a commonsense approach to a comprehensive research policy.

Although H.R. 3322 is supposed to be a comprehensive authorization for all civilian research and development science programs, it does not authorize the Department of Energy research. We have been told that we did that last year. They claim to have protected basic research; however, the DOE cuts in this bill damage all types of research. In Tennessee alone, the cuts to the Oak Ridge National Laboratory, the University of Tennessee, such programs as energy conservation and the things that enable our companies to compete, will be cut another 13 percent in addition to what was done last year for a total of 45 percent.

Mr. Chairman, I am as serious about deficit reduction as any Member of Congress. As a member of the coalition, I worked hard with them to develop a plan balancing our budget in 7 years. Everyone says it does. But we look at these policies in this bill, and it reminds me of 1950 rather than the year 2000.

Finally, quoting from the Council on Competitiveness again, it said: Equally the report finds the United States has an urgent interest in resolving the polarized debate over the proper role, Federal role in research and development. Battles over the proper limits of Government activity have reinforced the outdated distinction between basic and applied research as the primary basis for decision making.

The CHAIRMAN. The gentleman from California [Mr. BROWN] has 12½ minutes remaining, and the gentleman from Pennsylvania [Mr. WALKER] has 9½ minutes remaining.

Mr. BROWN of California. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Alabama [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I thank my colleague from California, Mr. BROWN, the ranking member, for yielding me the time.

Mr. Chairman, I rise, unfortunately, in opposition to the committee's bill. I have several concerns about this bill. One of those concerns I will raise in an amendment that I and the gentleman from Indiana [Mr. ROEMER] will offer when we get to the NOAA section of the bill.

The National Weather Service is undergoing a major modernization and will be closing offices all over the country. While I and other Members support that modernization, I do not want some Government bureaucrat determining that my weather service office will be closed. I want more protection than that, and I and other Members of Congress have fought very hard to make sure that we have that kind of protection, and we have been denied that so far.

Mr. Chairman, currently a process exists in law to require the Secretary of Commerce to certify that such weather services will not be degraded. The committee's bill eliminates this requirement and, consequently, the committee's bill would allow weather service bureaucrats to close offices all over the country. Just this past weekend, my district there in Alabama suffered again from tornadoes, tornado warnings. Other sections of the country did, as well. Our section of the country was left out of the Weather Service's modernization plan, and we dotted i's, crossed t's, and now we are expected to be included in that modernization plan.

However, I do not want, in the process of getting our NEXRAD radar up and in place, I do not want a bureaucrat determining that for some even temporary length of time that we will be without that kind of coverage.

Mr. Chairman, another concern is that the committee's bill drastically cuts the operations budget for the Weather Service. That budget line cuts pay for the salaries of Weather Service employees in field offices across the Nation. The concern with that salary cut would be that it would eliminate midnight forecast shifts at all Weather Service offices. We simply cannot pay that kind of price, and we cannot go that far with this kind of funding. This bill would be devastating for other districts across the country.

Mr. Chairman, another issue that I am concerned about within the bill itself would be NASA's issues. The bill cuts NASA's salaries by $81.5 million. NASA has been downsized enough. This is not the time to cut additional salaries.

Support the Brown substitute.

Mr. WALKER. Mr. Chairman, I yield 5 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I thank the chairman of the committee on Science, the gentleman from Pennsylvania [Mr. WALKER], for yielding me the time.

Mr. Chairman, I join my colleagues of the Committee on Science in commending our Chairman, Mr. WALKER, for the very fine work that has gone into the preparation of this legislation for floor action.

Chairman WALKER has consistently supported the concept of unifying the civilian science missions of the Federal Government under one policy umbrella, with the objective being greater consistency in the development and implementation of the research and development policies and activities of the Federal Government. Perhaps, one day, the Congress will take such a bold step as part of the effort to Re-engineer Government and make it more responsive to the needs of America in the 21st century.

But that day is not yet, and our chairman has worked faithfully to do the next best thing: Conduct an authorization process that genuinely looks at the budgetary constraints that we are faced with as we move toward ending annual operating deficits over a period of 7 years, and make reasoned judgments about our priorities for the national science programs taken as a whole.

In this way, we hope to use the moneys available to us in the wisest way possible to expand the frontiers of knowledge and better our quality of life.

The bill before the House provides strong support for our basic research programs: Fully funding the core laboratory programs of the National Institutes of Standards and Technology is just one feature of that support. I have worked closely with our chairman in the structuring of those provisions of the bill, as well as others, and I can vouch for his good faith and diligence in striving to work cooperatively with all members of the committee to develop a bill which is balanced: Acceptable on the one hand to all who are concerned about continuing strong support for the basic research activities of the Federal science establishment, while on the other hand, responsive to the rightful concerns of those Members who are determined that this Congress meet its obligations of fiscal responsibility to future generations.

Of course, there are programs that I would like to see provided for in this legislation that do not presently appear, and I hope to work with the Chairman on amendments that might be found acceptable that would provide authorization for those programs, or increase funding for others which are authorized. The Manufacturing Extension Partnership Program, located within the NIST umbrella at Commerce, and enhanced funding for environmental research are two areas of particular concern to me. At the same time, I am cognizant of the great responsibility we have to manage our resources wisely for the benefit of all citizens.

I believe that one of the oversight efforts which our committee could profitably undertake during the balance of this year would be to systematically explore the means through which priorities are set by individual agencies and recipients of national science research funds, and how well our research priorities match the technological, environmental, and health challenges that will

face us in the next century. I look forward to working with our chairman in that effort.

Mr. BROWN of California. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. HALL], the chairman of the Subcommittee on Space and Aeronautics of the Committee on Science.

Mr. HALL of Texas. Mr. Chairman, it is 35 years ago this month, May 5, 1961, that a young man named Alan Shepard became the first American to fly into space. His 15-minute suborbital flight was the first milestone in a journey that has taken Americans to the moon, has led to the development of the world's first reusable spaceship, the space shuttle, and will soon result in American scientists and engineers conducting important research on the international space station.

□ 1515

Our citizens take great pride in what our Nation has achieved in the human space flight, and we look forward to what lies ahead.

We have some concerns, of course, about what lies ahead. The U.S. space program is not just about men and women in space.

I think ever since the dawn of the space age the National Aeronautics and Space Administration has been pushing back the boundaries of knowledge and sending robotic spacecraft to almost every planet in the solar system, observing other stars and galaxies with space-based observatories and probing the very complexities of our own planet's atmosphere, our oceans, and our climate.

I think all of these achievements have been very impressive, but NASA's world class capabilities did not just come out of thin air, they are the result of investments by the American people, and that is why I am troubled a little bit about the bill the Members have before us today.

H.R. 3322 represents, in my opinion, a step backward in our support of the space program that has delivered so many benefits to our citizens.

I think most of my colleagues know that I consider myself somewhat of a fiscal conservative who is willing to make some tough spending cuts when we have to. In past years, though, I have worked with the chairman and with the ranking Democrat to make these cuts and to streamline the program, and NASA has risen to that challenge.

It had an outyear funding plan cut by over one-third over the last 4 years. No one else that I know of has made those type cuts.

I could give you examples, but time does not allow me to.

I would just say that the gentleman from California [Mr. BROWN] will offer an amendment to fix the programs in the NASA authorization that I have outlined, and I think that the American space program is very vital to our future. We ought to give it the resources it needs to carry out the mission.

Mr. BROWN of California. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I agree with the gentleman from Texas [Mr. HALL]. This bill does not serve the space program well, and I therefore rise in strong opposition to this science bill.

Here we are once again fighting dramatic and excessive cuts in important programs, cuts that will, I think, be flawed and misguided if we adopt them.

The bill includes a $374 million reduction for NASA's Mission to Planet Earth.

This equates to a 27-percent cut to the Earth observing system, the centerpiece of Mission to Planet Earth and NASA's contribution to the global effort to understand the Earth's climate. The science bill is a meat cleaver approach, in my opinion, and if Mission to Planet Earth is to remain viable, it cannot sustain these types of dramatic cuts.

Mission to Planet Earth is an evolving program, and these cuts would be devastating. We should not walk away from our national commitment to a better understanding of our environment.

This program is part of a substantial international effort. These cuts dramatically reduce our role in this cooperative structure and send the wrong message to our partners overseas. This should not be a partisan issue. President's Reagan and Bush both supported the program, and President Clinton counts Mission to Plant Earth as one of his top science priorities. Moreover, the scientific community has continued to validate the integrity of the program.

Therefore, as I said, we should not walk away from our commitment to Mission to Planet Earth for it is our investment today that will reap innumerable and long lasting benefits for future generations.

Mr. Chairman, the previous speaker from Texas indicated that this had been a bipartisan effort in the past. It ought to be a bipartisan issue in the future.

Mr. Chairman, I urge opposition to the bill and support of the substitute to be offered by the gentleman from California and thank the gentleman for the time.

Mr. Chairman, despite my strong opposition to this bill, I would be remiss as the cochair of the Congressional Fire Services Caucus, if I did not say that I am pleased the bill authorizes funds for the academy, equal to the President's request. This is a worthwhile investment in our Nation's fire safety and emergency medical activities. It provides the American people with the finest public education in fire prevention and control.

Again, I want to reiterate my strong opposition to the Civilian Science Authorization Act for fiscal year 1997. I believe the bill unfairly targets the Mission to Planet Earth Program. I want to express my strong disappointment with the committee's decision to reduce funding for this important scientific program which is crucial to a better understanding of the world in which we all live.

The bill includes a $374 million cut for NASA's Mission to Planet Earth. This equates to a 27-percent cut to the Earth Observing System [EOS], which is the centerpiece of NASA's contribution to the global effort to the understand how the Earth's climate works.

In 1990, President Bush, building upon the recommendations of the Reagan administration, recognized the importance of understanding the Earth's climate when he established the U.S. Global Change Research Program [USGCRP]. This program serves as our country's contribution to an international effort to develop the first integrated understanding of the Earth's processes and their effect on global climate change using remotely sensed and surface based data.

The cuts adopted by the Science Committee unfairly target three components of EOS and will put our country in a position of being unable to obtain and maintain our international contribution to this vital program. The bill would essentially eliminate the EOS–PM spacecraft, EOS CHEM spacecraft, and lessen the capability of the EOS data information system. These three programs are critical to the viability of the program.

The EOS–PM spacecraft is designed to enable fundamental advances in understanding the processes that govern weather and other climate phenomena. Over half of the critical measurements planned for all of EOS are included as part of this spacecraft. According to Dr. John Christy and Dr. Richard McNider of the Earth system laboratory at the University of Alabama, natural variations in the world's climate are real and have significant economic impact. Our current knowledge of the Earth's climate system is terribly inadequate. The Nation's present global change program is an appropriate place to begin to understand the Earth's climate system.

The EOS–CHEM spacecraft will improve our understanding of pollution and the ozone processes. This is critical at a time when increasing amounts of global pollution are coming from nations other than the United States with profound regional and global effects. It is important that we have a better understanding of how and why this occurs, so we can do what is necessary to get this situation under control.

The EOS data information system provides the means for controlling the satellites, processing data from the satellites into a usable form, storing and distributing that data to researchers and other users, and enabling data analysis. EOSDIS is the means by which NASA will transmit useful information to a variety of users. The program is currently on schedule and set to become operational in 1997. A 50-percent cut to this program would be devastating. A reduction of this magnitude will hinder our ability to control the orbits of the EOS satellites, schedule and maintain measurements of the instruments, and process store, and distribute the data. The benefits of the EOSDIS systems are enormous. It will establish for the first time an integrated, online, electronic library of geography based telemetry, synthetic aperture radar, and Landsat imagery. Moreover, NASA estimates that in addition to supporting Mission to Planet Earth scientists, EOSDIS will be used by thousands

of other scientists around the world, other researchers, and government officials. In addition, as the program continues to develop, it will eventually serve many commercial purposes.

In 1991, the EOS Program had an estimated 15-year budget of $18 billion. In just 5 years, the program has been significantly reduced and is now a $7 billion program. These decreases have resulted in fewer instruments, fewer measurements, and the elimination of vital areas of scientific research. NASA has shown its ability to cut the program over 60 percent without compromising the integrity and future of the program. NASA has also indicated a willingness to further reduce the costs of the program by incorporating new technology and strengthening partnerships with commercial, agency, and international partners.

In addition to the cuts in Mission to Planet Earth, the bill undermines the ability of NASA to carry out its functions by reducing the level of funding for salaries and expenses. The cut of $81.5 million is not well thought out and will have devastating impact on all NASA centers. The net result will be either a NASA reduction in force totaling 1,400 employees by October 1, 1996 or an agencywide furlough for 12 to 14 days. This is unacceptable for one of the world's premiere science and technologically advanced institutions. NASA is already reducing its staff level to meet its zero based review. The levels they have achieved allow them to adequately meet the daily requirements necessary to efficiently carry out their operations. This is an unwise decision and it ought to be rejected.

I urge my colleagues to reject this bill and to support the Brown substitute which is a better investment for our country and which will allow these important scientific programs to meet their mission.

Mr. WALKER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. BOEHLERT].

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

Mr. BOEHLERT. Mr. Chairman, I rise in support of the bill.

I want to commend Chairman WALKER and the subcommittee chairs for reporting out a balanced bill that is supportive of science.

In this time of budget cutting, the Science Committee has worked has to protect scientific research from undue hardship and to set priorities. I particularly want to thank Mr. SCHIFF for his amendment which will increase funding for the National Science Foundation by an additional $41 million. I should add that I hope some of that money would be put to use ensuring that the Nation is served by an adequate number of supercomputer centers.

I am also pleased to see that the bill funds environmental research at healthy levels.

Mr. Chairman, I do not agree with every policy decision that is embodied in this bill. But overall, the bill has accomplished exactly what the Science Committee has committed itself to do: it protects basic research, the foundation of our Nation's future success.

Mr. WALKER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I am very proud to join my colleagues on the Committee on Science in bringing this well-constructed legislation to the House floor. The authorizations for National Oceanic and Atmospheric Administration and the EPA's Office of Research and Development will, as they did last year, fund all the vital research services of these important agencies and all the research they need to get their job done. At the same time we get budget savings by eliminating bureaucracy, by continuing privatization efforts endorsed by the administration and by eliminating earmarks that even the Clinton administration does not want.

Title IV of this bill will give the National Weather Service Forecast, for example, an increase of almost $20 million from current funding to a total of $626 million. So for those who are criticizing that we have cut the National Weather Service, let us note that there has been an actual increase in funding. This represents full support for the Weather Service modernization program and allows for full funding for the installation and operation of the state-of-the-art Doppler radars.

Title IV also authorizes completion of the computer software integration system known as AWIPS at a level the NOAA Administrator stated is sufficient to finish this pivotal component of the Weather Service modernization program.

Title IV also provides level funding of both long-term climate research and seasonal interannual climate research.

The Committee on Science has supported and will continue to support objective scientific research to improve our knowledge of weather phenomena such as El Niño.

What we will not support are programs such as that in the EPA which assumes an apocalyptic global warming and then spend enormous sums on studies that will prove or disprove what the impact of this global warming will have on the planet.

In title V of this bill, however, we do continue to support increased funding for research which supports the EPA's regulatory mission. Title V increases funding for research above the President's request for priority programs such as hazardous waste research, drinking water disinfection and air pollution caused by particulate matter. We stick to our balanced budget by eliminating corporate welfare programs such as the environmental technology initiative, research on indoor air which the EPA does not regulate, by the way, and climate programs which are legitimate climate programs rather than trendy scientific programs.

Mr. Chairman, before my time is up I would just like to say a few things about the NASA title of this bill. I would like to commend the subcommittee chairman, the gentleman from Wisconsin [Mr. SENSENBRENNER] as well as my good friend, the gentleman from Pennsylvania [Mr. WALKER] for the excellent product they have done.

Of course, one of my chief concerns in this area is that we fully utilize America's potential in the future in space by making sure that we do the development of the reusable launch system today that will be used tomorrow.

I have two concerns about the reusable launch program; first, we have never made an experimental flight test in this program based on only one vehicle, and the reusable launch vehicle program does not have enough money for a second copy for the X–33, and I would hope that we could do that, but obviously we are dealing with scarce funds and we have to set priorities.

So I am not happy with that, and I would like to see that corrected, but I recognize that we are operating on the budget where we are looking for a balanced budget in the end. Second, from time to time there have been bureaucratic attacks on the X–33 project basically because we are not doing things the way we used to do them. But the reusable launch vehicle program is so important to our future because it will do what is absolutely necessary if we are to have a space program in the future, and that is to bring down the cost of getting into space. Once we do that, then we can have all kinds of other programs in space and accomplish all kinds of other goals in space because we will have brought down the fundamental cost of getting into space in the first place.

So I am very happy that we have supported the X–33 program, which is the reusable launch vehicle program, in this bill. I would hope it would be a little stronger, but we are operating in a balanced budget concept here.

Mr. Chairman, H.R. 3322 is a fiscally sound bill, and I submit it is also a scientifically sound bill, and I urge my colleagues to vote ''yes'' for science and a balanced budget. We are not exempting ourselves on the Committee on Science from making tough decisions and setting priorities in order to make sure that future generations will have their own money to spend rather than having us spend all of their science and research money now.

Mr. BROWN of California. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, as I rise today to talk about H.R. 3322, the purported Committee on Science bill, I am reminded of a slogan that came out of the presidential campaigns in the 1980s; it was, ''Where is the beef?'' Well, in this bill it is where is the energy? Where is the renewables? Where is the solar? Where is the environmental aspect in this bill?

Bringing this bill to the House floor without some of the most important components is like bringing the defense bill to the House floor without the Air Force components, or the education bill to the House floor without student loans, or the agriculture bill to the House floor without the dairy components.

Now why is that? Why are we not allowed to have out say on the energy? It is a good question.

We had a markup scheduled for May 15, and the distinguished chairman of the Subcommittee on Energy, the gentleman from California [Mr. ROHRABACHER], and I, who worked together on offsets and on balancing the budget and trying to come up with cuts in programs, we were dissuaded or not allowed to have that committee markup, and I come here, Mr. Chairman, to do the people's business.

Now, we may not win on our amendments in a subcommittee markup to go to the full committee, but we should have our opportunity and our say-so in the democratic process to get our markup together after months of hearings and to have our input as the experts in the subcommittee to make recommendations to the full committee on renewables and energy concerns. We were not allowed to do that.

Why? Maybe because last year's bill had a 50-percent cut to solar R&D, a 30-percent cut to renewable R&D, a 20-percent cut to fusion R&D, and a 10-percent cut to biological and environmental research. It is no wonder that these very important programs are conspicuously absent from this bill.

Mr. BROWN of California. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I think when we begin to talk about science and the twenty-first century, all of us would like to come to the House floor and really propose the support of H.R. 3322 in a bipartisan manner.

This disappoints me greatly that I have to rise and vehemently disagree with this legislative primarily because I am a strong proponent of science being the work of the 21st century, and this legislation has totally abdicated its responsibility to science.

First of all, we have not had any extensive hearings to determine which direction this legislation should take.

□ 1530

It disappoints me that we have the stewardship of responsibility over items such as space and science, research and development, and we have not done the job. It disappoints me that we have not recognized the National Institutes of Standards and their responsibilities for the NEP program and the ATP program.

I have in my hand a letter from the Texas Department of Commerce, arguing vigorously that we should support the NEP program and the Advanced Technology Program, none of which are supported with any vigor in this legislation. We cut research and development some $2 billion. And then we come down to the lean and mean NASA; we cut jobs, we cut personnel some $81.5 million.

I am just here to throw up my hands. That is why I will be offering an amendment to restore the $81.5 million to provide for the personnel in the centers throughout this Nation that have already, Mr. Chairman, suffered the greatest downsizing that we could imagine. If we do not restore that $81.5 million in the amendment that I am offering, we will see NASA employees in the centers being furloughed for 3 weeks.

Are we addressing the issues of safety and the responsibility we have for the continuation of NASA's programs and certainly the space station? I hope we can come together in a bipartisan manner and look at the Brown substitute that fully responds to research and development; and then, as well, look at the amendments that I will be offering, in particular dealing with the environment, but more particularly the $81.5 million restoration that we need to ensure that NASA can do the job that the American people want them to do, and to create jobs for the 21st century.

Mr. Chairman, I rise to voice my opposition to this bill and some of the policies therein. Mr. Chairman, not only do I object to numerous provisions within the legislation, but also to the subversive process by which this bill has made it to the floor.

As you know, the Science Committee has responsibility for our Nation's governmental space, science, research and development activities. These activities encompass enormous taxpayer dollars, thousands of researchers, graduate students and companies and hold within them, the future of our country's technological leadership and prosperity. However, under Republican leadership, our stewardship of these activities has greatly lapsed and over the past year and a half, the Science Committee has abrogated its responsibilities. This is evidenced by the paucity of public hearings we have held on many important issues, by the Republican dominated committee's approval to rely on what are private conversations as justification for policy and funding decisions, these bypassing subcommittees during the legislative process, and extensive partisan gamesmanship which the other side has engaged in.

H.R. 3322 deals with all of the agencies under this committee's jurisdiction including NASA, NSF, parts of the EPA, and NOAA. With this in mind, one would think that the importance of these agencies, what they do, and the money we spend for them would warrant thoughtful consideration by the members of the committee, allowing for adequate debate and consideration. This has not occurred. In previous years, the subcommittees were given an opportunity to lend their expertise and ideas to legislation before it was brought to the full committee—not this year. In previous years, the committee spent many hours of debate and discussion on the programs we oversee—but not this year; we were forced to consider them all in 1 day. Mr. Chairman, what I would simply ask the chairman, what's our purpose when the chairman refuses to allow us to perform the job our constituents elected us for?

Furthermore, when I received this bill, I found to my surprise that there was no Department of Energy title and an absolute absence of any funding for the external programs at the National Institute of Standards [NIST]. We were told that this year's DOE authorization numbers were included in a floor amendment offered by Mr. WALKER last year. And during committee markup, the chairman said that an amendment regarding the MEP and ATP programs were not relevant to the NIST title. How can that be, NIST administers those programs.

Finally, this bill continues the Republican war against effective public-private partnerships, environmental R&D, and whatever they happen to consider corporate welfare. We Members have been told over and over that for every dollar spent in the MEP and ATP programs, up to $8 is generated in the economy along with numerous jobs. Mr. WALKER refuses to hear. We have been told that R&D is crucial to stay competitive and that time-to-market is what is driving profits and decisions. Again, Mr. WALKER is in denial.

Regardless of what the chairman says, this bill authorizes about $2.06 billion less than the President's budget for research and development programs under our jurisdiction. Period. This is a bad bill, brought to the floor and justified by secretive conversations, arbitrary financial and policy decisions and one man's myopic view of the world. It is with great pride that I vote nay, and fight to preserve my children's future.

Mr. BROWN of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. BENTSEN].

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

Mr. BENTSEN. Mr. Chairman, I appreciate the gentleman from California yielding time to me.

Mr. Chairman, I rise in strong support of the substitute that he will offer to this bill later to restore some important NASA and EPA functions. I also rise in support of the amendments that my colleague, the gentlewoman from Texas [Ms. JACKSON-LEE], will also offer. I also rise in strong support of the space station and in opposition to any amendments which would cut or eliminate funding altogether for the Space Station Program.

Some have argued that it would be fiscally prudent to eliminate the space station. Nothing could be further from the truth. In fact, it would be terribly imprudent to kill the program we have already invested more than $12 billion in. Our 12 international partners have spent more than $4 billion. Actual hardware is being built. To eliminate the program now, after so much of the investment has been made, would be the height of irresponsibility by allowing our investment to be waived.

The Space Station Program is on track and on budget, and the first launch is just over a year from now in November 1997. American contractors have produced more than 80,000 pounds of flight hardware and our international partners have produced more than 60,000 pounds. The space station is no longer a dream but a reality, and it will soon be in orbit, producing tremendous dividends. This is a worthwhile investment and exploration in

science, an investment in jobs and economic growth, an investment in international cooperation, and most of all, an investment in improving life for all of us here on Earth.

The American space program has already made remarkable contributions to technology and medical research during its 35-year history. The space station is the next logical step, a permanent orbiting laboratory capable of long duration research. Let us defeat these amendments to eliminate or cut the space station and keep the program on track.

Mr. BROWN of California. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT], our most potent speaker, who I have reserved until last.

Mr. TRAFICANT. Mr. Chairman, I will support the Brown substitute, but failing that I will vote for final passage of the bill. I want to thank the chairman of the committee, the gentleman from Pennsylvania [Mr. WALKER], for dealing with an issue in this bill, that NASA is now hit with the budget priorities, like every other program, and for including my language that would in fact urge NASA to look at underutilized facilities in depressed communities. It might be a chance for NASA to develop a political strategy. They have none. I think the ivory tower days are over. I would hope they would move out into other areas and develop a truly regional national base of political support. They are certainly going to need it in the future.

I would say to the gentleman from Wisconsin [Mr. SENSENBRENNER], I think overall he has done a good job, and the gentlemen from Texas [Mr. HALL].

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

Mr. Chairman, first of all, the charge was made that there were no hearings on this bill. The fact is that there were a number of hearings in the subcommittees on the content of this bill. Maybe Members did not get there for those hearings, but the fact is that hearings were held. We do know what policy direction we need to go.

It was also suggested by the gentleman from California that there was something disingenuous about the nature of the bill. I would simply say that when they stand up and talk about energy bills not coming before the Congress, I spent 20 years on the committee, during which time I do not remember the Democrats ever bringing a comprehensive energy bill before the Congress. They brought pieces, but for the first time in the history of the committee since I have been here, we brought a comprehensive energy bill to the floor last year and, in fact, passed it for a 2-year program. That is the reason why it is not here today.

Mr. Chairman, finally I would simply respond to the gentleman from California when he said that this gentleman had called some of the programs under our jurisdiction liberal claptrap. I would say to the gentleman, if he can find anywhere in the public or private record where this gentleman has ever made those statements, I would be happy to support his substitute, but I do not think he could ever find anything where this gentleman ever made such a statement. We might want to be somewhat accurate in all of this.

With all that said, this is a very good bill that we bring before the floor. It is in strong support of science, and it is in a fiscally responsible climate. That is what is expected of us. We, on this committee, think we have a commitment to the 7-year balanced budget. We have to plan programs within that context. This bill does good science work in the context of a balanced budget. I would urge people to support it.

Mr. POMEROY. Mr. Chairman, today again, I wish to express my strong support of the amendment offered by the gentleman from Indiana [Mr. ROEMER] and the gentleman from Iowa [Mr. GANSKE] to eliminate authorization for the space station.

In 1984, the Reagan administration proposed to construct a manned space station that would be in service by 1994 at a cost of $8 billion. Today, after several redesigns, we have spent $11 billion and unfortunately have very little to show for it. Current cost projections now estimate that the total cost to build and operate the space station will be at least $70.8 billion.

While I do not believe we can afford the space station at this time, I do believe we can, and must, afford to wisely invest Government resources in research and technology development. Unfortunately, the space station has taken funds away from many worthy projects such as the Earth Observing System, the National Aerospace Plane, as well as the unmanned space program. In this time of tight budgets, I believe we must invest Federal funds in cost-effective science and technology programs that produce real results—expanding our scientific understanding and increasing our commercial competitiveness in international markets.

I would like to emphasize that a ''yes'' vote on the bipartisan Roemer-Ganske amendment is not a vote against NASA. Quite the opposite, to support this amendment is to support valuable, cost-effective NASA space and science programs that have been starved by the space station. A vote for the Roemer-Ganske amendment is a vote against the space station—a project that is rapidly losing its scientific missions even as it continues to add billions to our deficit.

Mr. ROBERTS. Mr. Chairman, on July 15, 1995, the Secretary of Agriculture wrote to the Director of the Office of Management and Budget indicating that ''since many short- and long-term agricultural planning activities are weather dependent, there exists a need for timely meteorological information to support efficient and cost-effective management decisions.'' On April 1, 1996, against the interests of the agricultural community, the Department of Commerce's National Weather Service terminated the Agricultural Weather Service. As it is currently drafted, I believe H.R. 3322 limits our ability to maintain the accuracy and reliability of weather information which is essential for American farmers.

The collection, quality, and reporting of agricultural weather data should remain a Federal responsibility. Without Federal responsibility to collect and distribute weather data, the specialized forecasts and private sector agricultural weather services may not remain viable. Furthermore, I believe that the private sector has not yet properly demonstrated it is ready to assume responsibility for agricultural weather data collection and dissemination.

The Department of Agriculture is familiar with farming and the collection and dissemination of agricultural weather data. Therefore, I believe that the Department of Agriculture is the most suitable agency for this service. The Department of Agriculture has ongoing relationships with the land-grant colleges and universities, and via the Extension Service can ensure that this information is made available to all producers. Therefore, I would encourage the National Weather Service to work cooperatively with the Department of Agriculture to explore ways to continue to provide agricultural weather data and ultimately transfer this responsibility to the Department of Agriculture.

It is my hope that as Congress continues its work on H.R. 3322, and until such time that action can be taken to transfer the Agricultural Weather Service to the Department of Agriculture, that this important and essential service will be continued through the Department of Commerce. Additionally, funding for this service should continue through Commerce, State, Justice appropriations.

The CHAIRMAN. All time for general debate has expired. Pursuant to the rule, the bill shall be considered under the 5-minute rule by titles, and the first section and each title shall be considered read.

Before consideration of any other amendment, it shall be in order to consider the amendment printed in House Report 104–565 if offered by the gentleman from Pennsylvania, [Mr. WALKER], or his designee. That amendment shall be considered read, may amend portions of the bill not yet read for amendment, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

Following disposition of amendment No. 8, the Committee shall resume consideration of the bill pursuant to House Resolution 427.

In addition, the Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on the aforementioned amendments or any amendment thereto and may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

If that amendment is adopted, the bill, as amended, shall be considered as an original bill for the purpose of further amendment.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

Pursuant to the order of the House of today, it shall be in order after the disposition of the amendment by the gentleman from Pennsylvania [Mr. WALKER], printed in House Report 104–565, to consider the following amendments or germane modifications thereto, which shall be considered in the following order and notwithstanding their amending portions of the bill not yet read for amendment: First, an amendment by the gentleman from New Mexico [Mr. SCHIFF] regarding National Science Foundation funding; second, amendment No. 3 by the gentleman from Pennsylvania [Mr. GEKAS]; third, amendment No. 7 by the gentleman from Texas [Mr. THORNBERRY]; fourth, amendment No. 22 by the gentleman from Ohio [Mr. TRAFICANT]; fifth an amendment by the gentleman from Indiana [Mr. ROEMER] regarding endocrine disruptors; sixth, amendment No. 2 by the gentleman from Alabama [Mr. CRAMER]; seventh, amendment No. 14 by the gentlewoman from California [Ms. LOFGREN]; and eighth, amendment No. 8 by the gentleman from California [Mr. BROWN].

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WALKER:

Page 3, in the table of contents, strike the items relating to subtitle B of title IV.

Page 3, in the table of contents, amend the line relating to subtitle C of title IV to read as follows:

SUBTITLE B—PROGRAM SUPPORT

Page 4, in the table of contents, amend the items relating to subtitle D of title IV to read as follows:

SUBTITLE C—STREAMLINING OF OPERATIONS

Sec. 441. Programs.
Sec. 442. Reduction in travel budget.

Page 4, in the table of contents, amend the line relating to subtitle E of title IV to read as follows:

SUBTITLE D—MISCELLANEOUS

Page 4, in the table of contents, strike the item relating to section 453.

Page 4, in the table of contents, amend the items relating to title VII to read as follows:

TITLE VII—FEDERAL AVIATION ADMINISTRATION RESEARCH, ENGINEERING, AND DEVELOPMENT

Sec. 701. Short title.
Sec. 702. Authorization of appropriations.
Sec. 703. Research priorities.
Sec. 704. Research Advisory Committees.
Sec. 705. National aviation research plan.

Page 7, lines 11, 13, and 15, strike ''(1)''.

Page 7, lines 12, 14, and 16, strike ''scientific''.

Page 12, after line 4, insert the following new paragraph:

(1) in section 4(g) (42 U.S.C. 1863(g)), by striking ''the appropriate rate provided for individuals in grade GS–18 of the General Schedule under section 5332'' and inserting in lieu thereof ''the maximum rate payable under section 5376'';

Page 12, lines 5, 9, and 17, redesignate paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively.

Page 12, lines 17 through 20, amend paragraph (4), as so redesignated, to read as follows:

(4) in section 14(c) (42 U.S.C. 1873(c))—

(A) by striking ''shall receive'' and inserting in lieu thereof ''shall be entitled to receive'';

(B) by inserting '', including traveltime,'' after ''business of the Foundation''; and

(C) by striking ''the rate specified for the daily rate for grade GS–18 of the General Schedule under section 5332'' and inserting in lieu thereof ''the maximum rate payable under section 5376''; and

Page 12, lines 21 and 22, strike paragraph (4).

Page 13, lines 19 through 21, amend subsection (d) to read as follows:

(d) SCIENCE AND ENGINEERING EQUAL OPPORTUNITIES ACT AMENDMENTS.—(1) Section 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885b) is amended—

(A) by inserting ''AND PERSONS WITH DISABILITIES'' after ''MINORITIES IN SCIENCE'' in the section heading; and

(B) by adding at the end the following new subsection:

''(c) The Foundation is authorized to undertake and support programs and activities to encourage the participation of persons with disabilities in the science and engineering professions.''.

(2) Section 36 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885c) is amended—

(A) in subsection (a), by inserting ''persons with disabilities,'' after ''minorities,'';

(B) in subsection (b), by amending the second sentence to read as follows: ''In addition, the Chairman of the National Science Board may designate members of the Board as ex officio members of the Committee.'';

(C) by striking subsections (c) and (d);

(D) by inserting after subsection (b) the following new subsection:

''(c) The Committee shall be responsible for reviewing and evaluating all Foundation matters relating to participation in, opportunities for, and advancement in education, training and research in science and engineering of women, minorities, persons with disabilities, and other groups currently underrepresented in scientific, engineering, and professional fields.'';

(E) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(F) in subsection (d), as so redesignated by subparagraph (E) of this paragraph, by striking ''additional''.

Page 17, line 1, strike ''develop'' and insert in lieu thereof ''development''.

Page 90, line 11, through page 93, line 13, strike subtitle B.

Page 93, line 14, redesignate subtitle C as subtitle B.

Page 94, line 4, through page 97, line 13, strike subsections (c) and (d).

Page 97, lines 14 and 21, redesignate subsections (e) and (f) as subsections (c) and (d), respectively.

Page 98, line 1, redesignate subtitle D as subtitle C.

Page 98, lines 6 through 11, strike paragraphs (1) through (4).

Page 98, lines 16 through 21, strike paragraphs (8) through (12).

Page 99, lines 5 through 9, strike paragraphs (17) and (18).

Page 98, line 12, through page 99, line 10, redesignate paragraphs (5), (6), (7), (13), (14), (15), (16), and (19) as paragraphs (1) through (8), respectively.

Page 99, line 19, through page 100, line 7, strike subsections (c) and (d).

Page 100, line 8, strike ''**LIMITATIONS ON APPROPRIATIONS**'' and insert in lieu thereof ''**REDUCTION IN TRAVEL BUDGET**''.

Page 100, lines 9 through 15, strike ''(a) MAXIMUM AMOUNT'' and all that follows through ''TRAVEL BUDGET.—''

Page 100, line 20, through page 103, line 24, strike section 443.

Page 104, line 1, redesignate subtitle E as subtitle D.

Page 106, line 9, through page 116, line 9, strike section 453.

Page 119, line 1, strike ''Environmental'' and insert in lieu thereof ''Environment''.

Page 124, line 9, through page 129, line 3, strike sections 702 through 705.

Page 129, line 4, redesignate section 706 as section 702.

Page 130, line 10, insert ''and'' after ''activities;''.

Page 130, lines 12 through 18, strike ''; and'' and all that follows through ''Facilities and Equipment''.

Page 130, line 19, redesignate section 707 as section 703.

Page 131, line 9, through page 132, line 5, strike section 708.

Page 132, line 6, redesignate section 709 as section 704.

Page 133, line 1, redesignate section 710 as section 705.

The CHAIRMAN. Pursuant to the rule, the gentleman from Pennsylvania [Mr. WALKER] and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

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

Mr. Chairman, this amendment is one that we had attempted to work out with everyone concerned, and allows us to expedite the process of deliberating the bill on the floor. The administration forwarded their draft authorization bill for the National Science Foundation to the committee the night before our markup. At that time we were not able to include several of the technical amendments in our bill.

In consultation with the minority, amendments to NSF can be termed technical and administrative, and we know of no opposition to these amendments that are included in the manger's amendment that I offering. Further amendments in this particular manager's amendment relate to title IV, the NOAA authorization, which strike provisions of shared jurisdiction between the Committee on Science and the Committee on Resources. The removal of these provisions will help expedite the bill.

Finally, we have language in this amendment which strikes several provisions in title VII, the FAA research, engineering, and development authorization. The gentlewoman from Maryland [Mrs. MORELLA], the chairman of our Subcommittee on Technology on the Committee on Science, is working with the Committee on Transportation and Infrastructure to craft language relating to these provisions. Again, this actually allows the committee to move forward with H.R. 3322 on the floor.

I wish to thank the subcommittee chairman and the chairmen of the

other concerned committees for their efforts to deal with these revisions and bring them before the House. I strongly urge my colleagues to support this amendment.

TITLE I—NATIONAL SCIENCE FOUNDATION

Conforms language to the reduction of directorates; corrects obsolete references to the GS–18 pay scale; allows members of the Science Board to decline their compensation; broadens the Engineering Equal Opportunities Act to include persons with disabilities; and allows the Chairman of the National Science Board to appoint ex-officio members to review committees.

TITLE IV—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Drops the following programs within the joint jurisdiction of the Committee's on Science and Resources: All National Ocean Service [NOS] programs authorization, including the Coastal Ocean Program; the Ocean and Great Lakes Program authorizations and terminations under the Office of Oceanic and Atmospheric Research [OAR] including the termination of the National Undersea Research Program and the authorization of the National Sea Grant College Program; the authorization of the marine services account and the termination's of the NOAA Corps and the NOAA Fleet Modernization Program; language establishing the National Ocean Partnership Program; and language setting a cap on total appropriations for the Operations, Research and Facilities Account of NOAA.

TITLE VII—FEDERAL AVIATION ADMINISTRATION RESEARCH, ENGINEERING, AND DEVELOPMENT

The manager's amendment strikes the following sections/provisions from the bill: section 702, Findings—outlined committee findings regarding the FAA's delays in fielding new products and services, including long-standing internal management, organizational, and cultural impediments to improving its acquisition processes; section 703, Definitions—defined acquisition management teams used in section 704 of title VII; section 704, Management Principles (i.e., ''guiding principles'')—mandated guiding principles for conducting Federal Aviation Administration research, engineering, and development activities; section 705, Document of April 1, 1996—FAA's recently implemented acquisition management system; section 706, Authorization of Appropriations; item K—authorized such sums as may necessary for other research, engineering, and development activities conducted under the Engineering, Development, Test, and Evaluation activity of the Facilities and Equipment account; and section 708, Budget Designation For Federal Aviation Administration Research and Development Activities—Required that future FAA budgets include in a single budget category all research and development activities that would be classified as basic research, applied research, or developmental under the guidelines established by OMB in Budget Circular A–11.

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

Mr. BROWN of California. Mr. Chairman, I would ask the Chair, do I have to be opposed to this amendment to claim this time?

Mr. CHAIRMAN. Without objection, the gentleman from California [Mr. BROWN] is recognized for 5 minutes.

There was no objection.

Mr. BROWN of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first let me say I do not intend to oppose the chairman's amendment. He has consulted with us with regard to this amendment. I think the purpose of it clearly is to expedite the process of the committee this afternoon, plus correcting a few mistakes that were made in the original bill. I am more than happy to accommodate the chairman with regard to that.

I did want to take a minute, however, Mr. Chairman, to apologize to the chairman if I accused him of using the term ''liberal claptrap.'' That was not my intention. That was the patented phrase of the gentleman from California [Mr. ROHRABACHER]. I thought I indicated that it was Members on the other side who used those two terms, but not specifically the gentleman from Pennsylvania [Mr. WALKER]. The gentleman from Pennsylvania has patented the term ''corporate welfare.'' I propose to carefully distinguish between these two divisions in the Federal research and development budget whenever I can.

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

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

Mr. ROHRABACHER. Mr. Chairman, I plead guilty. I said that global warming at best is unproven, and at worst, liberal claptrap. I plead guilty.

Mr. BROWN of California. Mr. Chairman, I knew the gentleman would say that. He has been unabashed in his reference to these programs in those terms. I admire him for that, as a matter of fact. I think it is an artful phrase, as is the term ''corporate welfare,'' and it serves as a hook on which Members can say all sorts of things about programs that they do not like. First they can call them liberal claptrap, and then say why they do not like them.

One other thing about the statement of the gentleman from Pennsylvania [Mr. WALKER] at which I do take umbrage. He said he has been on the committee for 20 years. If he finishes this year, that will be correct. He then said that there had been no energy bills passed by the committee during that time. Then I think he qualified that by saying there had been occasional efforts at doing portions of a bill.

I would remind the gentleman of the fact that in 1992 we had the Energy Policy Act of 1992, appropriately named, which was a comprehensive, although not absolutely all-inclusive, energy bill, and as a matter of fact, we are still being guided for many of the things done in the Department of Energy by that Energy Policy Act, which was an authorization bill of 1992.

Mr. Chairman, I know the gentleman from Pennsylvania [Mr. WALKER] takes delight in disparaging the record of the committee before he became chairman, but if he will just stick to the facts I will be glad to agree with him. I am not particularly proud of the record that we have made, and with the help of the gentleman from Pennsylvania [Mr. WALKER] we tried to remedy that many times. He understands the problems in getting an energy authorization bill passed.

It had been my hope that under his leadership we would get an energy policy bill passed. We have not yet, and I would confidently predict we will not during the remainder of his term as chairman, but if there is a possibility, I would be more than happy to work with the gentleman, because I think we share a desire that the Committee on Science participate fully in the authorization of all programs under our jurisdiction.

Mr. Chairman, I rise to speak on this amendment. I strongly support the manager's amendment, perhaps more than the manager himself.

Mr. Chairman, during committee markup of H.R. 3322, Democrats expressed two fundamental concerns over the structure of this bill. First, the bill seemed designed to capture many programs that were not under the jurisdiction of the Science Committee. Second, the bill took great pains to avoid addressing some agencies that were under the jurisdiction of the Science Committee.

The most obvious problem with the bill in the first instance was its inclusion of the ocean, coastal, and fishery programs within NOAA. As was brought out in our markup, the bill did not attempt to authorize these programs, it attempted to deauthorize them. In particular, the bill sought to eliminate NOAA's role in the Coastal Zone Management Act that was coincidentally reauthorized the day before as a part of the Republican celebration of Earth Day. The bill also contained hostile provisions directed at the Sea Grant Program, the National Marine Fisheries Service and several other important programs. These were not programs that were addressed in any hearing before the Science Committee, yet extensive policy and detailed funding decisions were made a part of the bill.

During the markup, Ms. RIVERS of Michigan offered an amendment to remove these programs from the bill and provide the opportunity to the Committee on Resources to establish more acceptable funding levels for these programs. Her amendment was defeated along party lines. I would stress that every Republican on our committee that voted to authorize the Coastal Zone Management Act on the floor on April 23, voted to deauthorize the program on April 24. Members who spoke to House cameras in warm glowing terms about the Sea Grant Program, voted in committee to slash it. Members who spoke about the importance of the ocean sciences voted to virtually eliminate them.

At the time of Ms. RIVERS' amendment, Democrats were characterized by majority members of the committee in very unflattering terms and were accused of playing politics. I would only point out that our opposition to the structure of the bill was hardly rooted in partisan politics. Indeed, I strongly subscribe to the letter sent by the chair of the Resources Committee describing his perceptions of this state of affairs. He accurately described the absence of any attempt on the part of the

Chair to develop a consensus on these programs as a major factor in the state of legislative gridlock that befell last year's science authorization bill.

What the manager's amendment does not do today is fix the other half of the problem—that is the absence of an authorization for other programs in our jurisdiction. The NIST extramural programs and the Department of Energy R&D programs are vital to many members of the committee on both sides of the aisle. Procedural manipulations were found to exclude these from the bill, but this does not make them less valuable and does not remove them from the responsibility of our committee. Later, Members will be given a chance to vote for these vital programs when they consider my amendment to H.R. 3322—an amendment that fully funds these programs at the President's request levels.

I will close by again stating my support for this amendment. I believe it will improve the bill and provide a better chance for the programs in question to receive a fair treatment before the proper committees of jurisdiction.

With that, Mr. Chairman, I reiterate my support for the chairman's amendment, and I yield back the balance of my time.

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

Mr. Chairman, maybe with that statement we can get past all the internal squabbles in the committee and so on and actually get to discussing real policy here on the floor with regard to science policy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALKER].

The amendment was agreed to.

□ 1545

The CHAIRMAN. The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Omnibus Civilian Science Authorization Act of 1996''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—NATIONAL SCIENCE FOUNDATION

Sec. 101. Short title.
Sec. 102. Definitions.

Subtitle A—National Science Foundation Authorization

Sec. 111. Authorization of appropriations.
Sec. 112. Proportional reduction of research and related activities amounts.
Sec. 113. Consultation and representation expenses.
Sec. 114. Reprogramming.

Subtitle B—General Provisions

Sec. 121. Annual Report.
Sec. 122. National research facilities.
Sec. 123. Eligibility for research facility awards.
Sec. 124. Administrative amendments.
Sec. 125. Indirect costs.
Sec. 126. Financial disclosure.
Sec. 127. Educational leave of absence for active duty.
Sec. 128. Science Studies Institute.
Sec. 129. Educational impact.
Sec. 130. Divisions of the Foundation.
Sec. 131. National Science and Engineering Foundation.

TITLE II—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Subtitle A—General Provisions

Sec. 201. Short title.
Sec. 202. Findings.
Sec. 203. Definitions.

Subtitle B—Authorization of Appropriations

CHAPTER 1—AUTHORIZATIONS

Sec. 211. Human space flight.
Sec. 212. Science, aeronautics, and technology.
Sec. 213. Mission support.
Sec. 214. Inspector General.
Sec. 215. Total authorization.
Sec. 216. Office of Commercial Space Transportation Authorization.
Sec. 217. Office of Space Commerce.

CHAPTER 2—RESTRUCTURING THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Sec. 221. Findings.
Sec. 222. Restructuring reports.

CHAPTER 3—LIMITATIONS AND SPECIAL AUTHORITY

Sec. 231. Use of funds for construction.
Sec. 232. Availability of appropriated amounts.
Sec. 233. Reprogramming for construction of facilities.
Sec. 234. Consideration of committees.
Sec. 235. Limitations on obligation of unauthorized appropriations.
Sec. 236. Use of funds for scientific consultations or extraordinary expenses.

Subtitle C—International Space Station

Sec. 241. Findings.
Sec. 242. Commercialization of Space Station.
Sec. 243. Sense of Congress.
Sec. 244. Space Station accounting report.

Subtitle D—Miscellaneous Provisions

Sec. 251. Commercial Space launch amendments.
Sec. 252. Requirement for independent cost analysis.
Sec. 253. Office of Space Commerce.
Sec. 254. National Aeronautics and Space Act of 1958 amendments.
Sec. 255. Procurement.
Sec. 256. Additional National Aeronautics and Space Administration facilities.
Sec. 257. Purchase of space science data.
Sec. 258. Plan for Mission to Planet Earth.
Sec. 259. Acquisition of earth remote sensing data.
Sec. 260. Shuttle privatization.
Sec. 261. Launch voucher demonstration program amendments.
Sec. 262. Privatization of microgravity parabolic flight operations.
Sec. 263. Unitary Wind Tunnel Plan Act of 1949 amendments.
Sec. 264. Use of abandoned and underutilized buildings, grounds, and facilities.
Sec. 265. Cost effectiveness calculations.
Sec. 266. Procurement ombudsman.
Sec. 267. Authority to reduce or suspend contract payments based on substantial evidence of fraud.

TITLE III—UNITED STATES FIRE ADMINISTRATION

Sec. 301. Short title.
Sec. 302. Authorization of appropriations.
Sec. 303. Fire safety systems in Army housing.
Sec. 304. Successor fire safety standards.
Sec. 305. Termination or privatization of functions.
Sec. 306. Report on budgetary reduction.

TITLE IV—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Sec. 401. Short title.
Sec. 402. Definitions.

Subtitle A—Atmospheric, Weather, and Satellite Programs

Sec. 411. National Weather Service.
Sec. 412. Atmospheric research.
Sec. 413. National Environmental Satellite, Data, and Information Service.

Subtitle B—Marine Research

Sec. 421. National Ocean Service.
Sec. 422. Ocean and Great Lakes research.

Subtitle C—Program Support

Sec. 431. Program support.

Subtitle D—Streamlining of Operations

Sec. 441. Programs.
Sec. 442. Limitations on appropriations.
Sec. 443. Termination of the Corps of Commissioned Officers.

Subtitle E—Miscellaneous

Sec. 451. Weather data buoys.
Sec. 452. Duties of the National Weather Service.
Sec. 453. National Oceanographic Partnership Program.

TITLE V—ENVIRONMENTAL PROTECTION AGENCY

Sec. 501. Short title.
Sec. 502. Definitions.
Sec. 503. Authorization of appropriations.
Sec. 504. Scientific research review.
Sec. 505. Graduate student fellowships.
Sec. 506. Science Advisory Board.

TITLE VI—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Sec. 601. Authorization of appropriations.

TITLE VII—FEDERAL AVIATION ADMINISTRATION RESEARCH, ENGINEERING, AND DEVELOPMENT

Sec. 701. Short title.
Sec. 702. Findings.
Sec. 703. Definitions.
Sec. 704. Management principles.
Sec. 705. Document of April 1, 1996.
Sec. 706. Authorization of appropriations.
Sec. 707. Research priorities.
Sec. 708. Budget designation for Federal Aviation Administration research and development activities.
Sec. 709. Research Advisory Committees.
Sec. 710. National aviation research plan.

TITLE VIII—NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM

Sec. 801. Authorization of appropriations.

TITLE IX—MISCELLANEOUS

Sec. 901. Prohibition of lobbying activities.
Sec. 902. Limitation on appropriations.
Sec. 903. Eligibility for awards.

The CHAIRMAN. Pursuant to the order of the House of today, it is now in order to consider the amendment offered by the gentleman from New Mexico [Mr. SCHIFF].

AMENDMENT OFFERED BY MR. SCHIFF

Mr. SCHIFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHIFF: Page 6, line 21, strike ''$3,250,500,000'' and insert in lieu thereof ''$3,291,700,000''.

Page 6, line 25, strike ''$2,340,300,000'' and insert in lieu thereof ''$2,381,500,000''.

Mr. SCHIFF. Mr. Chairman, the purpose of my amendment, if adopted, would raise the authorization figure for the research and related activities account of the National Science Foundation by $41.2 million. At the time the

House Committee on Science was voting to pass H.R. 3322, the bill we have before us today, the House Committee on the Budget had not yet presented the proposed budget resolution to the full House of Representatives.

On May 16 of this year, the Committee on the Budget proposed and the House of Representatives adopted a budget resolution for fiscal year 1997. In that budget resolution, there was a raise in the same account by the same amount of $41.2 million. So, in other words, my amendment would raise the authorization for the research and related activities account of the National Science Foundation by exactly the amount that we passed in the budget resolution a short time ago.

I want to personally commend Chairman WALKER of the Committee on Science, who is also, of course, vice chairman of the House Committee on the Budget, who I know was instrumental in pressing for this increase in basic research authorization.

I believe, Mr. Chairman, that we should continue to seek all of the authorization for which we can be fiscally responsible, that is, for which the funds can be identified and found to support Federal research. Since we have accomplished that through the budget resolution, I would like to make our bill here today, H.R. 3322, match the budget resolution in the same account.

Mr. DOYLE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, although I anticipate much partisanship in the debate over H.R. 3322, I want to point out that the National Science Foundation enjoys strong bipartisan support. I want to thank Basic Research Subcommittee Chairman SCHIFF for the professional, nonpartisan manner in which he has conducted himself on all matters within Basic Research's jurisdiction, including the NSF.

On the NSF budget generally, I hope that we will continue to maintain our history of bipartisan advocacy. The support that NSF provides in meeting a wide variety of challenges in math, science, and engineering education cannot be overstated. In my region, both Carnegie-Mellon University and the University of Pittsburgh rely heavily on NSF support to conduct important research in a number of areas.

What concerns me enough to rise at this point, is the future of NSF's Supercomputing Program. The Basic Research Subcommittee has held two hearings relating to the Supercomputing Program, one on the high performance computing and communications initiative in general, and one on NSF's decision to recompete its Supercomputing Program. The common theme in these two hearings was that we are letting funding issues compromise the integrity of what has been recognized by Members in both parties as a model program.

What especially disturbs me is NSF's decision to ''recompete'' its leading edge centers based upon the findings of the Hayes Report. The Hayes Report found that there needed to be greater emphasis placed on regional computing centers in order to ease the extreme burden being placed on the four leading-edge centers. I agree that the best way to help meet the demands for user time at the leading-edge centers is to increase the capabilities of the regional centers. If there are projects that require less capacity, or the merits of larger projects can be initially judged at the regional centers, then we should pursue it. What troubles me is that the only way anyone has chosen to enhance the regional centers is at the expense of the leading-edge centers. In other words, NSF has decided that the way to solve one problem is to create another, potentially more serious problem.

We are confronted with a situation where, in order to enhance the ability to access a valuable research tool, we are going to reduce that tool's capacity. I know that this situation is of concern to Members on both sides of the aisle. During the hearing on the Supercomputing Program there were many Members in both parties who said that if money was the only force driving the downsizing of leading-edge centers, then we should find the money elsewhere and not deconstruct one of our Government's greatest success stories.

I do not take issue with formalizing the relationships between leading-edge and regional facilities through the proposed partnership centers. However, witnesses at our hearing seemed quite clear that there was nothing about the reorganization that was leading to a potential downsizing of leading-edge centers. Rather, it was budgetary concerns that were driving this process.

In response to a question posed by Congressman BOEHLERT, Dr. Ed Hayes, chairman of the task force on the Future of NSF Supercomputing Centers, stated:

> The concern is that . . . if these [Partnership] centers come into being and the NSF budget did not grow at a rate significantly above inflation for this program, you would not be able to keep up with the recapitalization cycle that would be necessary to keep the leading-edge sites at a level that would be sufficiently interesting to draw the very best researchers . . .

Later, in response to a question I posed about why we were considering downsizing centers that were over subscribed, Dr. Hayes said:

> And if the NSF budget would support, with the recapitalization I mentioned earlier, more than the minimum of two [Partnership Centers] that we were strongly pushing for, then within the concept of the partnership I think there will be quite a comfort level and enthusiasm for doing that.

Despite the assertions of NSF that funding is not the issue here, our committee's hearing record seems to indicate otherwise. Rather, it seems to me that the recompetition is based upon NSF trying to predict future funding decisions by the Congress. In this case, it seems like the analysis of the task force was done correctly, but they then went beyond the scope of their mission by presupposing future funding decisions by Congress.

My admonition to the NSF is not to base policy decisions by guessing how the Science Committee is going to act. As we just witnessed with the Schiff amendment, preordained authorization caps have a way of changing around here. If current funding for the Supercomputing Program is not sufficient to keep the United States as a world leader in high-speed computing, let us know, and we will act accordingly.

I do not intend to offer an amendment at this point. But I do want to put the NSF on notice that there are many Members of Congress who are watching the recompetition with a watchful eye, and are not necessarily pleased with what they have seen so far.

Mr. WALKER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the gentleman from New Mexico has described the situation in which we find ourselves with regard to this amendment. The budget did permit some additional latitude for some spending in the basic research accounts at the NSF, and so I am very much supportive of what the gentleman has decided to do here, because we are obviously then conducting this increase within the context of the balanced budget to which the House has agreed.

I do want to point out that this amount of money would then actually increase the House-passed levels for basic science within the National Science Foundation to a level above that which the administration requested, and I think also that it indicates our commitment to continuing this.

With regard to what the gentleman from Pennsylvania has just stated, I personally have visited the supercomputing center in Pittsburgh, and agree that those supercomputing centers are a valuable part of the network that we are establishing across the country and that NSF needs to be cognizant of that. While NSF has claimed that there are no particular money problems, that this is largely a policy-related issue that is being done, the fact is that this increase in the Schiff amendment does give them sufficient resources within this account to do a number of things, plusing up university accounts, dealing more meaningfully with supercomputers.

There are a number of things that NSF has it within their capacity to do. I hope that they do resolve the problems with regard to supercomputers in a way that assures that the Nation has a strong foundation, because obviously the communication tools of the future have a great deal to do with the knowledge economy of the future.

So I certainly would indicate that the gentleman has raised a legitimate issue. It is one that the committee will continue to watch from the standpoint of NSF. I thank the gentleman from

New Mexico for his amendment. I think it is a valuable addition to the bill.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words and I rise in support of the gentleman's amendment.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I would not normally belabor this point and delay action on this very meritorious amendment, but I always have the feeling that we are getting a certain spin attached to these amendments which kind of rankles me a little bit, and so I have to get up and give my own spin although I end up supporting the amendment likewise.

As was the case with the authorization bill last year, the same is true this year. Each subcommittee was given a ceiling by the chairman of the full committee which was slavishly adhered to in the subcommittee. The result for NSF for last year, fiscal year 1996, is that the authorization passed last year by the House but not yet enacted into law, of course, is $94 million less than the actual appropriations bill. So now after our committee has reported the bill and following the results of the fiscal year 1996 appropriations process, which was just completed a few weeks ago, we are now adding $40 million to NSF's research accounts that was done in the Committee on Appropriations and we now have an amendment to raise our authorization level by a similar amount. This could have been avoided, of course, if the committee had been allowed to follow its own best judgment last year.

This additional funding will provide enough growth to at least offset inflation as opposed to the 1-percent increase provided in the underlying bill as reported by the committee. Because of the strong sentiments that the majority has expressed in support of basic research, it was surprising to me that so little growth was provided in the core research activities of NSF. The Democratic substitute, which I offered in committee, of course, attempted to correct this miserly treatment of NSF's research account by providing growth of nearly 5 percent above the fiscal year 1996 appropriation, but our proposal in committee was rejected on a party line vote.

While I support the increase provided by the amendment, I am nevertheless disappointed that it is still $40 million below the level in the Democratic substitute which I am offering later today. This may seem like a relatively small difference, but it translates into a loss of 500 individual research grants to university researchers. Basically this amendment will only allow research project funding to stay even with inflation. It provides no real growth which advances fundamental knowledge and underpins the technological strength of the Nation.

I am also disappointed that the amendment is limited to raising the authorization level just for the research account. No increase is proposed to raise the allocation for the internal operations of the agency which have been cut by $7 million below the 1996 appropriation level. This is an extreme cut for an agency which consumes only 4 percent of its total budget on internal operations and which has maintained a constant work force for the past decade while the workload has doubled. NSF estimates that a cut of this magnitude translates into a loss of up to 120 staff positions, or about 10 percent of its work force.

While I support this amendment, I do not believe it goes for enough to ensure the continuance of a vigorous and well-managed program at NSF.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico [Mr. SCHIFF].

The amendment was agreed to.

The CHAIRMAN. Pursuant to the order of the House of today, it is now in order to consider amendment No. 3 by the gentleman from Pennsylvania [Mr. GEKAS].

AMENDMENT OFFERED BY MR. GEKAS

Mr. GEKAS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GEKAS: Page 87, after line 21, insert the following new subsection:

(h) REPORT.—Section 704 of the Weather Service Modernization Act (15 U.S.C. 313 note) is amended by adding at the end the following new subsection:

''(c) REPORT.—The National Weather Service shall conduct a review of the NEXRAD Network radar coverage pattern for a determination of areas of inadequate radar coverage. After conducting such review, the National Weather Service shall prepare and submit to the Congress, no later than 1 year after the date of the enactment of the Omnibus Civilian Science Authorization Act of 1996, a report which—

''(1) assesses the feasibility of existing and future Federal Aviation Administration Terminal Doppler Weather Radars to provide reliable weather radar data, in a cost-efficient manner, to nearby weather forecast offices; and

''(2) makes recommendations for the implementation of the findings of the report.''.

Mr. GEKAS. Mr. Chairman, I say to my colleagues that I must precede the text of my amendment, an explanation of it, by a brief history of what brings us to the floor today.

In recent history of the National Weather Service in our area, in central Pennsylvania, we learned several years ago, to our dismay, that the reorganization of the National Weather Service apparatus was going to include a transfer of the National Weather Service headquarter, from Harrisburg, the capital of the State, to State College, the home of Penn State, for its real nexus in the weather service planning that was then going on.

□ 1600

We expressed our concerns, those of us who live in and represent the people of the central Pennsylvania area around Harrisburg, because we felt that any such move would create gaps in the coverage that historically was well covered by the Harrisburg center. Well, as it turned out, we were overruled, and the move was authorized and actually made.

Now, what happened in 1994, a tornado hit in the city of Harrisburg, in the capital city, feet away, just yardage away as it were, from the former weather station, and it went undetected. Now, here is the weather station at State College, with NEXRAD capacity, state-of-the-art, high velocity and high capacity weather service predictable apparatus, and the tornado in Harrisburg was missed.

We believed then and we believe now that this was a kind of a gap that was created by the positioning of NEXRAD in State College, which by the rationale of the topography itself would overshoot the very site where this little tornado occurred.

Well, if that was not enough, several other little incidents happened and episodes were not detected. So in 1995, a year ago, right in this Chamber, on a similar bill, we in the front of the subcommittee then chaired, still chaired, by the gentleman from California [Mr. ROHRABACHER], we offered a simple amendment to try to remedy this gap situation. Then we learned that there were many other sectors of the country where similar gaps were occurring.

When the committee held hearings on this same subject, many of our colleagues testified to the very same kind of gap. What we came up with in central Pennsylvania, through the auspices of some people who work for the National Weather Service and other experts, was that some of these gaps could be filled by simply piggybacking with the Federal Aviation Administration, the FAA, capacity at nearby airports.

Harrisonburg International Airport, which is also at the footstep of the capital of the Commonwealth, was in operation and we felt that maybe we ought to contact them and see whether they could fill the gap in on some of these related episodes that the State College facility could not pick up.

At any state, we offered an amendment to study the feasibility of such a piggybacking capability, and the committee and then the House passed this amendment and the bill to which it was attached, and so we were on our way, we felt, to solving this problem. Well, the bill never really became law, and then we found ourselves trying to fight the same battles.

Now, what happened? The Secretary of Commerce, in response to a mandate, issued in 1995, in October 1995, a report on this very same subject, and in that report, ''The Secretary's Report to Congress on Adequacy of NEXRAD Coverage and Degradation of Weather Services Under National Weather Service Modernization for 32 Areas of Concern,'' that is the title of the report,

which acknowledges just in the title that there was a degradation of national weather services and also that there was a problem with the adequacy of NEXRAD coverage, in that they come up with a recommendation in this report, and I am reading directly from the report now, which says that the team, the team that works on these projects, finds that there is significant potential for weather data from these radars, meaning the FAA radars, to enhance the quality control of WSR–88–D data and to provide valuable additional viewing angle perspectives for particular storms, which is an exact composition to what we were averring back in 1994 and 1995 about filling in the gaps.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. GEKAS] has expired.

(By unanimous consent, Mr. GEKAS was allowed to proceed for 1 additional minute.)

Mr. GEKAS. So my amendment, Mr. Chairman, which I understand both the minority and the majority have agreed to incorporate into the legislation, simply follows through with the Secretary of Commerce's recommendations to have a biagency task force look into the further feasibility of what we have proposed now for 2 years. In this way we can begin to fill those gaps that, unfortunately, have been occurring too often, and in too many places across the Nation.

Mr. BROWN of California. Mr. Chairman, I rise in support of the gentleman's amendment.

I want to compliment the gentleman for the assiduous way in which he has carried out the pursuit of trying to upgrade the Weather Service as it involves his particular area, and I am sure he would also want to do that for the other parts of the country as well.

He has correctly reported the facts here, and any earlier objections I may have had to past amendments that the gentleman had were not based on their merits, but on the feeling that we would probably be able to accomplish these things by putting the pressure necessity on the various agencies that are involved. It turns out, of course, that the National Weather Service has been persuaded by his continued concern and by others' to follow essentially the path which he recommended, without the passage of any additional legislation.

So I would urge other Members to be as diligent in pursuing such worthy objectives as the gentleman from Pennsylvania has, and that these objectives can frequently be obtained by such diligent effort without the necessity of passing additional legislation which can sometimes be misinterpreted.

Now, part of my problem was I have Members from all over the country coming to me, complaining in the same way that the gentleman had about the inadequacy of the coverage and the problems related from this transfer that we are making to try to upgrade Weather Service capability. I have had to tell them I do not think we need a separate law to correct this, that we can correct it in the fashion that the gentleman has exemplified here, and I just want to commend the gentleman for what he has done.

Mr. WALKER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the Gekas amendment encourages the National Weather Service to follow through on the Secretary of Commerce's recommendation to initiate a dialogue with the FAA to assist in the potential for the National Weather Service using FAA weather radar.

This is a good amendment, and I encourage my colleagues to support it.

Mr. TRAFICANT. Mr. Chairman, I move to strike the requisite number of words.

I think we have put so much faith in this new system, NEXRAD, that we have overlooked some basics and I think we have put some communities at risk. I think the gentleman from Pennsylvania [Mr. GEKAS] very ably here articulates the fact of what happened in his community. There are other communities like mine that are waiting for some of these things to happen.

We have gotten so sophisticated, I think we have lost a little commonsense. This is a good amendment and I am not quite so sure it even goes far enough. I think the Congress must review the lifesaving ability of having more eyes and ears and radar activities looking at volatile weather than we have the right now, and this is a step in that direction, but certainly will not be our final answer.

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

Mr. TRAFICANT. I yield to the gentleman from Pennsylvania.

Mr. GEKAS. Mr. Chairman, the gentleman from Ohio poses an interesting question. I am wondering, too, whether or not we ought to be conducting a review of NEXRAD and how it has worked in its brief lifetime, because many of these problems were foreseen at the time that the reorganization was instituted, and now it is not enough for us to say I told you so.

I believe that what the gentleman has said may prompt us to get together and see if there is some kind of easy review we can make of the NEXRAD capacity. I thank the gentleman.

Mr. TRAFICANT. Mr. Chairman, reclaiming my time, I would like to work with the gentleman on that. I think he has very ably brought us to a position where maybe something might be done here that might help the country in a lot of areas that have not had some of the problems that he has had but might be waiting for those disasters to happen.

With that, I support the amendment, and I want to compliment the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. GEKAS].

The amendment was agreed to.

Mr. SOUDER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Without objection, the gentleman from Indiana is recognized for 5 minutes.

There was no objection.

Mr. SOUDER. Mr. Chairman, I rise to engage the chairman of the Committee on Science in a colloquy concerning authorization for NEXRAD radars for the National Weather Service.

Is it not the case that this bill in the 1992 authorization, Public Law 102–567, authorized full funding for the administration's request for the NEXRAD line items?

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

Mr. SOUDER. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, as the report indicates, the gentleman correctly states that the committee supports the administration's request for NEXRAD systems acquisition of $53,145,000 in fiscal year 1997.

Mr. SOUDER. Mr. Chairman, the President's request includes funding for a new NEXRAD unit to be placed in the vicinity of Fort Wayne, IN, and new units in the southeast Tennessee/northern Alabama region, and in Arkansas, as recommended by the Secretary of Commerce. Is obligation of funds for these units in fiscal year 1997 consistent with the limitations contained in section 411(c) of the bill?

Mr. WALKER. If the gentleman will further yield, Mr. Chairman, my understanding is that the Secretary intends to make the certificate necessary under Public Law 102–567 in section 411 and has every expectation to be able to do so.

The language in H.R. 3322, subject to the Secretary's certification and inclusion in the fiscal year 1997 National Weather Service implementation plan, enables the construction of the three units noted by the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I thank the gentleman for his clarification and his leadership on this bill and in ensuring that areas vulnerable to severe weather receive adequate warning. This is a critical safety concern for northeast Indiana because our State ranks first in the Nation in tornado deaths. You might say we have twisted twisters. We very much appreciate the efforts of the gentleman from Pennsylvania, Chairman WALKER, and the subcommittee chairman, the gentleman from California, Mr. ROHRABACHER, on this issue.

The CHAIRMAN. Pursuant to the order of the House of today, it is now in order to consider amendment seven by the gentleman from Texas [Mr. THORNBERRY].

AMENDMENT OFFERED BY MR. THORNBERRY

Mr. THORNBERRY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. THORNBERRY: Page 87, after line 21, insert the following new subsection:

(h) NEXRAD OPERATIONAL AVAILABILITY AND RELIABILITY.—(1) The Secretary of Defense, in conjunction with the Administrator of the National Oceanic and Atmospheric Administration, shall take immediate steps to ensure that NEXRADs operated by the Department of Defense that provide primary detection coverage over a portion of their range function as fully committed, reliable elements of the national weather radar network, operating with the same standards, quality, and availability as the National Weather Service-operated NEXRADs.

(2) NEXRADs operated by the Department of Defense that provide primary detection coverage over a portion of their range are to be considered as integral parts of the National Weather Radar Network.

Mr. THORNBERRY. Mr. Chairman, this amendment is the exact same as an amendment that was accepted by all sides on this bill last year and its seeks to deal with a subset of the problem that we have already heard some discussion of, and that is inadequacies of coverage in the new dopler radar system.

Most of the country is protected by radar which are run by the National Weather Service. However, some of the country is protected by radars which are run by the Department of Defense, and it is those radars which feed into the National Weather Service system to provide coverage.

For example, in a great part of my district, primary coverage is provided by a radar run by the Air Force near Frederick, OK and backup service for that area is provided by a radar by the Air Force out of Dyess Air Force Base near Abilene. Now, the difficulty arises because the radars run by the Department of Defense are not held to the same standards as the radars which are operated by the National Weather Service themselves. So what we have experienced in our area are that communication lines go down, power to the radar goes down, and often, when we most need these radars, they are simply unavailable.

As a matter of fact, studies by the National Research Council and the GAO confirm that these DOD radar are simply not available as much as National Weather Service radar, and the effect is they simply do not offer the same level of protection as the National Weather Service radar.

My amendment simply says that DOD radar in the system have to meet the same standards as the National Weather Service radars so that there will be no second class of coverage for anybody in this country.

Now, since we have had this debate last year, I have to report that the situation in my particular region has gotten better. And I appreciate the efforts of the Air Force, the National Weather Service, and others involved in making sure the radar is available more of the time than it was the time before. In particular, I want to thank the gentleman from Pennsylvania, the chairman of the committee, who has helped bring this problem to the attention of the relevant agencies and pressed them as we move forward for modernization to make sure nobody is left behind. The chairman of the subcommittee has been helpful as well.

I know all Members share my determination to make sure that there is no second class of coverage and that those folks who are relying on the DOD radar get the same amount of coverage at least as the folks who rely on the National Weather Service radar.

Mr. Chairman, hopefully, one of these days we will have a rain cloud in my district so that we can really put this system to the test. We look forward to that day, but in the meantime, I appreciate my colleagues supporting this amendment.

□ 1615

Mr. WALKER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the amendment offered by the gentleman from Texas [Mr. THORNBERRY] is similar to an amendment adopted by the full House last year. It requires the Department of Defense to live up to its commitment to provide NEXRAD radar coverage in selected regions of the country.

DOD's NEXRAD radar is an important component of our Nation's weather coverage. If DOD does not supply the National Weather Service with the NEXRAD it has agreed to supply, gaps in the coverage will occur.

So the amendment of the gentleman from Texas addresses this, and I commend the gentleman for his amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. THORNBERRY].

The amendment was agreed to.

The CHAIRMAN. Pursuant to the order of the House of today, it is now in order to consider amendment No. 22 by the gentleman from Ohio [Mr. TRAFICANT].

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TRAFICANT: Page 137, after line 4, insert the following new section:

SEC. 904. BUY AMERICAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that any recipient of a grant under this Act, or under any amendment made by this Act, should purchase, when available and cost-effective, American made equipment and products when expending grant monies.

(b) NOTICE OF RECIPIENTS OF ASSISTANCE.—In allocating grants under this Act, or under any amendment made by this Act, the Secretary shall provide to each recipient a notice describing the statement made in subsection (a) by the Congress.

Amend the table of contents accordingly.

Mr. TRAFICANT. Mr. Chairman, I would like to take off on something that was mentioned by the gentleman from California [Mr. BROWN].

This is the last year here in Congress for the gentleman from Pennsylvania [Mr. WALKER], and I would like to say to the gentleman, if I can get his attention, I want to commend him for distinguished service to his district, to the Congress and to the country. He has been a Member that said ''no'' around here at the times he had to.

Mr. Chairman, this amendment, I think everybody understands it. I would like to see more American products purchased with more of our procurement dollars, because American workers get a paycheck and pay the taxes for all of these ''Buck Rogers'' experiments that are not reality. I think it is very important.

Mr. Chairman, I want to thank Chairman WALKER, who could have raised points of order on a couple of appropriation bills on more significant buy American language, and he did not. I believe this is reasonable. This language affords an opportunity for recipients of grants to be encouraged, wherever feasible, to buy American-made products. They are to get a notice to that effect, and hopefully that will happen.

In the year to come, I will be asking for a report, an investigation that would monitor the types of procurement and the dollars that are spent on products that may not be made in America, and if those products were available here, at a cost-competitive price.

So finally, in also saying that, I urge the committee to also look forward to participatory moneys pledged by other nations and governments who are to explore space with us and make sure we just do not get another song and dance from them; that we actually get some of their yens and some of their deutsche marks and some of their cash.

Mr. Chairman, I yield to the distinguished gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I appreciate the gentleman's kind words. As the gentleman knows, it is much easier to say yes around here than it is to say no, and I appreciate his comment.

Mr. Chairman, I am not going to say no to the gentleman's amendment. I am going to agree with the gentleman's amendment and urge the House to adopt it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Pursuant to the order of the House of today, it is now in order to consider amendment No. 18 by the gentleman from Indiana [Mr. ROEMER].

AMENDMENT 266, AS MODIFIED, OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer an amendment, as modified.

The Clerk read as follows:

Amendment, as modified, offered by Mr. ROEMER:

Page 122, after line 9, insert the following new section:

SEC. 507. ENDOCRINE DISRUPTER RESEARCH PLANNING.

(a) SHORT TITLE.—This section may be cited as the ''Endocrine Disrupter Research Planning Act of 1996''.

(b) FINDINGS.—The Congress finds that—

(1) recent reports in the media have focused public attention on a possible link between exposure to chemicals that may mimic hormones and may have adverse biological effects in humans and wildlife, including carcinogenic, reproductive, neurological, and immunological effects, now commonly referred to as endocrine disrupters;

(2) given the significant scientific uncertainties concerning the effects of such endocrine disrupters on humans and wildlife, it cannot at this time be concluded whether or not endocrine disrupters constitute a significant threat to human health or the environment;

(3) neither a conclusion that endocrine disrupters pose an imminent and serious threat to human health and the environment, nor a conclusion that the risks are insignificant or exaggerated, is warranted based on the present state of scientific knowledge;

(4) additional research is needed to more accurately characterize the risks of endocrine disrupters;

(5) risk assessment principles should be used to guide the development of a coordinated research plan to ensure that research results are relevant and adequate to objectively estimate risk to guide future public policy decisions;

(6) research carried out by the Federal Government should be done in a planned and coordinated manner to ensure that limited resources are spent efficiently and that critical information gaps are filled as quickly as possible; and

(7) researchers from academia, industry, and Federal laboratories should coordinate efforts to prioritize research topics, identify capital needs, and, in general, develop a comprehensive research plan to address important scientific and policy questions surrounding the potential effects of such chemicals.

(c) RESEARCH PLANNING REPORT.—

(1) REPORT.—The Administrator, in coordination with other Federal agencies with scientific expertise in areas relevant to assessing the human health and ecological risks of endocrine disrupters, shall submit to Congress, along with the President's Budget Request for Fiscal Year 1998, a plan for conducting research needed to objectively assess and characterize the risk of endocrine disrupters on human health and environment.

(2) CONTENTS.—The plan submitted under this section shall include—

(A) the role of each participating agency in the research plan and the resources required by each agency to carry out the research plan, including human and capital resources needed to ensure that agencies have appropriate expertise, facilities, and analytical capabilities to meet the goals of the research plan;

(B) the mechanisms by which each agency will carry out research, including the use of Federal laboratory facilities, extramural grants and contracts, and cooperative research and development agreements with universities, research centers, and the private sector, and mechanisms to avoid duplication of effort and for appropriate peer review, including independent and external peer review of Federal agency intramural research;

(C) specific research strategies and timeliness for addressing the critical information gaps with respect to hazard identification, dose-response assessment, and exposure assessment; and

(D) an assessment of the current state of scientific knowledge concerning effects of synthetic and naturally occurring endocrine disrupters on human health and the environment, including identification of scientific uncertainties unlikely to be capable of significant resolution in the near term, studies which support or fail to support conclusions of adverse public health effects, and the opportunity for public comment on such assessment.

(d) SAVINGS CLAUSE.—Nothing in this section is intended to alter, or otherwise affect any statutory authority of the Environmental Protection Agency or any other Federal regulatory agency or regulate substances which may pose a threat to the public health or the environment.

Amend the table of contents accordingly.

Mr. ROEMER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROEMER. Mr. Chairman, I offer an amendment on endocrine disrupters. Before I get into what this amendment does and what we hope to accomplish with it, I think I should explain what endocrines are and what endocrine disrupters are.

Endocrines are chemicals that control many functions of the human body, including our ability to reproduce, grow up, metabolize food, and fight diseases.

Endocrine disrupters are chemicals in the environment that imitate these hormonal chemicals and potentially alter growth, reproduction, and other biological functions in animals and humans.

Reports in many works of scientific literature, including ''Our Stolen Future,'' this book that I hold in my hand by Theo Colburn, among others, indicate that some man-made chemicals have endocrine effects in birds and other wildlife that result in abnormal development and potential reproductive problems. High levels of certain man-made endocrine disrupting chemicals have been associated with increased rates of breast cancer in some human beings.

Thus, some endocrine disrupters are man-made chemicals. Others are naturally occurring substances.

A wide variety of substances, including pesticides, ''plasticizers'' and breakdown products from detergents, have been shown to have the ability to act in some cases as endocrine disrupters.

For example, the microwaving of food in plastic containers may transfer endocrine-disrupting chemicals from the plastic into the food. We all are very familiar with the process of putting some food in a plastic container, putting it in a microwave; and sometimes some literature has indicated that that might migrate from the plastic into the food. This might be a problem that we should be concerned about.

Additional research is needed to understand how prevalent such endocrine-disrupting chemicals are in our daily lives and what impact they have on human health, wildlife, and the environment.

The say we go about studying this, Mr. Chairman, is not to say, as some have said in the past, that we need to throw money at this problem and we need to get every Federal agency and bureaucracy studying it differently.

It is also not, as some have indicated in the past, in the future to completely ignore this problem and to say there is no problem here, let us neglect this and see if people begin to get sick. We have said a new approach, a third way, a new idea.

We say in this amendment there is neither a conclusion that endocrine disrupters pose an imminent threat nor that there is a conclusion that the risks are insignificant or exaggerated based on the percent state of scientific knowledge. Further research is required.

Let us use the risk assessment principles that we have talked about in the last few years to better study this problem. Let us coordinate our Federal research bureaucracy and not have everybody begin to study it, but begin to concentrate a study in a few areas.

That is what this amendment does. Let us study and research on a scientific basis, using risk assessment principles in a new way, whether we do have a problem with plastic, with detergents, with pesticides; and if we can do that, we may need to come before Congress in the future and study it further.

This amendment does not require a new appropriation of money. It simply seeks to coordinate what we might be doing in the future as our budgets are declining. And as our budgets are restrained here in the U.S. Congress, let us try some new ideas to study some potentially very, very serious new problems.

Mr. Chairman, I hope that the body will agree to this amendment.

Mr. BROWN of California. Mr. Chairman, I rise in support of the amendment offered by the ranking member of the Subcommittee on Energy and Environment. This issue has captured the attention of the press and public in recent weeks, but in fact research in this area has been ongoing for over 15 years now. I believe the gentleman is correct in assuming that this is more than a passing fancy. The issues raised by the release of the book, ''Our Stolen Future,'' are of concern and deserve the serious attention of this committee.

The design and implementation of a good research plan is essential to gaining sound scientific information about the nature and scope of this problem. These efforts are already underway

within the Federal Government. It is Congress that now needs to participate in these efforts. The research report required under the amendment will provide us with a solid basis to make recommendations for future authorizations that may be needed.

I want to commend the gentleman for his efforts in drafting an amendment that can be agreed to by people with varying opinions about the validity and seriousness of this issue. I have no doubt that we will have other opportunities to debate this issue before the close of this Congress. There is more that Congress could do in this area, but we should surely not do less than is provided for in this amendment. We may be asked to make tough policy choices in the future on this issue. We should make those choices from an informed position, that is what the Roemer amendment will help to ensure. I urge its adoption.

Mr. WALKER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Roemer-Boehlert amendment to require EPA to plan and coordinate endocrine disrupter research. The Committee on Science has strongly supported EPA research on endocrine disrupters, including more money in H.R. 3322 than the administration had requested. We have an $8 million total amount in this bill, which is 10 percent above the President's request of $7.1 million.

The Roemer-Boehlert amendment helps us, though, to define that research and will require the Environmental Protection Agency to submit to Congress a plan for conducting research needed to objectively assess and characterize the risk of endocrine disrupters.

Recent concerns have been raised about the broad array of both natural and synthetic compounds which have the capacity to mimic both human and animal hormones disrupting the body's natural state. These components, known collectively as endocrine disrupters, have been alleged to contribute to a wide variety of human and environmental maladies, including reduced sperm counts and increased instances of fetal abnormalities.

While the media has widely reported as fact the hypothesis that synthetic compounds are causing human sperm counts to decline worldwide, credible scientific research on the issue is lacking. Even the premise that sperm counts are declining remains unproven.

The amendment will go a long way toward establishing a scientifically sound research plan to address the potential impacts of endocrine disrupters. The research can then be used to do any necessary assessments of the best estimate of risk, based on the weight of the scientific evidence, and to pursue necessary cost-benefit analysis, should any regulatory mechanisms be proposed.

Mr. Chairman, this is a good amendment. I support it, and I thank the gentleman from Indiana for bringing it to the attention of the House.

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

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

Mr. ROEMER. Mr. Chairman, I thank the gentleman from Pennsylvania for his support of this amendment, and look forward to working with the gentleman in the course of his remaining time here in Congress to see that we do come up with a new way of studying what could be a very significant problem.

Mr. WALKER. Mr. Chairman, reclaiming my time, I thank the gentleman.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Indiana [Mr. ROEMER].

The amendment, as modified, was agreed to.

The CHAIRMAN. Pursuant to the order of the House of today, it is now in order to consider amendment No. 2 offered by the gentleman from Alabama [Mr. CRAMER].

AMENDMENT NO. 2, AS MODIFIED, OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment, as modified.

The Clerk read as follows:

Amendment as modified, offered by Mr. CRAMER: Page 87, lines 1 through 21, amend subsection (g) to read as follows:

(g) WEATHER SERVICE MODERNIZATION.—The Weather Service Modernization Act (15 U.S.C. 313 note) is amended—

(1) in section 706—

(A) by amending subsection (b) to read as follows:

''(b) CERTIFICATION.—The Secretary may not close, automate, or relocate any field office unless the Secretary has certified to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives that such action will not result in degradation of service to the affected area. Such certification shall be in accordance with the modernization criteria established under section 704.'';

(B) by striking subsections (c), (d), (e), and (f); and

(C) by inserting after subsection (b) the following new subsections:

''(c) SPECIAL CIRCUMSTANCES.—The Secretary may not close or relocate any field office which is located at an airport, if the Secretary, in consultation with the Secretary of Transportation and the Committee, determines as a result of an air safety appraisal that such action will result in degradation of service that affects aircraft safety. This air safety appraisal shall be issued jointly by the Department of Commerce and the Department of Transportation before September 30, 1996, and shall be based on a coordinated review of all the airports in the United States subject to the certification requirements of subsection (b). The appraisal shall—

''(1) consider the weather information required to safely conduct aircraft operations and the extent to which such information is currently derived through manual observations provided by the National Weather Service and the Federal Aviation Administration, and automated observations provided from other sources including the Automated Weather Observation Service (AWOS), the Automated Surface Observing System (ASOS), and the Geostationary Operational Environmental Satellite (GOES); and

''(2) determine whether the service provided by ASOS, and ASOS augmented where necessary by human observations, provides the necessary level of service consistent with the service standards encompassed in the criteria for automation of the field offices.

''(d) PUBLIC LIAISON.—The Secretary shall maintain for a period of at least two years after the closure of any weather office a program to—

''(1) provide timely information regarding the activities of the National Weather Service which may affect service to the community, including modernization and restructuring; and

''(2) work with area weather service users, including persons associated with general aviation, civil defense, emergency preparedness, and the news media, with respect to the provision of timely weather warnings and forecasts.''; and

(2) in section 707—

(A) by amendment subsection (c) to read as follows:

''(c) DUTIES. The Committee shall advise the Congress and the Secretary on—

''(1) the implementation of the Strategic Plan, annual development of the Plan, and establishment and implementation of modernization criteria; and

''(2) matters of public safety and the provision of weather services relate to the comprehensive modernization of the National Weather Service.''; and

(B) by amending subsection (f) to read as follows:

''(f) TERMINATION.—The Committee shall terminate—

''(1) on September 30, 1996; or

''(2) 90 days after the deadline for public comment on the modernization criteria for closure certification published in the Federal Register pursuant to section 704(b)(2),

whichever occurs later.''.

Mr. CRAMER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment, as modified, be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CRAMER. Mr. Chairman, the Weather Service Modernization Act, which was passed in 1992, established procedures for the modernization of the National Weather Service. A lot of us here today, the gentleman from Indiana [Mr. ROEMER] included, and the gentleman from Tennessee [Mr. WAMP] as well, have fought long and hard to make sure that our areas of the country were included in that modernization plan.

There were two points that we raised consistently about this modernization act. One was the requirement that no Weather Service office can be closed or automated without a certification that the closure would not result in degradation of service to the affected area.

Let me repeat that in lay language. We do not want Weather Service offices closed without a certification that there is no degradation of service there.

So as we proceed with the modernization plan, we are proceeding with a network of NEXRAD radars that will cover the entire country. A lot of us have talked about our concerns about

the NEXRAD radars, but we have not talked as much about the closure of the Weather Service offices.

Mr. Chairman, I support the modernization plan, but I think there is a balance between no certification at all, which the committee bill stands for, and a streamlined certification process.

Mr. Chairman, I want to commend Chairman WALKER and the staff of the committee for working with us, those of us that are concerned, to make sure that we develop the proper balance between cost savings and the protection of our citizens, because we are talking about the protection of lives when we are talking about the closure of the Weather Service offices.

□ 1630

We need a certification process. There must be some specific accountability before we are going to say that we will not serve an area through the existing weather service office. It has taken many of us Members of Congress a few years to make sure that our areas were in fact given consideration for the modernization process. I know the gentleman from Indiana [Mr. ROEMER] and I, through the committee, on the floor, as well, have fought consistently and maintained that we were in gap areas, that the modernization plan did not in fact cover our areas and that our children, our families, people in church, people in schools, people in their homes would in fact be very vulnerable.

Mr. Chairman, just this past weekend in my district we had another weather service pattern that moved in. We were glued to our TV's as we watched the NEXRAD coverage in my district from 100 miles south. We looked at the local weather service Doppler radar that we have in our area as well, all of that trying to see if we could be protected. So when we are talking about saving money, we have also got to be talking about saving lives and some built-in checks and balances in this process.

Mr. Chairman, my amendment today would accomplish a streamlining of the certification process. As I said a few minutes ago, I want to commend the gentleman from Pennsylvania Chairman WALKER, and thank him for working with us on making sure that we have at least a streamlined certification process. We will eliminate the costly and time-consuming requirement that each closing certification be published in the Federal Register for 60 days. We will eliminate by September one of the two current oversight committees involved in the process. This streamlining will save $35 million over 5 years and will eliminate redundancies that are currently in the law.

Mr. Chairman, I am in favor of streamlining the modernization process, but I am not willing to sacrifice the safety of people. This is a safety issue, and I thank the chairman for accepting my committee amendment.

Mr. ROEMER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong support of the amendment of the gentleman from Alabama [Mr. CRAMER]. He and I have worked over the past 4½ years, I believe, on the committee that we serve on together to try to make sure that public safety is not compromised when an office is prematurely closed.

Let me just relate an instance of this concern to the people in this body and again salute the gentleman from Alabama for taking such a critically important lead role in this amendment. In Indiana right now, as the distinguished chairman over the whole body knows, being a Member from Indiana, we are seeing a host of tornados and floods hit our area. This is not only potentially endangering school children that may be getting on a bus to go to school for one of the last days of school in Indiana when they need not be if they had a sufficient warning out there from radar that covered our area, which the National Research Council says does not; we do not have adequate coverage in our area right now.

So school children going out to get on a school bus at 6:30 in the morning may not have to take that risk, if we got the sufficient scientific data out there and then the warning on the radio that school was closed and we had a dangerous situation, inclement weather or a tornado in the area, right now do not have that good scientific coverage.

Mr. Chairman, this amendment helps protect our existing offices from premature closure until we get the new radar and technology put up in our area. We are hopeful that this new NEXRAD radar will be located somewhere in northern Indiana, based upon science and technology and where it is going to work best, whether that is in Saint Joseph County, whether that is in Elkhart County, whether that might even be in Allen County, or south of there, to make sure that we save the taxpayer money.

As the chairman of the body knows today, too, our farmers are having a difficult time getting out in the fields to plant corn because of the weather. This technology would help us save lives from tornados and inclement weather, help us save billions of dollars in terms of the costs to farmers of trying to get good information out there before they get into the fields as to when they can get into the fields.

This amendment is not only about public safety and concern for children and money for agriculture, which is a huge cost in our economy today, it is also about streamlining a bureaucratic process, doing it the right way, doing it the way that it will save money and not compromise our schoolchildren back home in Indiana or in Alabama.

So I rise in strong support of this streamlining the bureaucracy but not compromising public safety and schoolchildren in the morning getting on a bus. I also would like to acknowledge and compliment the chairman of the committee for his support and his staff's support, working together on this amendment, and from what I understand, their acceptance of this amendment.

Mr. WALKER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the amendment offered by the gentleman from Alabama [Mr. CRAMER] will partially restore the certification process for closure of old National Weather Service offices. H.R. 3322 as presently drafted currently eliminates the certification process entirely, saving the National Weather Service $35 million over the next 5 years. The gentleman from Alabama offered an amendment going in this same direction in the committee. We have since been able to work out some language between us. I want to thank the gentleman very much for working with us on this.

We are told now by the National Weather Service that the amendment that he has crafted results in saving a similar $35 million over the 5-year period with a dramatically scaled-back certification process. This is the kind of streamlining that should go on within Government.

Mr. Chairman, I think between us we have come up with an acceptable solution here. It does save the taxpayer some money. It is the direction of reform that we need to be taking as a Congress and as a country. So I congratulate the gentleman for his amendment. I am delighted to support it.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I rise in support of the Cramer amendment to streamline the weather office certification procedures.

I would say that these certification procedures were developed in 1992 at a time when the National Weather Service was in the early stages of a far reaching modernization program in which new technologies would be deployed and the geographic distribution of weather forecast offices would be vastly altered.

There was widespread recognition in Congress that this modernization proposal would have far reaching benefits for public safety and would also reduce the cost to the taxpayer. The issue which dominated the debate, however, was how this would affect the local communities who had come to depend on the service that the local offices were providing.

After a great deal of debate and discussion within the Science Committee, with many other Members of the House on both sides of the aisle, and with Members of the other body, and with the National Weather Service, a carefully crafted compromise was developed. That compromise was included in Public Law 102–567.

Essentially, that compromise was a congressional commitment that no offices would be closed or consolidated

until there was a demonstration that there would be no degradation of service. Congress went to great lengths to ensure that the public had adequate input into this process that affected their personal lives so directly.

It is no secret that some in the OMB, the Department of Commerce Inspector General, and some Members of Congress have felt that no such commitment was necessary. This point of view has been the basis of the existing bill language that does away with the certification procedures. I would only say to them that, from my perspective, this commitment was necessary in order to gain the support of Congress to undertake the modernization program at all. I would also say that the certification procedures that we are talking about had strong bipartisan consensus. It reflected the instincts of most Members to look out for the safety and well-being of his or her constituents.

At this juncture, I am satisfied that the modernization program has been successful enough that we can consider a streamlining of the certification procedures as proposed by Mr. CRAMER. I believe that the compromise language is fair and will still provide the necessary assurances to the public and allow for adequate public input and review.

I support the Cramer amendment and urge its adoption.

Mr. POMEROY. Mr. Chairman, once again, I would like to express my strong support for Representative CRAMER's amendment to streamline the certification process for eliminating a National Weather Service office.

When the National Weather Service began developing this comprehensive modernization program, we heard a lot about the revolutionary improvements this would bring to our weather forecasting system. I don't doubt the quality of the NEXRAD system. However, I am concerned that in the rush to revamp the system, a few areas have the potential of literally falling through the cracks. In my own communications with the National Weather Service, I heard repeated justifications and explanations for those areas which are long distances between NEXRAD facilities. An independent scientific review confirmed my fears that some areas of our country will actually suffer a loss of service under NEXRAD.

Last year, the National Research Council completed its study of NEXRAD coverage and the potential for a degradation in service due to the field office consolidation. While the NRC study found NEXRAD will offer services above and beyond the current weather forecasting system, it also noted concern for areas a long distance from a proposed NEXRAD facility. One of those areas of concern is Williston, ND, whose old radar is 120 miles from the nearest NEXRAD facility.

Currently, a study is being undertaken for the Williston area to determine if a degradation of service would occur under the National Weather Service's modernization plan. Data is being collected from the existing Williston radar and the NEXRAD radars for comparison. If the certification process for office closure is eliminated, the National Weather Service could ignore the results of the study and move forward with its original plans, even if a degradation of service is proven.

Even though the western part of my State is sparsely populated, those living there need and deserve the same quality of weather forecasting available to the rest of the country. In rural areas where long distances are often traveled as a matter of daily life, forewarning of severe weather is crucial to public safety.

I urge all my colleagues to support the Cramer amendment and make sure the National Weather Service follows a streamlined certification process for weather office closures.

Mr. DEUTSCH. Mr. Chairman, I rise in support of this amendment to protect the lives and property of millions of Americans. High quality weather service should be a basic guarantee. Unfortunately, this guarantee is in jeopardy today as we consider a bill that would let bureaucrats close weather stations without regard for degradation of service.

Mr. Chairman, the certification requirement prevented the closure of the critical weather station in Key West. As the National Weather Service considered closing the facility last year, they were required to evaluate how they could serve the 80,000 residents and visitors of the Keys who live on 43 islands across a 120-mile stretch. The people of the Keys were grateful that the National Weather Service had to consider their unique situation. Without the certification requirement, the National Weather Service would have made a grave mistake.

Mr. Chairman, I thought we resolved this issue last year when we debated the exact same issue. Unfortunately, we did not. Congress should not cut corners when it comes to basic public safety, and I thank the Chairman for accepting this amendment.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Alabama [Mr. CRAMER].

The amendment, as modified, was agreed to.

The CHAIRMAN. Pursuant to the order of the House of today, it is now in order to consider amendment No. 14 by the gentlewoman from California [Ms. LOFGREN].

AMENDMENT OFFERED BY MS. LOFGREN

Ms. LOFGREN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. LOFGREN: Page 7, line 6, strike ''$120,000,000'' and insert in lieu thereof ''$129,100,000''.

Page 7, lines 9 through 16, strike subsection (c).

Page 19, lines 13 through 23, amend section 130 to read as follows:

SEC. 130. REORGANIZATION.

(a) PLAN.—The Director shall carry out a review and analysis of the organizational structure of the National Science Foundation for the purpose of developing a plan for reorganization that will result in reduced administrative costs, while maintaining the quality and effectiveness of the Foundation's programs. The plan shall include one or more options for reorganization of the Foundation, and one option shall be an organizational structure having fewer than 7 directorates.

(b) REPORT.—By February 15, 1997, the Director shall transmit to the Congress a report containing the plan required by subsection (a). The report shall document the advantages and disadvantages of each option included in the plan, provide an estimate of cost savings for each option, and designate the Director's preferred option.

Amend the table of contents accordingly.

Ms. LOFGREN. Mr. Chairman, my amendment corrects two provisions in the bill that will impede the internal operation of the National Science Foundation. First of all, the amendment restores funding for NSF salaries and administrative expenses to the President's request level in order to avoid ill-considered staff reductions.

Second, it removes provisions which together eliminate funding for one of NSF's directorates and which would trigger perhaps inadvertently a reorganization of NSF's administrative structure.

NSF is not a bloated bureaucracy. Between fiscal years 1983 and 1993, NSF's full-time staff positions remained constant while its budget nearly tripled and the workload measured by numbers of proposals processed more than doubled. In the current fiscal year, the cost of operating NSF is 4 percent of the total budget, which is a modest and reasonable level of administrative overhead. Due to the dedication of its workers and investments in infrastructure, NSF has improved its efficiency, resulting in increased productivity.

H.R. 3322 proposes to cut the budget for salaries and administrative expenses by more than $7 million below the current fiscal year budget and 9 million below the request. NSF has determined that after taking into account fixed costs for rent and utilities, such a cut would translate into a reduction of 120 people, assuming the average compensation level across the agency.

The science and engineering staff comprises about one-third of total personnel and one-half of the total payroll. NSF estimates that a budget cut of this magnitude will result in layoff of scientific and engineering personnel, the people who run the research programs, and would degrade the efficiency of operations. Moreover, this cut would result in a reduction of one to $2 million in the computer networking investment NSF is now making to streamline internal operations and improve communications with the university research community.

These investments have been the basis of past productivity improvements and have helped NSF to meet the growing workload demands while avoiding staff increases. The net result of the cuts proposed by H.R. 3322 would be to impede virtually all business operations of NSF from disbursement of payments to university researchers throughout the Nation to the timing and quality of research award decisions. My amendment restores funding to a reasonable level for the internal operations of this already slimmed-down agency.

In addition, my amendment removes the provisions of the bill that eliminate one NSF directorate. These provisions do raise a reasonable issue. That is what approaches can the agency take to further streamline its organization and reduce administrative expenses. Ideally, organizational changes will be found which will both reduce costs and improve the efficiency of the agency's operations.

Mr. Chairman, my objection to H.R. 3322 is that it presumes that the way to achieve such improvements is through elimination of one of the agency's directorates. It may be that such a course of action is the best approach, but we cannot make that judgment in the absence of evidence. This Congress should not be making an arbitrary determination. No hearings have been held by the Committee on Science on this matter. NSF has developed no plan for reorganization that lays out the advantages nor provides an estimate of cost savings of such a change.

I would also point out that section 111C of the bill on the one hand bans use of fiscal year 1997 funding to more than six directorates while section 130 specifies that the agency has until November 15, 1½ months into the new fiscal year, to present a reorganization plan to Congress. This again suggests the agency is being forced into significant change prior to developing a realignment plan and that congressionally mandated cuts have more to do with our belief system and politics than with streamlining.

Rather than impose a congressional mandate for a specific organizational change in NSF, it seems to me it would be more reasonable to mandate a thorough review of the operation with an accompanying plan to achieve administrative cost reductions and improve efficiency of operations. With such a plan in hand, the committee would be in a position to mandate useful changes. My amendment strikes the prohibition in fiscal year 1997 funding for more than six directorates, strikes the limitation of six assistant directors, imposes a requirement for NSF to submit by February 15, 1997, a reorganization plan with several options to improve operational effectiveness and to reduce administrative costs.

My amendment stipulates that NSF evaluate as part of the plan the elimination of one directorate. The Congress will have time to consider the NSF recommendations through the hearing process prior to consideration of fiscal year 1998 authorization legislation. By following this procedure, we would be able to make an informed decision on necessary legislation. I would urge my colleagues to support this amendment, and I yield back the balance of my time.

Mr. SCHIFF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment offered by my colleague, Ms. LOFGREN. I object to the amendment because, first of all, the majority in presenting this bill, H.R. 3322, has tried to put all of the money it possibly can into the research and related activities account and other accounts that actually go to grants for research, which is the major function of the National Science Foundation.

We do not believe it is unreasonable to ask the National Science Foundation to help cooperate with us in terms of establishing this priority in getting the money out for research grants by tightening their belt somewhat in the area of their administrative overhead. In that regard, we have proposed a reduction in the salaries and expenses, as correctly identified by my colleague, from the current funding of $127 million a year for salaries and expenses to $120 million a year. That is a $7 million reduction.

□ 1645

And we believe although the NSF will have to make some difficult choices, as other agencies have made difficult choices, as this Congress made difficult choices when we reduced the number of committees in the U.S. House of Representatives for the first time in my memory and, I think, virtually anyone's memory in the House of Representatives.

Now, we think the National Science Foundation should be willing to undergo that same prioritization and decisionmaking, but there is another reason why I oppose the Lofgren amendment, and that is the gentlewoman from California says that we should adopt the President's budget on the salaries and expense account, and indeed the President' budget would go up from this year, fiscal year 1996, to next year, fiscal year 1997, in the salaries and expense account for the National Science Foundation. It would go up.

Here is fiscal year 1996 right now showing the $127 million per year amount funded for this account. Here is the proposed budget in H.R. 3322. It goes down in the next fiscal year, but it does not go down after that. It stays level for each of the next 4 fiscal years all the way to fiscal year, to and including fiscal year, 2000. We proposed that it stay at an annual appropriation of $120 million.

It is not true of the President's budget. The President's budget goes up in this account in fiscal year 1997, but what happens after that? It drops precipitously. It drops immediately below the $120 million that has been authorized in H.R. 3322. It drops in the next fiscal year to $118 million. It drops in the next fiscal year to $107 million. It drops again in the next year to $101 million. Now I wonder what the effects on the National Science Foundation will be if those cuts take effect?

We are proposing a one-time reduction and then a stabilization. The administration is proposing a raise and then a big drop. What would be the same effect as outlined by the previous speaker if that bigger drop occurs than we are recommending?

I want to say, Mr. Chairman, that what is reflected here, the comparison of budgets, is what I have seen in many accounts. The fact of the matter is this diagram, although it is one account of one agency, it is the salaries account of the National Science Foundation, this account illustrates almost every comparison I have seen between the congressional proposed budget and the administration's budget. They propose increases in fiscal year 1997. Well, we vote on fiscal 1997 this year in calendar year 1996. That is a Presidential election year, and so there is a proposed artificial boost for 1 year and then a big drop after that.

And I want to say I have numerous constituent groups who rely upon appropriations and grants from the Federal Government who are handed material from the administration, and they bring it over to my office, and I am sure my colleagues from both parties have seen this, and they say, ''I'd like you to support the President's request for fiscal year 1997 for the agency in which we have an interest.''

And I say to them, ''Well, if I do, what is the administration's request for the agency you're interested in in fiscal year 1998, 1999 and so forth, down to the year 2002, since both sides have agreed we are going to attempt to balance the budget by that year,'' and frankly I get a blank stare most of the time.

Well, we do not know that the administration is proposing for our agency. Well, I suggest that all people interested in Federal appropriations better find out, because this is an artificial election year bump, and after that, to make the books balance, there is a big drop, far worse than anything that is proposed by the Congress in my estimation.

The point is both sides have now agreed publicly that we will attempt to balance the budget in 7 years, by fiscal year 2002. This chart only goes to fiscal year 2000, so there is even two more years not illustrated here in the chart before us.

With that in mind, I think that what the committee here proposes in H.R. 3322 is reasonable and should be adopted and the amendment rejected.

Mr. CRAMER. Mr. Chairman, I rise in strong support of my colleague's amendment, and I want to make a few points. I do believe that H.R. 3322 just goes too far with regard to the National Science Foundation. Let us remember this is one of the most efficient Federal agencies. Less than 4 percent of its budget supports its own internal operations. In the past decade its budget has tripled, the workload has doubled, but yet the work force has remained constant. So I think the gentlewoman's amendment has focused on a problem in NSF that H.R. 3322 does not in fact address, and so consequently I support this amendment and urge my colleague to do the same.

Ms. LOFGREN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentlewoman from California.

Ms. LOFGREN. Mr. Chairman, I would just like to further add that in the discussion had by my well-respected colleague from New Mexico [Mr. SCHIFF], I think it is really a diversion from the issue before us. The funding actually authorized for NSF's internal operation for 1997 is what is before us, and differences in funding projections for the NSF beyond 1997 in the President's balanced budget plan versus the Gingrich budget plan really are not particularly relevant to this discussion. The outyear budget estimates for individual agencies, let alone specific budget categories such as the salaries and expense account of NSF, are not cast in stone by the proposed funding envelope of the President's budget plan any more than they are by the Republican budget resolution.

For example, last year's House budget resolution assumed a total funding level of $3.17 billion for NSF for fiscal year 1997, which is $120 million, or 4 percent, below the estimate for fiscal year 1997 in this year's budget resolution. Also, we are assured in this year's budget resolution that $120 million for NSF salary and expense account for 1997, it will be followed by an equal amount in the next 5 years. However, last year's budget resolution assumed this account would decline by $5 million.

The point is that the additional years will be subject to additional authorization and appropriation, and these are made on a year-by-year basis. The budget estimates for NSF beyond 1997 are not relevant to this year's authorization, and I would just make this point: I know that the gentleman from New Mexico [Mr. SCHIFF] supports NSF, as do I. I know that he believes in their research, as do I, and respects the organization. But if we allow them to be reduced so far administratively that they cannot adequately review the grants and get the funding out to our fine universities, we will have hobbled really something that is a star in our country, and I know that my colleague agrees that the NSF is a star in our country.

So, Mr. Chairman, I would urge adoption of the amendment.

Mr. CRAMER. Mr. Chairman, reclaiming my time, I want to briefly point out that H.R. 3322 will eliminate one NSF directorate, and yet we do not know the effect of that on the agency. So I think we are imposing an organizational change on that agency before we hear from that agency, and this agency is too efficient to treat that way, and so I applaud the gentlewoman for accomplishing that through her amendment as well.

Mr. BROWN of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am going to strongly support the amendment offered by the gentlewoman from California [Ms. LOFGREN] and as a matter of fact have included similar provisions in the substitute which I will offer at the appropriate time. It seems to be highly unwise to take an agency, which all of us recognize the value of, it is very high on the priorities of the gentleman from Pennsylvania [Mr. WALKER] and other Members of the majority. There is no criticism that it is engaged in waste, fraud, or abuse. It has a very lean organization and one which works extremely effectively in moving grants out to the best researchers in this country on the basis of thoroughly peer-reviewed applications for these grants.

So I think it smacks of being punitive to arbitrarily cut even a small figure like $7 million, which is only about 6 percent of their budget, for this particular category of activities. It smacks of a certain degree of punitiveness to seek to do this particularly when we have had no hearings on the need for it, we have not asked the agency in for comments on it, we have not asked the research community for their views on it. We are merely told repeatedly, over and over again, that we have to engage in belt tightening, we have to make tough choices, we have to be willing to accept a little pain. Of course, what is not mentioned here is that this suffering, belt tightening, and pain is aimed at securing a balanced budget.

Mr. Chairman, nobody is arguing about a balanced budget. The President's budget is in balance, or close to in balance. The budgets which I have consistently supported in prior years, including last year, were in balance. The argument is not over the question of balancing the budget, and $7 million is not going to balance the budget particularly. It is over how we get to the balanced budget.

Now, obviously, there is some objection to the fact that in the President's budget he does not have these cuts, but that there are cuts later on down the road. This is a question of judgment. It is in the eyes of the majority, this is a flagrant example of trying to buy the election by keeping up another $7 million for personnel over at NSF. I doubt very seriously if $7 million going to the personnel over at NSF is going to buy the election for anybody. I think it is a reflection of the President's commitment to science and trying to keep the funding for the most respected scientific program this country has at a more equitable level, not to make drastic cuts in it, and I think that this is why we should adopt the gentlewoman's amendment.

Now, what really is happening here is that there is a difference in values. I do not mean to berate this. The gentlemen on the other side who are willing to cut $7 million out of NSF are willing to add $13 billion to the Defense Department budget, or whatever the appropriate number is. Frankly, because in their view, the views of the majority, or most of the majority; I will not characterize all of them; it is more important to exceed the President's budget by $12 or $13 billion than it is to maintain the level of support for our basic research in this country, and if our colleagues have that sort of values, fine, but do not disguise the argument by saying that they are trying to balance the budget. Both budgets are balanced. They are trying to cut programs in order to add money to the Defense Department or other programs that they favor.

That is the honest to God truth as to what is going on here, and it will recur in many debates as they attack the President's budget for whatever reasons they can think of and then proceed to go ahead and propose additions to it for those programs that they happen to like. So let us be honest about this. Let us adopt the amendment of the gentlewoman from California [Ms. LOFGREN] and protect this most important program that we have for the support of science in this country.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is a good amendment to debate because I think it does draw the contrasts between where the two parties are coming from on some of these issues.

First of all, this is about bureaucracy. This is whether or not we are going to reform the bureaucracies of Washington in order to give more money to the country.

Now, we give more money to the country in a variety of forms. We have chosen, in the case of NSF, to give more money in terms of actual research, and I will show a chart here in a moment that indicates that. That is where we have put our issue. In other words, get the moneys out to the universities, get them out to the people out in the country, and so on, rather than do it with bureaucracy in Washington.

Second, the gentleman from California [Mr. BROWN] talks about the fact that the balanced budgets are similar. As my colleagues know, the balanced budgets are not at all similar. We include in our balanced budget a tax cut for middle-class America. Their budgets do not include tax cuts, and so indeed we have to cut more in spending because we intend to cut taxes for middle-class working families in this country.

□ 1700

So the fact is that they want to continue to spend, spend, spend, keep the taxes high and spend people's money here in Washington for more and more bureaucracy. We have specifically said that we want to do something different. We want to balance the budget while cutting the taxes for middle-class working families. So our budgets do reflect a desire to reduce bureaucracy so tax cuts can be given to middle-class working families in this country.

That is what we are talking about here, whether or not we actually want

to begin the process of cutting bureaucracy, or whether or not we want to play a shell game in terms of budgets, as is suggested on the chart shown by the gentleman from New Mexico. What we have is a shell game here. They raise the budget for personnel and for bureaucracy in the first year, and then all of a sudden they drop it way off.

We actually asked the question of NSF: If you go along with what the President has requested in his budget, which these 1997 numbers supposedly endorse, how many full-time Federal employees could we lose by 1998 when the account goes down not to $120 million that we are talking about, but down to $118 million? And then how many more employees do we lose when, under the President's numbers, we go to $107 million? Or how many more do we lose when we go to $101 million? That is what the President's budget does.

Guess what? Having asked that question of the NSF, the letter got hung up in OMB. NSF wanted to reply to us, but somewhere down in OMB they do not want us to know the answer to that particular question, because the fact is the answer to that question will probably reveal exactly the shell game going on here.

If we are going to be cutting money for bureaucracy, should we be putting the money into some real research? We cut the money for bureaucracy and then flatten the line into the outyears under a balanced budget over 7 years. What does the administration do? The administration, not according to me but according to the AAAS, whose studies on academic science were widely touted on this floor last year, they took a look at the NSF budgets. What did they find? The red line is the President's budget. They find that the President's budget for NSF goes out here fairly flat for a couple of years and then drops off terrifically, while they also find that the House-passed budget continues to climb in the outyears. We take money out of bureaucracy and put it into real science. The President in those outyears takes it out of bureaucracy, but takes it out of research too. Everything drops and the entire enterprise is left with no support and, in this case, no science.

Mr. Chairman, in my view, that is a bad deal. It seems to me that what we want to do is reject the gentlewoman's amendment that suggests that more money for bureaucrats is what we need in Washington. We think it is time for reform in Washington. Let us eliminate the bureaucracy.

We have been criticized because in our report language we say that one of the directorates should be cut as a way of eliminating the program. The fact is that there are a number of options available to the NSF that the minority does not seem to recognize. For example, the minority, in saying that 120 positions would have to be cut, ignores the fact that one of the things we might be able to do is to reduce travel budgets at NSF, or we might be able to reduce administrative overhead expenses. There are all kinds of ways we could lower this account.

They simply assume that what NSF would do is fire people. That is what their numbers do. I do not necessarily think that that is the way NSF would deal with this. We think one of the ways we can reduce some of that administrative overhead is by reducing the number of directorates. We suggest they reduce it by one. Mr. Chairman, in our report we suggest a specific directorate because that was the most recent one adopted. It is also one where the science was spread out through the agency before, and now we are reducing a directorate. Perhaps that is the way to go.

But it is up to NSF. It is up to the director. How does he want to reduce this money, is what we are saying. We are going to give them discretion. But we do want to eliminate the spending. We do want to bring it down and then keep it in a flat line, as this chart represents.

The administration has a shell game going here: Increase it, as the gentlewoman suggests, and then drop it like a rock, so we do not have the kind of support that the agency needs in the outyear. I do not think that is a good deal. I suggest we vote with the committee's position. Keep the money out of bureaucracy, put it toward real science, reject the gentleman's amendment.

Mr. DOYLE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Chairman, will the gentleman yield?

Mr. DOYLE. I yield to the gentlewoman from California.

Ms. LOFGREN. Mr. Chairman, I thank the gentleman for yielding to me. I just wanted to make a few brief comments on the amendment and what we are talking about here.

We are talking about a reduction in this year's funding for staffing the NSF. I am a new Member of Congress. I have been here only about 18 months, but I have yet to hear in my 18 months in Congress any hint from any Member of this body that this is a highly politicized organization.

In fact, quite to the contrary, I have heard from both sides of the aisle a great deal of comment about the excellent work done through the auspices of the NSF, the fine science they have produced. So I have a sense that this is a good organization and that we ought to listen to the director of the organization. So I would like to quote the director, Neal Lane, who has commented on the bill, and which I think my amendment speaks to.

He says that he is very disappointed with the proposed reduction, and says, ''Our analysis of the committee's reduction in this area shows that it would require the elimination of 120 FTE's, roughly 10 percent of our work force—in 1 year.'' He goes on to say that:

> A reduction of this kind would demoralize our highly talented and dedicated work force. If we fail to provide sufficient resources to adequately staff and support NSF, the result will be less coordination, less oversight, less efficiency, and a real degradation in the integrity of the merit review process and the quality of our programs and operations.

This is a lot of money where I come from, $7 million, but I also think it needs to be put in the broader context of the overall budget for science and the overall budget for the Federal Government. Mr. Chairman, I think it would be pennywise and pound foolish to make a reduction of 10 percent of the scientists in HSF, as the director suggests would be the result, that would preclude them from adequately managing the remainder of the budget that we are providing for in the budget, and augmented, I might add, by the amendment offered by the gentleman from New Mexico [Mr. SCHIFF].

This is not a question of bureaucracy, it is about good management, in making sure that the resources that we are investing in science are wisely managed and prudently overseen and that there is a good interface between our higher education community and the National Science Foundation.

Mr. Chairman, I am speaking at some length on this because I think we know that failure to adequately invest in science is really a blow to our future. Although there may be sit-ins or demonstrators talking about the National Science Foundation, it may not be on the talk radio, really, the constituency for investment in science is the next generation. Failure to do the prudent thing in this regard is really a failure for the next generation, my children and others in their age bracket. The 10- and 11- and 12-year-olds will be reaping the problems that we sow here through a misstep.

Mr. Chairman, I urge adoption of my amendment.

Mr. LAHOOD. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. LAHOOD. I yield to the gentleman from Pennsylvania, the distinguished chairman of the Committee on Science.

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding. I appreciate the gentlewoman's explanation. Again, she makes the point that they fundamentally believe on the minority side that if in fact we can concentrate power in Washington and if in fact we can put power into the hands of bureaucrats, that, in fact, the country will be made better; that somehow, science and research will be expanded by having $9 million more or $7 million more spent for more bureaucrats. That is precisely what we disagree with.

Neal Lane's letter, and I have it before me here, does not suggest they are

going to cut scientists. He suggested they would eliminate 120 FTE's, roughly 10 percent of the work force. That is not just scientists, that is all kinds of people that might be employed at the Science Foundation.

As I said before, the question here is why did they choose to only deal with the work force? No wonder morale would be low at the National Science Foundation. When a cut is suggested, what the National Science Foundation says immediately is let us cut employees. The fact is he could cut travel budgets, he could cut administrative overhead, he could cut all kinds of things. Instead, he chooses in his letter to suggest that the only place, the only place they are prepared to make cuts is to take it out of the hide of their work force. No wonder they have low morale over there. No wonder the situation is so bad.

That is the reason why, in my view, we need to have this cut. We need to get that in a stable position so it can in fact operate within a balanced budget for the next several years, and do so in a way which equitably treats the science community while increasing the amount actually spent for science and getting it out to the country.

Mr. Chairman, I think this is a bad amendment. It does in fact increase spending. It should be rejected.

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

Mr. LAHOOD. I yield to the gentleman from New Mexico.

Mr. SCHIFF. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, I just want to add another point of view. That is, again, to the fact that the President's budget, and that is what we are being offered here, we are being offered the President's budget for fiscal year 1997, and although it goes up in fiscal year 1997, it goes down each fiscal year after that. In fiscal year 1998, only in the next year, at $118 million, the same account we are talking about will be $2 million less than the Republican proposal on the floor today. The administration's proposal keeps going down every year after that.

The point is, even from the point of view being expressed by the gentlewoman offering the amendment, the $120 million funding every year that remains stable will be better for the National Science Foundation than the administration's budget. I recognize the gentlewoman stated that, well, budgets in future years are not in concrete. But they are becoming made in concrete. That is because both sides, the administration and the Congress, Republicans and Democrats, have agreed to a common goal of balancing the budget by fiscal year 2002.

Therefore, if we are going to adopt a House Republican budget or a House Democratic budget, or in this case, the proposal for the administration's budget, we have to understand what all of the years mean, because the books have to balance somewhere. If the administration in this election year is going to propose an increase in any account, then they have to make the books balance somewhere. They do it by taking the money away in the larger dimension in future years.

Mr. STUDDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

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

Mr. BROWN of California. I thank the gentleman for yielding to me, Mr. Chairman.

Mr. Chairman, I asked for this opportunity, despite the fact that I have spoken before, because I am beginning to see the beginnings of an outline of what the real differences are here. The gentleman from Pennsylvania [Mr. WALKER], the distinguished chairman of the committee, has sought to put it in terms of a difference between eliminating the bureaucrats and sending the money out to the people. That is one way to phrase it.

I had earlier indicated that I felt that the people on the majority side were willing to cut the program at NASA, at NSF and at NASA also, as far as that is concerned, so they could spend more money on defense. The gentlemen from Pennsylvania [Mr. WALKER], has correctly pointed out that that is not exactly all they want to do. They also want to propose a very substantial tax cut for what he calls the middle class, which, as I understand it, is basically those who earn $200,000 a year or more.

Mr. Chairman, we could go even further in clarifying this difference in philosophy. We could point out also that it is necessary in the Republican budget that they generate a few more cuts in order that they can also take care of not only the tax cut for the rich middle class and for the military, but they also think that it is necessary to reduce the rate of growth in benefits for welfare, for Medicaid, people on Social Security and so forth.

What we are seeing emerge here is a classic difference in philosophy between the Democrats and the Republicans. There is some overlap, of course. There are Members on the Republican side who do not always agree with the priorities that the majority over there have. As I read in the paper, some of these differences are becoming fairly overt at this point. Not all democrats agree to the same concepts, what I have described as the democratic core values that the President has tried to enunciate, and which I occasionally try to enunciate. But I think it is fairly clear that the majority, in this bill, are trying to pile up cuts which can be used to offset some of these other core values that they have: a bigger military, more tax cuts for the wealthy, and so forth.

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Recognizing as I say this that this will probably polarize the debate and bring every loyal Republican to the floor to vote against this amendment, I want to see that happen, because I want to see these core values clearly set forth and voted for in a way that will be clear to all the American people.

I may be totally wrong and the American people are going to say, ''George, Bob Walker correctly described you as a bureaucrat-loving, tax-and-spend liberal,'' and they are going to vote against me. But I want them to have the chance to see this laid out so that we will know what it is that we are voting for, and it is with this point in mind that I am supporting this amendment which protects a program which we all agree is a valuable program but it is run by bureaucrats, I do not know who else could run it, and so we are going to cut the bureaucrats out.

I hope that the amendment will pass. If it does not pass, I hope everybody will be on record as to which side that they are on.

Ms. LOFGREN. Mr. Chairman, will the gentleman yield?

Mr. STUDDS. I yield to the gentlewoman from California.

Ms. LOFGREN. Mr. Chairman, the National Science Foundation employs almost exactly the same number of people in 1994 as it did in 1984, that despite a 2.5 times increase in the amount of work that they have had to do. So I do not think it is correct to say that we want to build an empire.

In fact, this is an agency that cut its overhead and staff from 6 to 3.9 percent between 1982 and today. It is a reducing agency. It is an agency that is becoming more efficient, but it takes some staff to administer the program. I think we all agree that it has been administered efficiently and well and to the benefit of our Nation and to the scientific future of our country. I ask that the amendment be supported.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the requisite number of words.

I would just like to say, in response to the ranking minority member's comments, the tax reductions that we were trying to get through the House last year, which I think were vitally needed, provided tax cuts to families with children. The data on this is very clear. Young families trying to raise kids today now send a quarter of their income to Washington, DC, whereas 40 years ago they sent about 5 percent. It is many of those young families that are under the most stress.

We also had a capital gains relief package that was going to provide very, very badly needed jobs in my district, which has been hard hit by defense cuts as well as 2,000 jobs that were eliminated at Kennedy Space Center between 1990 and 1994 when about $1 billion was taken out of the shuttle program. So I think the Republican budget priorities are sound priorities.

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

Mr. WELDON of Florida. I yield to the gentleman from Pennsylvania, the chairman of the Committee on Science.

Mr. WALKER. Mr. Chairman, I just want to emphasize the point the gentleman is making. Every high technology entrepreneur that I have talked to has told me that one of the fundamental things that we should do for high technology in this country is cut the capital gains taxes. They need long-term risk investment in high technology industries in this country, and so therefore the capital gains tax cut that we have proposed is in fact one of the best things we can do for science and technology in this country, if we believe in the entrepreneurial spirit that is going to drive that technology.

Second, the gentleman is absolutely correct. We are not talking about $200,000 a year families. If anybody had bothered to read the budget that we passed in the House the other day, it went to families who made less than $100,000 a year. That is where the money is going. Those are middle-class Americans out there who are in fact the people who would benefit the most from the tax cut that we have.

So yes, indeed we want to cut taxes as a part of reforming Government, but fundamental to this amendment is, this amendment is about bureaucracy. The President increases bureaucracy for 1 year, but then if all the things the other side is saying are true about the need for these people in the agency, the fact is that by the next year his numbers are lower than our numbers. So what will people come back and do next year? Say, ''Well, the President is wrong now. Now we need to increase it.''

How do we get to a balanced budget if all we are doing is increasing spending? The fact is the President's numbers only get to balance because he is willing to make massive cuts in the out years in discretionary spending. That is what the other side will not acknowledge.

The fact is on this floor we ought to acknowledge the realities of the situation. We ought not put up with shell game budgets. We ought to be willing to say that if something has to last for 7 years, we ought to have a plan for it going 7 years, not the kind of thing that shows up in the President's budget where we increase things in the election year and then drop them off a cliff in the years afterwards.

That would be extremely damaging to NSF. That is what is being proposed by this amendment, and I think that it should be rejected out of hand.

The CHAIRMAN pro tempore (Mr. LAHOOD). The question is on the amendment offered by the gentlewoman from California [Ms. LOFGREN].

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

Ms. LOFGREN. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentlewoman from California [Mr. LOFGREN].

The point of no quorum is considered withdrawn.

Pursuant to the order of the House of today, it is now in order to consider amendment No. 8.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. BROWN OF CALIFORNIA

Mr. BROWN of California. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. BROWN of California:

Strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Science and Technology Investment Act of 1996''.

TITLE I—NATIONAL SCIENCE FOUNDATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Science Foundation $3,325,000,000 for fiscal year 1997, which shall be available for the following categories:

(1) Research and Related Activities, $2,472,000,000, which shall be available for the following subcategories:

(A) Mathematical and Physical Sciences, $708,000,000.

(B) Engineering, $354,300,000.

(C) Biological Sciences, $326,000,000.

(D) Geosciences, $454,000,000.

(E) Computer and Information Science and Engineering, $277,000,000.

(F) Social, Behavioral, and Economic Sciences, $124,000,000.

(G) United States Polar Research Programs, $163,400,000.

(H) United States Antarctic Logistical Support Activities, $62,600,000.

(I) Critical Technologies Institute, $2,700,000.

(2) Education and Human Resources Activities, $619,000,000.

(3) Major Research Equipment, $95,000,000.

(4) Salaries and Expenses, $129,100,000.

(5) Office of Inspector General, $4,700,000.

(6) Headquarters Relocation, $5,200,000.

TITLE II—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SEC. 201. FISCAL YEAR 1997 AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1997 the following amounts:

(1) For ''Human Space Flight'' for the following programs:

(A) Space Station, $1,802,000,000.

(B) United States/Russian Cooperation, $138,200,000.

(C) Space Shuttle, $3,150,900,000, including for Construction of Facilities relating to the following programs:

(i) Replacement of LC–39 Pad B Chillers (KSC), $1,800,000.

(ii) Restoration of Pad B Fixed Support Structure Elevator System (KSC), $1,500,000.

(iii) Rehabilitation of 480V Electrical Distribution System, Kennedy Space Center, External Tank Manufacturing Building (MAF), $2,500,000.

(iv) Restoration of High Pressure Industrial Water Plant, Stennis Space Center, $2,500,000.

(D) Payload and Utilization Operations, $271,800,000.

(2) For ''Science, Aeronautics, and Technology'' for the following programs:

(A) Space Science, $1,857,300,000.

(B) Life and Microgravity Sciences and Applications, $498,500,000.

(C) Mission to Planet Earth, $1,402,100,000.

(D) Aeronautical Research and Technology, $857,800,000, of which $5,000,000 shall be for the identification and upgrading of national dual-use airbreathing propulsion aeronautical test facilities.

(E) Space Access and Technology, $725,000,000

(F) Academic Programs, $100,800,000.

(G) Mission Communication Services, $420,600,000.

(3) For ''Mission Support'' for the following programs:

(A) Safety, Reliability, and Quality Assurance, $36,700,000.

(B) Space Communication Services, $291,400,000.

(C) Construction of Facilities, including land acquisition, including the following:

(i) Modernization of Electrical Distribution System, Ames Research Center, $2,400,000.

(ii) Modification of Aircraft Ramp and Tow Way, Dryden Flight Research Center, $3,000,000.

(iii) Restoration of Hangar Building 4801, Dryden Flight Research Center, $4,500,000.

(iv) Modernization of Secondary Electrical Systems, Goddard Space Flight Center, $1,500,000.

(v) Restoration of Chilled Water Distribution System, Goddard Space Flight Center, $4,000,000.

(vi) Modification of Refrigeration Systems, Various Buildings, Jet Propulsion Laboratory, $2,800,000.

(vii) Rehabilitation of Electrical Distribution System, White Sands Test Facility, Johnson Space Center, $2,600,000.

(viii) Rehabilitation of Utility Tunnel Structure and System, Johnson Space Center, $4,400,000.

(ix) Replacement of DX Units with Central Chilled Water System, Logistics Facility, Kennedy Space Center, $1,800,000.

(x) Rehabilitation of Central Air Equipment Building, Lewis Research Center, $6,500,000.

(xi) Modification of Chilled Water System, Marshall Space Flight Center, $6,700,000.

(xii) Rehabilitation of Condenser Water System, 202/207 Complex (MAF), $2,100,000.

(xiii) Minor Revitalization of Facilities at Various Locations, not in excess of $1,500,000 per project, $57,900,000.

(xiv) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of $1,500,000 per project, $3,400,000.

(xv) Facility planning and design, not otherwise provided for, $18,700,000.

(xvi) Environmental compliance and restoration, $33,000,000.

(D) Research and Program Management, $2,078,800,000.

(4) For ''Inspector General'', $17,000,000.

SEC. 202. NATIONAL AERONAUTICS AND SPACE ACT OF 1958 AMENDMENT.

Section 102(d)(1) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451(d)(1)) is amended by inserting ''and its climate and environment,'' after ''knowledge of the Earth''.

TITLE III—DEPARTMENT OF ENERGY

SEC. 301. SHORT TITLE.

This title may be cited as the ''Energy Research and Development Act of 1996''.

SEC. 302. FINDINGS.

The Congress finds that—

(1) Federal support of research and development in general, and energy research and

development in particular, has played a key role in the growth of the United States economy since World War II through the production of new knowledge, the development of new technologies and processes, and the demonstration of such new technologies and processes for application to industrial and other uses;

(2) Federal support of energy research and development is especially important because such research and development contributes to solutions for national problems in energy security, environmental protection, and economic competitiveness;

(3) the Department of Energy has successfully promoted new technologies and processes to address problems with energy supply, fossil energy, and energy conservation through its various research and development programs;

(4) while the Federal budget deficit and payments on the national debt must be addressed through cost-cutting measures, investments in research and development on key energy issues must be maintained;

(5) within the last two years, the Department of Energy has made great strides in managing its programs more efficiently and effectively;

(6) significant savings should result from these measures without hampering the Department's core missions; and

(7) the Strategic Realignment Initiative and other such efforts of the Department should be continued.

SEC. 303. DEFINITIONS.

For purposes of this title—

(1) the term ''Department'' means the Department of Energy; and

(2) the term ''Secretary'' means the Secretary of Energy.

SEC. 304. ENERGY CONSERVATION.

There are authorized to be appropriated to the Secretary for fiscal year 1997 for energy conservation research, development, and demonstration—

(1) $99,721,000 for energy conservation in building technology, State, and community sector-nongrant;

(2) $159,434,000 for energy conservation in the industry sector;

(3) $221,308,000 for energy conservation in the transportation sector; and

(4) $28,350,000 for policy and management activities.

SEC. 305. FOSSIL ENERGY.

There are authorized to be appropriated to the Secretary for fiscal year 1997 for fossil energy research, development, and demonstration—

(1) $102,629,000 for coal;

(2) $52,537,000 for petroleum;

(3) $103,708,000 for gas;

(4) $4,000,000 for the Fossil Energy Cooperative Research and Development Program;

(5) $2,188,000 for fuel conversion, natural gas, and electricity;

(6) $60,115,000 for program direction and management;

(7) $3,304,000 for plant and capital improvements;

(8) $15,027,000 for environmental restoration; and

(9) $5,000,000 for mining.

SEC. 306. HIGH ENERGY AND NUCLEAR PHYSICS.

There are authorized to be appropriated to the Secretary for fiscal year 1997 for high energy and nuclear physics activities of the Department—

(1) $679,125,000 for high energy physics activities;

(2) $318,425,000 for nuclear physics activities; and

(3) $11,600,000 for program direction.

SEC. 307. SOLAR AND RENEWABLE ENERGY.

There are authorized to be appropriated to the Secretary for fiscal year 1997 for solar and renewable energy research, development, and demonstration—

(1) $263,282,000 for solar energy;

(2) $35,600,000 for geothermal energy;

(3) $11,012,000 for hydrogen energy;

(4) $17,301,000 for policy and management;

(5) $36,050,000 for electric energy systems and storage; and

(6) $5,700,000 for in-house energy management.

SEC. 308. NUCLEAR ENERGY.

There are authorized to be appropriated to the Secretary for fiscal year 1997 for nuclear energy research, development, and demonstration—

(1) $137,750,000 for nuclear energy, including $40,000,000 for the Advanced Light Water Reactor program;

(2) $79,100,000 for the termination of certain facilities;

(3) $12,704,000 for isotope support; and

(4) $18,500,000 for program direction.

SEC. 309. ENVIRONMENT, SAFETY, AND HEALTH.

There are authorized to be appropriated to the Secretary for fiscal year 1997 for research, development, and demonstration—

(1) $73,160,000 for the Office of Environmental Safety and Health; and

(2) $39,046,000 for program direction.

SEC. 310. ENERGY RESEARCH DIRECTORATE.

(a) AUTHORIZATIONS.—There are authorized to be appropriated to the Secretary for fiscal year 1997—

(1) $379,075,000 for biological and environmental research activities;

(2) $255,600,000 for fusion energy research, development, and demonstration;

(3) $653,675,000 for basic energy sciences activities, of which $1,000,000 shall be for planning activities for neutron source upgrades; and

(4) $158,143,000 for computational and technology research.

(b) REPORT TO CONGRESS.—Before May 1, 1997, the Secretary, after consultation with the relevant scientific communities, shall prepare and transmit to the Congress a report detailing a strategic plan for the operation of facilities that are provided funds authorized by subsection (a)(3). The report shall include—

(1) a list of such facilities, including schedules for continuation, upgrade, transfer, or closure of each facility;

(2) a list of proposed facilities to be provided funds authorized by subsection (a)(3), including schedules for the construction and operation of each facility;

(3) a list of research opportunities to be pursued, including both ongoing and proposed activities, by the research activities authorized by subsection (a)(3); and

(4) an analysis of the relevance of each facility listed in paragraphs (1) and (2) to the research opportunities listed in paragraph (3).

SEC. 311. SUPPORT PROGRAMS FOR ENERGY SUPPLY RESEARCH AND DEVELOPMENT.

There are authorized to be appropriated to the Secretary for fiscal year 1997 for support programs for Energy Supply Research and Development—

(1) $2,000,000 for Energy Research Analyses;

(2) $28,885,000 for the Multi-Program Energy Laboratory program;

(3) $14,900,000 for the Information Management Investment program;

(4) $42,154,000 for program direction;

(5) $19,900,000 for University and Science Education programs;

(6) $12,000,000 for the Technology Information Management Program; and

(7) $651,414,000 for Civilian Environmental Restoration and Waste Management.

TITLE IV—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SEC. 401. SHORT TITLE.

This title may be cited as the ''National Oceanic and Atmospheric Administration Authorization Act of 1996''.

SEC. 402. POLICY AND PURPOSE.

It is the policy of the United States and the purpose of this title to—

(1) support and promote continuing the mission of the National Oceanic and Atmospheric Administration to monitor, describe and predict changes in the Earth's environment, protect lives and property, and conserve and manage the Nation's coastal and marine resources to ensure sustainable economic opportunities;

(2) affirm that such mission involves basic responsibilities of the Federal Government for ensuring general public safety, national security, and environmental well-being, and promising economic growth;

(3) affirm that the successful execution of such mission depends strongly on interdependency and synergism among component activities of the National Oceanic and Atmospheric Administration;

(4) recognize that the activities of the National Oceanic and Atmospheric Administration underlie the societal and economic well-being of many sectors of our Nation; and

(5) recognize that such mission is most effectively performed by a single Federal agency with the capability to link societal and economic decisions with a comprehensive understanding of the Earth's environment, as provided for in this title.

SEC. 403. NATIONAL WEATHER SERVICE OPERATIONS AND RESEARCH.

There are authorized to be appropriated to the Secretary of Commerce to enable the National Oceanic and Atmospheric Administration to carry out the operations and research activities of the National Weather Service $471,702,000 for fiscal year 1997.

SEC. 404. NATIONAL WEATHER SERVICE SYSTEMS ACQUISITION.

(a) AUTHORIZATION.—There are authorized to be appropriated to the Secretary of Commerce to enable the National Oceanic and Atmospheric Administration to improve its public warning and forecast systems $68,984,000 for fiscal year 1997. None of the funds authorized under this section may be used for the purposes for which funds are authorized under section 102(b) of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567).

(b) AWIPS COMPLETE PROGRAM AUTHORIZATION.—(1) Except as provided in paragraph (2), there are authorized to be appropriated to the Secretary for all fiscal years beginning after September 30, 1996, an aggregate of $271,166,000, to remain available until expended, to complete the acquisition and deployment of the Advanced Weather Interactive Processing System and NOAA Port and to cover all associated activities, including program management and operations and maintenance through September 30, 1999.

(2) No funds are authorized to be appropriated for any fiscal year under paragraph (1) unless, within 60 days after the submission of the President's budget request for such fiscal year, the Secretary—

(A) certifies to the Congress that—

(i) the systems meet the technical performance specifications included in the system contract as in effect on August 11, 1995;

(ii) the systems can be fully deployed, sited, and operational without requiring further appropriations beyond amounts authorized under paragraph (1); and

(iii) the Secretary does not foresee any delays in the systems deployment and operations schedule; or

(B) submits to the Congress a report which describes—

(i) the circumstances which prevent a certification under subparagraph (A);

(ii) remedial actions undertaken or to be undertaken with respect to such circumstances;

(iii) the effects of such circumstances on the systems deployment and operations schedule and systems coverage; and

(iv) a justification for proceeding with the program, if appropriate.

(c) REPEAL.—Section 102(b)(2) of the National Oceanic and Atmospheric Administration Authorization Act of 1992 is repealed.

SEC. 405. WEATHER SERVICE MODERNIZATION.

(a) WEATHER SERVICE MODERNIZATION.—The Weather Service Modernization Act (15 U.S.C. 313 note) is amended—

(1) in section 706—

(A) by amending subsection (b) to read as follows:

''(b) CERTIFICATION.—The Secretary may not close, consolidate, automate, or relocate any field office unless the Secretary has certified to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives that such action will not result in degradation of services to the affected area. Such certification shall be in accordance with the modernization criteria established under section 704.'';

(B) by striking subsections (c), (d), and (e);

(C) by redesignating subsection (f) as subsection (d); and

(D) by inserting after subsection (b) the following new subsection:

''(c) SPECIAL CIRCUMSTANCES.—The Secretary may not close or relocate any field office which is located at an airport, unless the Secretary, in consultation with the Secretary of Transportation and the Committee, first conducts an air safety appraisal, determines that such action will not result in degradation of service that affects aircraft safety, and includes such determination in the certification required under subsection (b). This air safety appraisal shall be issued jointly by the Department of Commerce and the Department of Transportation before September 30, 1996, and shall be based on a coordinated review of all the airports in the United States subject to the certification requirements of subsection (b). The appraisal shall—

''(1) consider the weather information required to safely conduct aircraft operations and the extent to which such information is currently derived through manual observations provided by the National Weather Service and the Federal Aviation Administration, and automated observations provided from other sources including the Automated Weather Observation Service (AWOS), the Automated Surface Observing System (ASOS), and the Geostationary Operational Environmental Satellite (GOES); and

''(2) determine whether the service provided by ASOS, and ASOS augmented where necessary by human observations, provides the necessary level of service consistent with the service standards encompassed in the criteria for automation of the field offices.''; and

(2) in section 707—

(A) by amending subsection (c) to read as follows:

''(c) DUTIES.—The Committee shall advise the Congress and the Secretary on—

''(1) the implementation of the Strategic Plan, annual development of the Plan, and establishment and implementation of modernization criteria; and

''(2) matters of public safety and the provision of weather services which relate to the comprehensive modernization of the National Weather Service.''; and

(B) by amending subsection (f) to read as follows:

''(f) TERMINATION.—The Committee shall terminate—

''(1) on September 30, 1996; or

''(2) 90 days after the deadline for public comment on the modernization criteria for closure certification published in the Federal Register pursuant to section 704(b)(2),

whichever occurs later.''.

(b) SENSE OF CONGRESS REGARDING ADDITIONAL MODERNIZATION ACTIVITIES.—It is the sense of Congress that the Secretary of Commerce should plan for the implementation of a follow-on modernization program aimed at improving weather services provided to areas which do not receive weather radar coverage at 10,000 feet. In carrying out such a program, the Secretary should plan for a procurement of Block II NEXRAD radar units.

SEC. 406. BASIC FUNCTIONS AND PRIVATIZATION OF NATIONAL WEATHER SERVICE .

(a) BASIC FUNCTIONS.—The basic functions of the National Weather Service shall be—

(1) the provision of forecasts and warnings including forecasts and warnings, of severe weather, flooding, hurricanes, and tsunami events;

(2) the collection, exchange, and distribution of meteorological, hydrologic, climatic, and oceanographic data and information; and

(3) the preparation of hydrometeorological guidance and core forecast information.

(b) PROHIBITION.—The National Weather Service shall not provide any new or enhanced weather services for the sole benefit of an identifiable private entity or group of such entities operating in any sector of the national or international economy in competition with the private weather service industry.

(c) NEW OR ENHANCED SERVICE.—If the Secretary determines, after consultation with appropriate Federal and State officials, that a new or enhanced weather service is necessary and in the public interest to fulfill the international obligations of the United States, to enable State or Federal emergency or resource managers to better perform their State or Federal duties, or to carry out the functions of the National Weather Service described in subsection (a), the National Weather Service may provide such new or enhanced service as one of its basic functions if—

(1) each new or enhanced service provided by the National Weather Service will be limited to the level that the Secretary determines necessary to fulfill the requirements of this subsection, taking into account the capabilities and limitations of resources available, scientific knowledge, and technological capability of the National Weather Service; and

(2) upon request, the National Weather Service will promptly make available to any person the data or data products supporting the new or enhanced service provided pursuant to this section, at a cost not greater than that sufficient to recover the cost of dissemination.

(d) FEDERAL REGISTER.—The Secretary shall promptly publish in the Federal Register each determination made under subsection (c).

(e) PRIVATIZATION REVIEW.—The Secretary shall, by February 15, 1997, conduct a review of all existing weather services and activities performed by the National Oceanic and Atmospheric Administration in order to identify those activities which may be transferred to the private sector. Such review shall include a determination that activities identified for privatization will continue to be disseminated to users on a reasonably affordable basis with no degradation of service. The Secretary shall, by March 15, 1997, provide to the Speaker of the House of Representatives and the President of the Senate a plan for transferring these identified services to the private sector.

SEC. 407. CLIMATE AND AIR QUALITY RESEARCH.

(a) AUTHORIZATION.—There are authorized to be appropriated to the Secretary of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its climate and air quality research activities $122,681,000 for fiscal year 1997.

(b) GLOBE.—Of the amount authorized in subsection (a), $7,000,000 are authorized for fiscal year 1997 for a program to increase scientific understanding of the Earth and student achievement in math and science by using a worldwide network of schools to collect environmental observations. Beginning in fiscal year 1997, amounts appropriated for such program may be obligated only to the extent that an equal or greater amount of non-Federal funding is provided for such program.

SEC. 408. ATMOSPHERIC RESEARCH.

There are authorized to be appropriated to the Secretary of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its atmospheric research activities $43,766,000 for fiscal year 1997.

SEC. 409. SATELLITE OBSERVING AND ENVIRONMENTAL DATA MANAGEMENT SYSTEMS.

(a) AUTHORIZATION.—There are authorized to be appropriated to the Secretary of Commerce to enable the National Oceanic and Atmospheric Administration to carry out its satellite observing systems activities and data and information services, $348,740,000 for fiscal year 1997, and, in addition, such sums as may be necessary to continue planning and development of a converged polar orbiting meteorological satellite program. None of the funds authorized in this subsection may be used for the purposes for which funds are authorized under section 105(d) of the National Oceanic and Atmospheric Administration Act of 1992 (Public Law 102–567).

(b) REPEAL.—Section 105(d)(2) of the National Oceanic and Atmospheric Administration Authorization Act of 1992 is repealed.

SEC. 410. PROGRAM SUPPORT.

(a) EXECUTIVE DIRECTION AND ADMINISTRATIVE ACTIVITIES.—There are authorized to be appropriated to the Secretary of Commerce to enable the National Oceanic and Atmospheric Administration to carry out executive direction and administrative activities, including management, administrative support, provision of retired pay of National Oceanic and Atmospheric Administration commissioned officers, and policy development, $64,694,000 for fiscal year 1997.

(b) ACQUISITION, CONSTRUCTION, MAINTENANCE, AND OPERATION OF FACILITIES.—There are authorized to be appropriated to the Secretary of Commerce for acquisition, construction, maintenance, and operation of facilities of the National Oceanic and Atmospheric Administration $37,366,000 for fiscal year 1997.

(c) AIRCRAFT SERVICES.—There are authorized to be appropriated to the Secretary of Commerce to enable the National Oceanic and Atmospheric Administration to carry out aircraft services activities, including aircraft operations, maintenance, and support, $10,182,000 for fiscal year 1997.

SEC. 411. EDUCATIONAL PROGRAMS AND ACTIVITIES.

The Secretary of Commerce may conduct educational programs and activities related to the responsibilities of the National Oceanic and Atmospheric Administration. For the purposes of this section, the Secretary may award grants and enter into cooperative agreements and contracts with States, private sector, and nonprofit entities.

TITLE V—ENVIRONMENTAL PROTECTION AGENCY

SEC. 501. SHORT TITLE.

This title may be cited as the ''Environmental Research, Development, and Demonstration Authorization Act of 1996''.

SEC. 502. DEFINITIONS.

For the purposes of this title, the term—

(1) ''Administrator'' means the Administrator of the Environmental Protection Agency;

(2) ''Agency'' means the Environmental Protection Agency; and

(3) ''Assistant Administrator'' means the Assistant Administrator for Research and Development of the Agency.

SEC. 503. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator $580,460,000 for fiscal year 1997 for the Office of Research and Development for environmental research, development, and demonstration activities, including program management and support, in the areas specified in subsection (b).

(b) SPECIFIC PROGRAMS AND ACTIVITIES.—Of the amount authorized in subsection (a), there are authorized to be appropriated the following:

(1) For air related research, $88,163,200.

(2) For water quality related research, $26,293,800.

(3) For drinking water related research, $26,593,700.

(4) For pesticide related research, $20,632,000.

(5) For toxic chemical related research, $12,341,500.

(6) For research related to hazardous waste, $10,343,900.

(7) For multimedia related research expenses, $300,837,000.

(8) For program management expenses, $8,184,700.

(9) For research related to leaking underground storage tanks, $681,000.

(10) For oil pollution related research, $1,031,000.

(11) For environmental research laboratories, $85,358,200.

(c) CONTINGENT AUTHORIZATION FOR RESEARCH RELATING TO THE CLEANUP OF CONTAMINATED SITES.—To the extent that the Hazardous Substances Trust Fund is authorized to receive funds during fiscal year 1997, there are authorized to be appropriated for that fiscal year $42,508,000 from such Fund to the Administrator for research relating to the cleanup of contaminated sites.

TITLE VI—TECHNOLOGY

SEC. 601. SHORT TITLE.

This title may be cited as the ''Technology Administration Authorization Act of 1996''.

SEC. 602. AUTHORIZATION OF APPROPRIATIONS.

(a) UNDER SECRETARY FOR TECHNOLOGY.—There are authorized to be appropriated to the Secretary of Commerce for the activities of the Under Secretary for Technology/Office of Technology Policy $9,531,000 for fiscal year 1997.

(b) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There are authorized to be appropriated to the Secretary of Commerce for the National Institute of Standards and Technology for fiscal year 1997 the following amounts:

(1) For Industrial Technology Services, $450,000,000, of which—

(A) $345,000,000 shall be for the Advanced Technology Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n); and

(B) $105,000,000 shall be for the Manufacturing Extension Partnerships program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l).

(2) For Scientific and Technical Research and Services, $270,744,000, of which—

(A) $267,764,000 shall be for Laboratory Research and Services; and

(B) $2,980,000 shall be for the Malcolm Baldrige National Quality Award program under section 17 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3711a).

(3) For Construction of Research Facilities, $105,240,000.

SEC. 603. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT AMENDMENTS.

The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended—

(1) in section 25(c)—

(A) by striking ''for a period not to exceed six years'' in paragraph (1); and

(B) by striking ''which are designed'' and all that follows through ''operation of a Center'' in paragraph (5) and inserting in lieu thereof ''to a maximum of ⅓ Federal funding. Each Center which receives financial assistance under this section shall be evaluated during its sixth year of operations, and at least once each two years thereafter as the Secretary considers appropriate, by an evaluation panel appointed by the Secretary in the same manner as was the evaluation panel previously appointed. The Secretary shall not provide funding for additional years of the Center's operation unless the most recent evaluation is positive and the Secretary finds that continuation of funding furthers the purposes of this section''; and

(2) in section 28—

(A) by striking ''or contracts'' in subsection (b)(1)(B), and inserting in lieu thereof ''contracts, and, subject to the last sentence of this subsection, other transactions'';

(B) by inserting ''and if the non-Federal participants in the joint venture agree to pay at least 50 percent of the total costs of the joint venture during the Federal participation period, which shall not exceed 5 years,'' after ''participation to be appropriate,'';

(C) by striking ''provision of a minority share of the cost of such joint ventures for up to 5 years, and (iii)'' in subsection (b)(1)(B), and inserting in lieu thereof ''and'';

(D) by striking ''and cooperative agreements'' in subsection (b)(2), and inserting in lieu thereof '', cooperative agreements, and, subject to the last sentence of this subsection, other transactions'';

(E) by adding after subsection (b)(4) the following:

''The authority under paragraph (1)(B) and paragraph (2) to enter into other transactions shall apply only if the Secretary, acting through the Director, determines that standard contracts, grants, or cooperative agreements are not feasible or appropriate, and only when other transaction instruments incorporate terms and conditions that reflect the use of generally accepted commercial accounting and auditing practices.''; and

(F) by adding at the end the following new subsection:

''(k) Notwithstanding subsection (b)(1)(B)(ii) and subsection (d)(3), the Director may grant extensions beyond the deadlines established under those subsections for joint venture and single applicant awardees to expend Federal funds to complete their projects, if such extension may be granted with no additional cost to the Federal Government and it is in the Federal Government's interest to do so.''.

TITLE VII—UNITED STATES FIRE ADMINISTRATION

SEC. 701. SHORT TITLE.

This title may be cited as the ''Fire Administration Authorization Act of 1996''.

SEC. 702. AUTHORIZATION OF APPROPRIATIONS.

Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(a)(1)) is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting in lieu thereof ''; and''; and

(3) by adding at the end the following new subparagraph:

''(G) $27,560,000 for the fiscal year ending September 30, 1997.''.

TITLE VIII—FEDERAL AVIATION ADMINISTRATION RESEARCH, ENGINEERING, AND DEVELOPMENT

SEC. 801. AVIATION RESEARCH AUTHORIZATION.

Section 48102(a) of title 49, United States Code, is amended—

(1) by striking ''Not more than the following amounts'' and inserting in lieu thereof ''For fiscal year 1997, not more than $195,700,000 for Research, Engineering, and Development'';

(2) by inserting ''40119, 44912,'' after ''carry out sections''; and

(3) by striking ''of this title'' and all that follows through the end of the subsection and inserting in lieu thereof ''of this title''.

SEC. 802. RESEARCH PRIORITIES.

Section 48102(b) of title 49, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by striking ''AVAILABILITY FOR RESEARCH.—(1)'' and inserting in lieu thereof ''RESEARCH PRIORITIES.—(1) The Administrator shall consider the advice and recommendations of the research advisory committee established by section 44508 of this title in establishing priorities among major categories of research and development activities carried out by the Federal Aviation Administration.

''(2)''.

SEC. 803. RESEARCH ADVISORY COMMITTEE.

Section 44508(a)(1) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting in lieu thereof ''; and''; and

(3) by inserting after subparagraph (C) the following new subparagraph:

''(D) annually review the allocation made by the Administrator of the amounts authorized by section 48102(a) of this title among the major categories of research and development activities carried out by the Administration and provide advice and recommendations to the Administrator on whether such allocation is appropriate to meet the needs and objectives identified under subparagraph (A).''.

SEC. 804. NATIONAL AVIATION RESEARCH PLAN.

Section 44501(c) of title 49, United States Code, is amended—

(1) in paragraph (2)(A) by striking ''15-year'' and inserting in lieu thereof ''5-year'';

(2) by amending subparagraph (B) to read as follows:

''(B) The plan shall—

''(i) provide estimates by year of the schedule, cost, and work force levels for each active and planned major research and development project under sections 40119, 44504, 44505, 44507, 44509, 44511–44513, and 44912 of this title, including activities carried out under cooperative agreements with other Federal departments and agencies;

''(ii) specify the goals and the priorities for allocation of resources among the major categories of research and development activities, including the rationale for the priorities identified;

''(iii) identify the allocation of resources among long-term research, near-term research, and development activities; and

''(iv) highlight the research and development activities that address specific recommendations of the research advisory committee established under section 44508 of this title, and document the recommendations of the committee that are not accepted, specifying the reasons for nonacceptance.''; and

(3) in paragraph (3) by inserting '', including a description of the dissemination to the private sector of research results and a description of any new technologies developed'' after ''during the prior fiscal year''.

TITLE IX—NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM

SEC. 901. AUTHORIZATION OF APPROPRIATIONS.

Section 12 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706) is amended—

(1) in subsection (a)(7) by striking ''and $25,750,000 for the fiscal year ending September 30, 1996'' and inserting in lieu thereof ''$25,750,000 for the fiscal year ending September 30, 1996, and $18,825,000 for the fiscal year ending September 30, 1997'';

(2) in subsection (b) by striking ''and $50,676,000 for the fiscal year ending September 30, 1996'' and inserting in lieu thereof ''$50,676,000 for the fiscal year ending September 30, 1996, and $46,130,000 for the fiscal year ending September 30, 1997'';

(3) in subsection (c) by adding at the end the following new sentence: ''There are authorized to be appropriated, out of funds otherwise authorized to be appropriated to the National Science Foundation, $28,400,000 for fiscal year 1997, including $17,500,000 for engineering research and $10,900,000 for geosciences research.''; and

(4) in subsection (d) by adding at the end the following new sentence: ''There are authorized to be appropriated, out of funds otherwise authorized to be appropriated to the National Institute of Standards and Technology, $1,932,000 for fiscal year 1997.''.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, this amendment that I am offering is in the nature of a substitute to H.R. 3322 and its contents have been alluded to in earlier debate. We will refer to this substitute as a Democratic substitute but I believe that it also represents the views of most moderate Republicans in the House and in the other body. It also seeks to preserve many investments in research and development initiated under the past Republican administrations of George Bush and Ronald Reagan.

Mr. Chairman, the key feature of this substitute is that it provides sustaining funding this year for valuable science and technology programs within an overall balanced budget plan, the plan submitted by the administration on March 19. The Congressional Budget Office has certified that this plan does balance the budget by the year 2002.

The substitute I am offering, like H.R. 3322, is a 1-year bill. This is a critical year, however, in the long-range context. There are now no real differences between the Democrats and Republicans over the commitment to cut spending and balance the budget. The question is one of priorities and of process, as I tried to describe a few minutes ago. How do we achieve this balanced budget and at the same time maintain critical levels of investment in the very things that have been the source of and necessary to continue to stimulate our economy?

In reducing the size of Government, it is imperative that we recognize that this is not simply an accounting exercise. We must take a good hard look at the programs we want to preserve and provide the necessary funding to transition them to more efficient technologies while restructuring them in a sensible way. The Democratic substitute does this.

We recognize that some agencies, such as NASA, have made heroic strides in downsizing and we have made an effort to meet their request levels to continue on this track. We have not rewarded them with additional cuts in personnel and programs as has H.R. 3322, an action that will only make it all the more difficult for them to achieve what we all want.

This substitute also establishes priorities within R&D that best address some of our most pressing challenges in the future. This bill provides funding for technology partnerships in the Manufacturing Extension Program and the Advanced Technology Program. These efforts will increase the productivity of American industry to allow them to compete in the future world economy. In a more direct sense, these programs will provide jobs both today and in the future. However, these programs have fallen within the purview of what the chairman of our committee calls corporate welfare and they are scheduled to be eliminated by this legislation.

The substitute also provides funding for energy conservation programs, solar and renewables, fossil energy programs, and fusion energy research. Some of these are in what I have described, either the liberal claptrap or corporate welfare category. At a time when our national attention is fixed on rising energy prices and our dependence on fluctuating world markets, it is imperative that we continue the drive for energy independence.

In the environmental area, the substitute provides funding to develop a full understanding of key environmental issues such as ozone depletion and climate change in order to provide a basis for any future policy, regulation, or international agreement. Democrats strongly believe that the fundamental approach to risk-based regulations is sound R&D. We have not banned any research in this substitute as does H.R. 3322, nor have we taken the position that these problems will go away if we simply kill the research.

Finally, Mr. Chairman, the substitute bill provides a balanced set of R&D priorities that include both basic and applied research. We believe that the concept of basic versus applied research are inseparable and both are valuable contributors to our long-term economic growth and intellectual leadership. We believe that a rigid ideological approach to restricting the Federal role only to basic research is profoundly misguided, and that position is one supported by the Council on Competitiveness.

The CHAIRMAN pro tempore. The time of the gentleman from California [Mr. BROWN] has expired.

(By unanimous consent, Mr. BROWN of California was allowed to proceed for 2 additional minutes.)

Mr. BROWN of California. We found in our markup before the Committee on Science that the authors of H.R. 3322 have a fundamental misconception of what basic research is. The categories of research they have defined as basic do not comport with any other definitions used by the OMB, by the American Association for the Advancement of Science, or by any other group that we know of. Yet the definitions that have been fabricated for the purpose of this bill constitute the underlying science policy and budget policy that the authors intend to guide the science establishment.

We found, when examining the actual figures in H.R. 3322 and the substitute I am offering, that the Republican bill is virtually identical in fiscal year 1996 levels for overall basic research. My substitute represents an increase of about 3 percent over fiscal year 1996 levels. Thus, contrary to the assertions of its authors, H.R. 3322 offers no increase in basic research over the President or over my substitute. In fact, just the opposite is true.

The most significant budgetary problem however, is represented by the nonbasic research programs that include such important activities as weather forecasting, aeronautical research, environmental research as well as personnel levels of scientists and engineers. The Republican bill cuts these accounts by over 7 percent in nominal terms, close to 10 percent with inflation. My substitute provides enough to keep pace with inflation this year.

I will close by acknowledging today that an even greater personal concern of mine is how these science programs will fare over the next decade. Although there has been an intense debate between the Republicans and the White House over how much to reduce discretionary spending as a part of any overall budget agreement, I personally believe that civilian R&D has suffered too much, especially in NASA. I hope that both sides can take a more enlightened look at the importance of our R&D investments over the long term and reassess our budget needs in this area.

Mr. Chairman, I am enclosing with this statement a summary of the specific actions my substitute takes to address some of the shortcomings of H.R. 3322 and provide a more reasoned approach to R&D priorities this fiscal year. The Democratic substitute is better for the environment, better for job creation and competitiveness, better for education, and better for science. I ask all my colleagues to join me in supporting this amendment.

COMPARISON OF H.R. 3322, THE OMNIBUS CIVILIAN SCIENCE AUTHORIZATION ACT OF 1996, and the Brown Substitute

BACKGROUND

H.R. 3322, the Omnibus Civilian Science Authorization Act of 1996, was reported by the Science Committee on April 24, 1996. The bill authorizes research and other programs in FY 1997 for the National Science Foundation (NSF), National Aeronautics and Space Administration (NASA), U.S. Fire Administration, National Oceanographic and Atmospheric Administration (NOAA), Environmental Protection Agency (EPA), National Institute of Standards and Technology (NIST), Federal Aviation Administration (FAA) and National Earthquake Hazards Reduction Program. H.R. 3322 does not include the Department of Energy (DOE), whose FY 97 research programs were authorized by the House on October 12, 1995 (H.R. 2405). It also does not include authorization for the Advanced Technology Program (ATP) or the Manufacturing Extension Partnership (NEP)—two NIST programs that are considered high-priority by the Clinton Administration.

A Democratic Alterative to H.R. 3322 which tracks the President's FY 97 budget request was offered by Rep. George Brown at Committee markup and was voted down 27–21 on a straight party-line basis. Although the bill and the Alternative are both described as consistent with a balanced budget, they differ sharply on policy and funding.

POLICY & FUNDING PROVIDED BY BROWN AMENDMENT

For NSF: Adds $74M (4.4%) to overall budget, a 3% increase over FY 96 versus less than 1% in H.R. 3322; restores $9M in Salaries & Expenses account to avoid delays in processing proposals; allows NSF to maintain the Directorate for Social, Economic, and Behavioral Sciences; and eliminates $100M in Facilities Modernization account to fund research instead of bricks in accord with Director's request.

For NASA: Adds $308M (2%) to overall budget; restores funding to personnel account to avoid additional furloughs at NASA centers; restores $374M (27%) cut from Mission to Planet Earth and $34M (18%) cut from Advanced Subsonics Research; fully funds President's request for Space Sciences account; and gives a clear mandate to study the climate and environment of Earth.

For NOAA: Retains but streamlines the ''certification'' process for closure of weather stations; Outlines policy for promoting public and private roles in weather forecasting; and Restores the bill's cuts in weather forecasting activities and environmental research.

For EPA: Restores $92M (16%) for environmental R&D; authorizes Superfund R&D; and eliminates bans on climate, indoor air and environmental technologies research.

For NIST: Restores funding for the Technology Administration ($10M), Advanced Technology Program ($345M), and Manufacturing Extension Partnership ($105M)—all eliminated by H.R. 3322 and funds Labs at the President's request.

For FAA: Consolidates scattered research accounts into a single R&D account.

For DOE: Restores deep cuts in Solar & Conservation (50%), Renewables (30%), Biological and Environmental (10%), Fusion (20%), and Fossil Research (30%) accounts, as required by the House-passed H.R. 2405.

SUMMARY

The Brown substitute supports ''basic research'', as defined by the research agencies themselves, more generously than the Republican bill ($6.02 vs. $5.85 billion). Brown supports applied research and development much more generously than H.R. 3322.

The Brown substitute supports technology partnerships, which are critical to creating high-wage jobs, as recommended by the recent Council on Competitiveness report ''Endless Frontier, Limited Resources: U.S. R&D Policy for Competitiveness.''

The Brown substitute supports important environmental research initiatives, rather than screening these programs through an ideological filter.

BUDGET SUMMARY COMPARISON TABLE

[In millions of dollars]

Agency	Fiscal year 1995	Fiscal year 1996	H.R. 3322/ 2405	Brown alternative
NSF	3,264	3,220	3,250	3,235
NASA	14,464	13,885	13,496	13,804
USFA	34	28	28	28
NOAA[1]	1,349	1,324	1,308	1,463
EPA	588	525	487	579
Technology Administration	8	7	0	10
NIST	701	620	386	826
FAA	0	186	186	196
NEHRP	0	95	95	95
DOE	5,281	4,578	4,001	4,797
Total	25,689	24,468	23,237	25,123

[1] NOAA funding figures reflect the status of the bill upon adoption of a Manager's amendment which removes programs within the jurisdiction of the Resources Committee. The bill as reported cuts an additional $170 million from these programs.

Mr. DOYLE. Mr. Chairman, I rise in support of the Brown substitute.

I do so for many reasons. The underlying bill is based upon a false premise and is basically an abdication of Federal participation in research and development.

When I came to Congress I wanted to serve on the Science Committee because I recognize that, in addition to regulatory reform and balancing the budget, we need a sound research and development policy to achieve economic security.

I can not begin to describe my disappointment over the way the Science Committee dealt with its authorization. Basically, we have abandoned any debate over policy in favor or partisanship. You will hear much rhetoric about how much the Science Committee contributed towards balancing the budget.

The truth is that our committee was presented with alternative budgets for most of our accounts, all of which fell within the constraints of a balanced budget plan—the one put forward by the Senate Budget Committee, and here in the House by the coalition.

Were these considered on their merits? No. Instead, Members were told that there was only one vision, the vision the chairman put forward about how much each Appropriations subcommittee 602(b) allocations would be dedicated to our accounts. This was not reality, and a further examination shows the fiscal year 1996 budget eventually turned out to be very much like the levels of the alternative proposals that had been based on balanced budgets put forward by both parties.

Since last year's omnibus science bill did not accomplish much, we tried a different approach this year. What kind of improvements did we make?

Well, the two most noticeable changes are that we skipped subcommittee markup, and also that we decided to consider a number of our programs outside Science Committee jurisdiction, while ignoring some major responsibilities.

The Brown substitute is a much more realistic approach to meeting our Nation's research and development needs while still maintaining our commitment to a balanced budget. It is a vast improvement over the underlying bill in numerous ways, but the one I want to focus on is it includes something the manager's amendment does not—a title covering the Department of Energy's research and development programs.

Last October, when the House considered H.R. 2405, an amendment offered by Chairman WALKER was adopted which raised authorization levels for fiscal year 1996 to meet the previously appropriated level, but also set fiscal year 1997 levels.

This amendment was clear evidence of how irrelevant the Science Committee has been in the area of energy research. The fiscal year 1996 levels in the Walker amendment merely reflected what the appropriations had already done with these programs, and the fiscal year 1997 levels were not the result of Science Committee action.

In the debate action over the inclusion of fiscal year 1997 authorization in the Walker amendment, Science Committee Chairman WALKER stated, ''I never contended that I brought this matter before the committee. I brought it to the floor as my own amendment.''

Since the House acted on H.R. 2405, there have been several developments which warrant reconsideration of these numbers.

For instance, the Congressional Budget Office has revised its economic assumptions, resulting in greater flexibility in making discretionary spending decisions. Also, the Energy and Environment Subcommittee has held a series of hearings on energy research and development, which have proven to be very helpful in our ability to judge the value of the various programs in question.

While I am grateful to Energy and Environment Subcommittee Chairman ROHRABACHER for scheduling these hearings, they will be for nothing if the committee is unable to act on this hearing record in a timely manner.

The need to revisit DOE R&D funding is apparently shared by Chairman WALKER and Subcommittee Chairman ROHRABACHER, who, when we marked up the bill we have here today, publicly pledged their willingness to move a fiscal year 1997 DOE R&D authorization bill.

While I supported this approach, it is now becoming apparent that the markup of a separate DOE authorization will occur too late to influence this year's process.

□ 1730

Mr. Chairman, a previous colleague of mine asked the question where is the beef. In western Pennsylvania, we would say this bill is all foam and no beer.

Member's who are concerned about our energy security, and what we are doing to further it, should support the Brown substitute. Leaving it up to appropriators or the other body is not a responsible way to represent your constituents.

Mr. OLVER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the substitute which has been offered by the gentleman from California.

Mr. Chairman, the underlying bill, which has been offered by the Committee on Science, the so-called Walker bill, I believe is a direct attack on America's investment in the future. The business, academic, and scientific communities all ought to be outraged by the legislation in the form that it has been offered. It does not take much of a look at this bill, Mr. Chairman, to see that it is the Brown substitute that is in the best interest of continued economic growth.

We hear so much talk on the other side of the aisle how cutting taxes for the wealthy will lead to job growth, meanwhile this bill pulls the rug out from under the efforts to create whole new industries. One minute our Republican colleagues insist that we do away with regulations that supposedly stand in the way of job growth and the next minute they are cutting opportunities for new high paying jobs.

Civilian R&D, in my view, has been over the years, and will continue to be, about a lot more than just jobs, just the jobs that are involved in the research itself. The new technologies that offer potential from that R&D include:

More effective law enforcement; the reduction of environmental pollution; efficient environmental cleanups; increased national security; and more disposable income that we, as Americans, need from the savings that can be made through energy conservation.

That is naming a very few of those available.

Civilian R&D is probably the best way of ensuring that America remains competitive in the global economy, yet the underlying bill here, the Walker bill, reduces our chance to remain preeminent in science and technology, a preeminence which testifier after testifier said we were in danger of losing if we did not keep up our input and our commitment to our research base.

What we will end up with here is the need to import those new technologies from elsewhere if we lose the preeminence that we have had over a long period of time and our trade imbalance will now become a trade imbalance on the very thing that we have been the leaders on over decades, ever since the Second World War, really, in those areas of the development of new technologies and the wonderful research and development programs that we have maintained in this country over a period of at least 50 years.

Mr. Chairman, I think it is irresponsible and shortsighted for the Congress to cut funding for energy conservation and to cut funding for renewable energy research. It is a wipeout of the funding for energy conservation research and a wipeout of the research into renewable energy sources. This bill erases any semblance of a national energy policy. Gone. Simply gone. Nonexistent with this legislation.

Mr. Chairman, I do not think that is the way we should be preparing for the 21st century, as critical as the use of energy is in this whole society of ours.

Now, we are hearing a lot of rhetoric on the other side about defending basic research. In the underlying bill the Republican proposals are seriously less supportive of basic research than the substitute from the gentleman, the ranking member, the gentleman from California. The Republican explanations, which claim a more generous level for basic research funding, are based on an arbitrary classification of basic versus applied definitions, which we can all argue about, but it is an arbitrary definition which is not the definition of the standard classification as has been used by the OMB and which is also the classification used in all of the historical data for baseline comparisons on Federal investments in research.

For the NSF, which has been our premier basic research agency, support agency for everything but the biomedical sciences, the substitute bill by the gentleman from California provides growth of at least $70 million more than the underlying bill. For research project support, the difference in growth is $82 million greater on the part of the Brown substitute than from the underlying bill.

Mr. Chairman, these differences stand out in light of the many times we have heard Republican claims about the high priority that they place on basic research in the Federal R&D budget.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. OLVER] has expired.

(On request of Mr. VOLKMER, and by unanimous consent, Mr. OLVER was allowed to proceed for 2 additional minutes.)

Mr. OLVER. Mr. Chairman, the cold war is over, a fact which has changed our economy, so that civilian research is key to meeting our challenges under the new economy. We should be working to develop new technologies that will provide new opportunities to high-tech workers in civilian industries. And though the cold war may be over, the technological war has just begun.

America should be on the verge of a new technological frontier and making certain that we maintain our preeminence in both science and technology in this world. Yes, we have a budget deficit. Yes, we should eliminate waste. Yes, we should be extremely careful in how we expend every dollar that is spent, but the Brown substitute is in line with a balanced budget without retreating from scientific and technological excellence in this country. The underlying bill, I believe, is irresponsible as a scientist, and America deserves better.

Mr. Chairman, I urge my colleagues to support the substitute from the gentleman from California.

Mr. STENHOLM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Brown substitute, and I want to take a moment to say something about it. It is the right thing to do.

What I mean by that is that the Federal Government is fulfilling its proper role when it encourages technological research and development. It is fulfilling its proper role when it encourages us to look beyond our atmosphere for the answers to the questions we face.

Most of us can agree that the very nature of the Federal Government is changing. The functions that the Government has had throughout our lifetimes are changing—this is as it should be. The Federal Government needs to be much smaller and more responsive to the American people. And we are beginning to move in that direction.

For example, NASA should concentrate on reducing costs and encouraging greater involvement by the private sector. In conversations I have had with Administrator Goldin, I know that he is eager to continue the agency's trends in this direction.

But I believe fundamentally that the United States should maintain its position as the leader in science and space research.

Two weeks ago in this room we met to debate the 1997 budget resolution. The Blue Dogs submitted their budget plan which would have set us on a path to achieve a balanced budget by 2002. It would have forced all of us to tighten our belts a notch or two and get our fiscal house in order. In fact, our plan borrowed $137 billion less than the majority version. Unfortunately our budget plan was defeated.

But Mr. Chairman, the Blue Dog budget, which garnered significant bipartisan support, specifically endorsed the funding levels for science and technology contained in this substitute. We did this because we believed that America must continue to be a leader. H.R. 3322 is a step away from the cutting edge. That is not a direction I want to go.

My colleagues on both sides of the aisle know that I do not endorse increased spending lightly. We have to think about the return on our investments. Keeping these programs properly funded is an investment we can count on. I urge my colleagues to support the Brown substitute.

Mr. FAZIO of California. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the bill in favor of the gentleman's substitute amendment.

Mr. HASTINGS of Florida. Mr. Chairman, will the gentleman yield?

Mr. FAZIO of California. I yield to the gentleman from Florida.

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Chairman, I rise in support of the Brown substitute to H.R. 3322. This so-called omnibus bill has several missing pieces.

This omnibus bill does not contain an authorization for the Department of Commerce's technology programs housed at the National Institute of Science and Technology. These programs are designed to help industry develop new technologies. They provide medium-sized companies with scarce matching funds and necessary manufacturing information.

H.R. 3322 cuts personnel accounts at the National Weather Service. Coming from Florida where hurricanes are a major weather threat, I feel that these cuts are unjustifiable. This action leaves many areas of the country at risk from severe weather events.

But this measure does not stop there. It also takes shots at another major presence in Florida, NASA. The funding levels proposed in the bill translate into personnel layoffs at the NASA facilities in Florida.

Mr. Chairman, I could go on, but these few examples are proof enough that his bill needs fixing. I urge opposition to this bill and support the Brown substitute.

Mr. FAZIO of California. Mr. Chairman, H.R. 3322 seeks to create the impression that we are considering an omnibus civilian science proposal, but we are not. Noticeably absent are the energy research and development [R&D] programs at the Department of Energy [DOE]. How do we explain the absence of about $4.7 billion in authorizations for the civilian science programs at DOE?

Federal support for R&D is the quintessential investment in our Nation's future. Unfortunately, despite 50 years of strong bipartisan support, the Republican leadership now treats R&D as a low priority. The overall reduction would be $711 million below this year's funding and nearly $800 million below the President's proposal. Solar and renewable energy research would be cut 34 percent. Conservation energy R&D would be slashed 43 percent. Fuel Cell research would be cut 66 percent. And I would remind my colleagues that this is all being done in 1 year, not over 5 years or 7 years.

We cannot let stand congressional proposals that endanger our ability to create more high-income jobs in developing industries as well as to promote safer, more cost-efficient and environmentally sensitive energy technologies.

R&D is responsible for approximately one-half of the productivity improvements in the Nation's economy. Technological innovation is the single most important source of long-term economic growth, and the total economic return on investment in R&D is several times as high as for other forms of investment.

While Republicans seek to make political hay out of the gas price spike we are currently suffering, they are cutting the research at DOE that moves us away from dependence upon gasoline. While Senator DOLE proposes a cut in the gas tax, House Republicans propose to cut DOE's transportation energy research budget by $66.8 million below this year's funding, a 38 percent cut.

We don't know when or if the Republicans will make good on these threats to cut DOE. For the sake of my home State of California, I hope they do not. The Department of Energy calculated that California received about $722 million in energy R&D funding in fiscal year 1995. We are heavily involved in programs like energy conservation research, and research on fusion energy development, both of which are hit heavily in the Republican proposals. I mentioned fuel cell research as an area being targeted and as one that is important to a state seeking to sustain our economic recovery while maintaining our air quality. In the Third District, we have the University of California at Davis, which ranks in the top 20 universities in Federal research grants and is responsible for managing three DOE laboratories. All of these programs are at risk if the Republican committee proposal prevails.

The substitute offered by Mr. BROWN today contains all of the programs that should be in an omnibus bill, including the DOE programs. And it funds them at the President's request level. If you are concerned, as I am, about our energy future you will support Mr. BROWN. If you want energy security in the future, as I know the residents of my State do, you will support the Brown substitute.

□ 1745

So I certainly wish today to go on record in support of my colleague's substitute amendment, and in strong opposition to the bill as it has been reported out of the Committee on Science.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Brown substitute to the Omnibus science bill. The substitute provides, in my opinion, more adequate funding levels and makes a better investment in environment, science, and technology.

Mr. Chairman, like the gentleman from Texas [Mr. STENHOLM] who rose, I was a strong supporter of the so-called blue dog budget each time it has been offered. That budget reached balance within 6 years. It reached balance by cutting more spending, frankly, than any of the alternatives that were offered on this floor, and it reduced the deficit more quickly than any other alternative on this floor.

But as the gentleman from Texas, who is in my opinion the premier balanced-budget individual on this floor in either party, said so correctly, that budget provided for adequate funds to fund the space and science programs addressed by this bill more adequately than are provided in this bill.

I am particularly pleased that the Brown amendment authorizes funding for Mission to Planet Earth at the President's requested level of $1.4 billion. The restoration of the President's request would eliminate the 27-percent cut to the Earth observing system which is the centerpiece of NASA's contribution to the global effort to understand how the Earth's climate works and to use that technology to improve our lives.

I personally consider Mission to Planet Earth to be one of NASA's and America's most promising and important undertakings. I am pleased of course that Goddard Space Flight Center in Greenbelt, MD, has the lead responsibility for implementing the critical research program which helps us as a Nation and as a people to understand the Earth's global environment.

A perspective from space, Mr. Chairman, is critical. Only from above is it realistically possible to observe distant parts of the world's oceans, deserts, and polar regions, using a macro approach. But most importantly, it allows people to be more informed about what is happening in their own State or their own region.

Mission to Planet Earth will further the understanding of the causes of natural disasters, and how to respond to them. The Earth observing system, the core component of Mission to Planet Earth, will dramatically improve agricultural and natural resources productivity. In fact, it is likely to allow climate predictions a year or more in advance.

Not only will this serve as a scientific benefit, but it will result in substantial benefits and saving to policymakers, the taxpayers, farmers, and busnesspeople alike. I might say, Mr. Chairman, as an aside, to golfers as well.

Mission to Planet Earth is still an evolving program. Reducing the funding level does not take into account the substantial reductions the program has already undergone. It also sends the wrong message to our international partners who have invested in this globally integrated program.

Over the last 5 years, NASA has reduced funding for the program through the year 2000 by 60 percent while still maintaining the 24 critical science measurements endorsed by the greater science community and preserving critical launch schedules.

In addition, NASA has committed to further reducing costs and duplicate tasks through incorporation of technology and stronger links with commercial interagency and international partners.

If Congress wants to keep the program viable, we must realize that enough is enough. We have cut, but if we cut more, we will cut very deeply and seriously into the effectiveness of a critical program. I believe we must continue this investment in understanding the planet.

In addition, Mr. Chairman, I will say that the salary and expense levels provided in the Brown substitute will preclude substantial numbers of layoffs

and/or RIF's, which will further undermine the effectiveness of this program. I regret very seriously that the bill itself has proposed such serious cuts in salary and expense levels.

If the programs are to continue, we need to provide for the appropriate level of funding for those who will continue that program.

Therefore, Mr. Chairman, I urge my colleagues to support the Brown substitute, which provides funding for Mission to Planet Earth at the President's requested level. I plan to work with the Committee on Appropriations to ensure that objective as well.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Brown substitute. Unlike the underlying bill, the amendment authorizes the energy program of the Department of Energy at appropriate levels for 1997.

Last year's authorization bill contained a 2-year authorization for the Department of Energy, and the bill before us today makes no mention of these programs. That leaves us with the authorization levels from last year's bill, and that is not good policy. Mr. Chairman, by allowing these authorization levels to stand, we are giving away our responsibility to provide program directions.

The amendment makes the tough choices we need to fund energy programs. Fossil energy programs are scaled back while the overall level for energy R&D is funded at a higher level than the House budget resolution.

The amendment provides full funding for fusion energy research and development on a bipartisan basis. Over 65 Members of the House signed letters to the gentleman from Pennsylvania [Mr. WALKER] and the gentleman from Louisiana [Mr. LIVINGSTON], requesting full funding of these programs.

The amendment also enhances basic research at the Department of Energy. This amendment provides almost $60 million more for high energy and nuclear physics research than the current authorization levels.

The amendment also provides full funding for such crucial programs as the Environmental Technologies Initiative, the U.S. Global Change Research Program, and high-performance computing programs at the Department of Energy.

These sensible authorization levels do not bust the budget. The figures of the Brown substitute are consistent with a balanced budget by year 2002 as presented by both the President and the Coalition, the blue dog's budget.

I urge my colleagues to cast a vote for a reasonable energy policy.

Mr. TANNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this substitute offered by Mr. BROWN tries, I think, to achieve a balance between short-term, medium-term and long-term research goals in the Federal Government, and has done so in a sound, fiscally responsible manner.

The bill represents a best effort to develop a research and development policy that reflects today's economic realities and the need to balance the budget.

Mr. Chairman, our Government needs to be an ally of business, not an adversary, and the amendment of the gentleman from California [Mr. BROWN] tries to make that truly come to pass. The amendment follows the advice of the recently released Council on Competitiveness report entitled ''Endless Frontier, Limited Resources.'' The report's central finding is that research and development partnerships hold the key to meeting the challenge of transition that our Nation now faces.

Included in this definition of partnerships are the Partnership for a New Generation Vehicle, the Advanced Technology Program, and Cooperative Research and Development Agreements. H.R. 3322 moves in a direction that is counter to the council's recommendations, and in my opinion, has potentially devastating consequences for our country's future.

Mr. Chairman, the bill itself maintains the outdated distinction, again quoting the Council on Competitiveness report, between basic and applied research; and based on this distinction, eliminates funding for applied research and government-industry-university partnerships, which almost everyone who has studied this equation from a nonbiased point of view thinks is a shortsighted way to go in the future, and is not going to be at all helpful for the scientific community in this country.

The Brown substitute authorizes at a level consistent with balancing the budget as has been stated in the blue dog coalition budget and, in my judgment, goes in the direction we need to go.

Over and over again today we see business, because of the vagaries in the marketplace, unable to invest in ''blue sky'' research; that research that does not have in its immediate vision a way to bring a product to market and manufacture and market it commercially, in other words, get a return on investment.

These partnerships then become all the more important for our country to maintain its technological and scientific base. With these partnerships, not giveaways and grants, but partnerships where industry working with government can both reap a reward from breakthrough, new technologies.

This is serious business. The Brown substitute, in my judgment, is much more responsible to maintain and enhance on the scientific and technology base that exists in business, industry, and universities, and Federal laboratories across the country, and I would urge its adoption.

Mr. MORAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there are many reasons why the substitute offered by the gentleman from California ought to be approved by this House, but let me just name two.

First, at a time when this Nation should be marching boldly into the information age, the Science Committee has reported a timid bill that is wholly inadequate to the technological challenges that confront us.

This bill reported by the Science Committee cuts $1.2 billion from the President's science and technology request. Basic research alone is $170 million below the President's request.

This bill is plainly not the best we can do. It will make it harder for us to harness the enormous promise of the information age, to conduct the basic research that will make America more productive, and to improve the scientific proficiency of American schoolchildren.

Second, this bill is a slap in the face to the dedicated Federal workers who administer our research portfolio. This includes employees of NASA, NOAA, and the National Science Foundation. For the NSF alone, it actually cuts $7 million from the agency's salaries and expenses.

This cut is made despite the fact that the NSF has one of the best records in Government of holding its costs down. Only 4 percent of the NSF's budget goes to internal operations. During the past decade, the NSF work force has remained constant in the face of a doubling of its workload.

How does the Science Committee propose to reward this outstanding record? With a cut in salaries and expenses that will cause the loss of as many as 120 positions from the agency, that's how. The Brown substitute restores these cuts and assures that the NSF and other agencies will have the resources they need to administer the agency's enormous research program effectively.

Mr. Speaker, when the leadership of this House closed the Government down at Christmas, there was a picture that appeared in many newspapers. It showed the mailroom of the National Science Foundation piling up with research proposals.

When we finally ended that shutdown and reopened American Government, the scientists and engineers at the NSF went quietly back to work, cleared out the backlog, and got our civilian science program back on its feet. It's just plain wrong to now cut what has plainly been an exceedingly well-run agency.

I urge my colleagues to support the Brown substitute.

□ 1800

Mr. MINGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise this afternoon in opposition to H.R. 3322 and in strong support of the Brown substitute. We have been lulled into complacency by the last few years of ample energy supplies. It should not take a dramatic

rise in the price of gasoline for Congress to remember our responsibilities to the energy supply and to the security of this Nation.

Unless we pass the Brown substitute, this Congress will only perpetuate the type of complacency that we cannot accept. We need only look to the Middle East to see how our energy security and national security are intimately related. We fought the Persian Gulf war in large part over a threat to our oil supply. The Department of Energy is forecasting that we will become even more dependent on this volatile source of energy during the next 20 years.

Our only insurance policy against future energy security problems, like more gas hikes, further pollution and degradation of the environment, is energy research and development. Yet the bill before us today continues extreme cuts to energy research and development that were passed last year by this Chamber in a truncated process and are again a part of this year's budget resolution. In fact, this year's cuts in renewable and solar research and development are an additional 30 percent from last year, which was cut 30 percent from 1995. Thus, this bill represents a 50-percent cut from the President's request.

Mr. Chairman, the majority must believe that the American people will not notice that Congress is cutting energy efficiency and renewable research and development. Perhaps they think the American people will not care. However, poll after poll shows that the American people not only know about these programs but overwhelmingly support them. Every single day, the American people appreciate the lower electricity and heating bills that Federal energy research and development has brought to them because of energy efficient refrigerators and new window technologies. With each new breakthrough in renewable fuels, this country moves closer to the day when we can significantly reduce our dependence on imported oil and become more self-sufficient in all forms of energy. It will also increase our chronic trade deficit problem. Roughly 50 percent of our trade deficit is caused by the imports of foreign oil. That also augers well for our national security, enabling us to become less vulnerable to interruptions in supply from foreign oil sources.

Expanding the development of renewable energy is beneficial to our national economy. Exports of these new energy technologies on the world market are a significant opportunity. American entrepreneurs and national labs in our country represent the cutting edge of this industry. We must not pull the plug on the small businesses that are in this field and lose out on this untapped potential.

Mr. Chairman, renewable energy technologies provide a boost in economic benefits to our rural communities. Farmer-owned ethanol plants have brought new jobs to many declining rural communities that depend on corn production, not to mention the benefit of displacing imported oil. Wind energy is another cutting edge technology that holds promise throughout the windy Great Plains States, yet the committee's budget zeroes out wind energy research and development funding just when the industry is on the verge of production cost competitiveness.

We must not overlook the environmental benefits that renewable energy technologies provide. As clean technologies like wind, biomass, solar, geothermal, and hydro continue to displace coal and oil, the air we breathe will improve.

I would also like to point out, as have several other speakers, that the Brown substitute is compatible with the Blue Dog balanced budget. Do not believe the complaints from the other side that say that support for the Brown substitute will bust the budget. It is not true. The American public understands that we have too much at stake in energy security, in curbing pollution, and creating and capturing high technology markets. Let us show the American people that Congress has gotten the message.

I urge my colleagues to support the Brown substitute that would fully fund energy research and development activities and oppose H.R. 3322.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, a little over a year ago, I arrived in the U.S. Congress and had the pleasure of being able to be assigned to the House Committee on Science, a committee that I thought had as its message and mission the creation of work for the 21st century. It is in this committee's responsibility or amongst its responsibilities to be the guiding force and partner with the private sector as it relates to research and development, space and environmental research, as well. But at the same time, I have argued vigorously for an inner-city district, like the 18th Congressional District, that our support of science creates opportunities for our young people as we move toward the 21st century.

So, Mr. Chairman, it is with great sadness that I rise, as I have indicated, in opposition to the present H.R. 3322 and vigorously support the Brown substitute, hoping that we will have an opportunity to support this amendment in a balanced and bipartisan manner, for this is in fact a representative of a balanced approach to science as we move toward the 21st century. It recognizes the responsibility that we have for fiscal integrity. But, at the same time, it acknowledges what role we have on the world arena in terms of supporting science.

The Brown amendment, in fact, restores cuts in salaries and expense accounts, preventing delays in the processing of scientific grant proposals throughout the country for the National Science Foundation, one of the premier institutions that helps to carry the message of science across this Nation.

Mr. Chairman, in addition, it allows the National Science Foundation to maintain a directorate for the social, economic, and behavioral sciences. It restores the $2 billion that is so needed to make our science mission a real mission.

As it relates to NASA, the Brown substitute protects the President's request for Mission to Planet Earth but, more important, allows us to study the environmental impact on all that is occurring around us. It gives us long-range planning opportunities, and it provides a clear mandate from NASA to study the climate and environment of the Earth, something that I would imagine none of us would disagree with.

In particular something that I am very concerned about, having visited several of our NASA centers around the Nation and, in fact, watched NASA over the last year and a half almost reduce itself to a lean, mean operating machine, and yet we are cutting some $18.5 million in salaries, which will drastically cut into the NASA centers and jeopardize NASA's ability to safely deliver its programs. That is a reduction in force totaling 1,400 employees by October 1, 1996, a physical legal impossibility, or an agencywide furlough of 21,000 employees for 12 to 14 days. Someone would simply ask the question: How much more can we take? Are we really serious about our commitment to science and research in this Nation?

Then might I add, in my dismay as I looked at this legislation for the Department of Energy and the research and technology research that it provides, it is not listed. And I would like to bring to the attention of the chairman a letter that I received from my department of commerce in the State of Texas, acknowledging the importance of the National Institute of Standards and Technology and the MEP Program in particular. The kind of small- and medium-sized companies that benefit from MEP employ nearly 12 million people, roughly 65 percent of the manufacturing work force. This amendment and substitute restores that funding.

Last year over 25,000 of these small businesses benefited from the MEP support, and more than 1,300 letters of support were sent to Congress from small businesses. Are we for the small business community? I do not know about that.

Mr. Chairman, this legislation that is on the floor does not seem to suggest that we are prepared to provide small businesses the opportunity for science and research. The Brown amendment does. Then we want to close out on the Advanced Technology Program. I am shocked when we begin to look at this country's role on the international arena. This should be a bipartisan, unified effort to support a program that provides a partnership.

We are not asking for Government dominance, but we are asking for the Government to recognize they have a real role in research and development with the private sector. We are abdicating that responsibility. I support the Brown substitute because it clearly acknowledges that.

Mr. Chairman, European nations are accelerating investment in commercial technology. Japan has plans in the works to double the government's science program. China plans to triple its investment in R&D. Korea has considerably boosted its R&D efforts. Mr. Chairman, it is important that we respond to the international arena of science in a bipartisan way. Support NASA with the personnel funding. Support these science programs as well as these research and development efforts. Let us support the Brown substitute.

Mr. Chairman, we have before us for our consideration, the Brown substitute to H.R. 3322. This substitute has what H.R. 3322 does not have—a balanced and thoughtful approach to this Nation's research and development, science, and space enterprises. The Democrats on the committee felt that too many changes were necessary to make the chairman's bill a satisfactory piece of legislation and that the only way to address many of the problems was to offer a complete substitute. Although this committee has oversight responsibilities, it has been my experience that only disaster can result when people without expertise or experience begin to micromanage what they do not know, as in the case of H.R. 3322. This legislation continues to attempt to force the Republican ideological and personal viewpoints upon not only the rest of the Nation, but the futures of our children as well. They criticize EPA and environmental regulations, but won't allow the agency to conduct the research to answer important questions.

Among the many problems contained within the chairman's bill which the Brown substitute fixes are:

The Republican's personal and lonely vendetta against NASA's Mission To Planet Earth Program, reducing the administration's request by more than $300 million, eliminating spacecraft and restructuring the program even though he has never actually had to operate or run a multibillion dollar space program. The President has made this program a NASA priority, the Senate has strongly supported this program, and the chairman's own National Research Council evaluation validated it.

The substitute includes the $81.5 million requested by the administration for NASA salaries and personnel, but cut by the chairman. If this substitute fails I will offer a separate amendment to add back this $81.5 million. While this may not seem like much to the Republicans, they still have their jobs and are not threatened with a layoff or reduction in force [RIF]. A cut of this magnitude will mean that the hardworking employees of the Johnson Space Center in Houston will have to forgo pay that they have earned and deserve.

The substitute supports the basic research components of the administration's multiagency research initiatives in important areas to the Nation's economic future: high performance computing, and communications, environment and natural resources, and advanced manufacturing techniques.

The substitute includes a Department of Energy title, which the chairman's bill does not and it reverses the deep Republican cuts in fossil R&D, solar and renewables R&D conservation R&D and fusion energy R&D, the MEP and ATP.

Mr. DOGGETT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Brown substitute as an attempt to reach a moderate approach consistent with a balanced budget to our national science and technology policy. As we review the activity, to the extent there has been any in this Gingrich Congress with reference to science and technology, I think it has to be conceded that the major accomplishment of the House Committee on Science over this Congress occurred on the first day of Congress. That was the day that the name of the committee was changed. Since the time of the name change, other than that, the activity of the committee has been pretty downhill.

After embracing some of the Gingrich agenda to hamstring Federal health and safety regulation and pursuing a technology policy that basically said, if our research has any immediate application, then we do not want to fund it, we only want to fund the most theoretical research, the committee basically has done very little. For over 4 months, it did not meet at all. Last year it has as its monument, as a committee of this Congress, it has one committee report. It did not manage to get a single thing written into law during all of 1995. And today the do-little approach of this do-little committee is projected through the legislation that is offered tonight as an alternative to the Brown substitute. It says we ought to do the same thing with reference to the future of this country in science and technology. You see, instead of the kind of dispassionate, bipartisan, moderate approach of moving forward that occurred not just in prior Democratic administrations but in prior Republican administrations of people working together realizing that, if there is any subject that ought to be bipartisan, it is science and technology policy.

We have substituted the scoring apparently of political points for that kind of moderate approach and substituted arrogance for reasoned discourse. Let me give just a few examples of how the Brown substitute, an alternative, proposes to deal with these problems. First in the area of the National Science Foundation, as my colleague from Virginia pointed out, this is a fairly small agency. All this talk about bureaucracy, it has a very efficient program. About 4 percent of its budget of the tax dollars are spent on administration. To be sure, we are getting a return on our research dollars. The other 96 percent is spent on research, going out mainly to university research: Yet, it is that agency that the proposal that is before us tonight would do substantial damage to. The gentleman from California [Mr. BROWN] seeks to minimize the amount of that damage, not really to extend and advance significantly the fine work of the National Science Foundation, but at least to mitigate the damage.

A second example is with reference to the environment. Now, I know that the real monument of this Gingrich Congress has been its attempt to cut Medicare. But ranking right up there with the effort to cut Medicare surely is the effort to aid every polluter in the country with reference to the environment.

Mr. Chairman, we remember last year the enactment in this House of the Dirty Water Act that would end 20 years of the national cleanup of pollution of our streams and lakes and rivers, a proposal that the New York Times succinctly described as one that would make it easier for polluters to pollute; but that is no surprise because polluters wrote the bill.

□ 1815

Then all of last fall we had all these antienvironmental riders that would get tacked on without a hearing that would propose to hamstring first one Federal agency after another in protecting the public health and safety with reference to our environment, and we have had one thing after another, and this year the only thing different was some memo that came out from the Republican House conference that suggested Republican Members go out and hug trees and go to zoos and pet animals to indicate they really were not as antienvironmental as appeared to be the case.

And so now we come to the science budget, and the continuation of this extremist agenda is to simply say that certain types of research will be off limits. We do not want to know what the good science will show with reference to these areas, we want to prohibit research altogether.

For example, long-term climate change research at one Federal agency, indoor air research at another agency, and cut renewable energy research by 50 percent, some restricted, some significantly reduced, and I suppose that that is consistent with the comment of one of the House Republican leaders that a scientist, a distinguished chemist who got an award, the Nobel Prize, for his work in chemistry in discovering the link between chlorofluorocarbons and ozone depletion in our atmosphere, he was referred to as having received the Noble appeasement award.

It is that kind of extremist endeavor that is carried on in this bill that the gentleman from California [Mr. BROWN] proposes to ameliorate, and I heartily support his effort to do that.

Mr. SCOTT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the substitute amendment offered by the gentleman from California [Mr. BROWN].

One of the serious problems with H.R. 3322 is the omission of research

conducted by the Department of Energy. This substitute restores funding for these programs. We made tremendous progress and received Noble prizes for the research conducted in labs funded under research programs by the Department of Energy. The Thomas Jefferson National Accelerator Facility in Virginia is the Department of Energy facility that supports a national subatomic particle research. This facility provides the Nation a unique tool for exploring the structure of the nucleus of an atom and for dramatically increasing our understanding of how the basic building blocks of nature work. The Transfer Technology Program funded by the Department of Energy includes the very best scientific research facilities in the Nation. Under the guidance of the Laser Processing Consortium, which includes 22 laboratories and universities on three continents, we have developed cutting-edge technologies that will be critical in our future health and national economic well-being. As a nation we must retain our edge to meet the coming international competition.

Another program, Mr. Chairman, funded under this substitute is the Mission to Planet Earth project under NASA. Two satellites not funded under the base bill are essential to determining how climate changes. Not the impact of weather changes; we know how floods and tornados and droughts and snow affect our climates, but we need the information that will be collected by CHEM–1 and P.M.–1 satellites which will help to establish early warning systems, provide information on natural irrigation channels and assist in recognizing the power of wind, water, and natural vegetation on our home planet.

I am also pleased to see the restoration in the substitute of the 20-percent funding cut in H.R. 3322 of the NASA advanced subsonic program. This funding is vitally important to maintaining this Nation's longstanding leadership on subsonic research. We need the studies on aging aircraft used in the newer economy airlines, we need the improvement of safety of our air traffic control systems, and we need the research and development of the quieter, more fuel efficient and environmentally safe aircraft.

I acknowledge and support the need to cut Government spending where appropriate in order to meet our budget responsibilities, but such a cut to NASA's aeronautics program are extremely counterproductive to our shared goals of creating a stronger economy and a stronger America.

I ask that we support the Brown substitute.

Ms. HARMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a member of the Committee on Science, I rise today in strong support of the Brown substitute and against H.R. 3322.

Over the shoulders of the gentleman from Pennsylvania [Mr. WALKER] in the Committee on Science hearing room is a biblical quotation which reads, ''Where there is no vision, the people perish.'' In my view, H.R. 3322 is a bill without vision. Because of its short-sighted cuts to civilian R&D our Nation's leadership position on science and technology issues may very well perish in the not too distant future.

The Brown substitute offers a much different vision of the Federal Government's role in research and development. It represents a vision that Government can and should be a partner with industry as we move into the 21st century. Its enactment is critical for our future.

A key difference between the Brown substitute and H.R. 3322 is the treatment of NASA's Mission to Planet Earth. This important program will provide us with a better scientific understanding of global change and directly stimulate American interests around the globe.

As an example, Mission to Planet Earth-generated data will help scientists answer key questions about our planet's changing climate and will help farmers understand and predict El Nino positions, allowing them to plant their crops accordingly.

Unlike the Brown substitute, which funds Mission to Planet Earth at the administration's requested level, H.R. 3322 dramatically slashes the program by $374 million in fiscal year 1997. This cut flies counter to the National Research Council's comprehensive review of the program, a review requested by the gentleman from Pennsylvania [Mr. WALKER] himself.

The review was clear, the science underlying the Mission to Planet Earth Program is fundamentally sound. The PM–1 and CHEM–1 mission should be implemented without delay. Dr. Ed Frieman, who chaired the study, testified before the Committee on Science that postponing PM and CHEM would not only cause delay, but also would increase costs.

At a March Committee on Science hearing on global climate change in the Mission to Planet Earth Program, not a single witness advocated canceling the PM and CHEM mission. No one urged the committee to chop $374 million from the program. Even renowned global warming skeptics agreed that more data on climate change was a necessity.

Mr. Chairman, we need to be doing more, not less research into difficult scientific questions like climate change. Good science is good business. We must be visionary, not reactionary. I urge Members to support the Brown substitute, a strong vision for our Nation's science and technology future.

Mr. HALL of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank the gentlewoman from Texas [Ms. JACKSON-LEE] for her words about restoring the funding to the NASA personnel account. That was a cut that should not have been made, and, as I think we noted when we marked up H.R. 3322 at full committee, these personnel funding cuts would cause a very severe hardship on the very hard-working men and women at NASA centers, something that was confirmed in writing by the NASA comptroller some time ago.

I certainly rise in support of the Brown substitute and particularly the provisions relating to the NASA administration. As I mentioned in the general debate, while H.R. 3322 maintains full funding for the space station and biomedical research; I am grateful for that; I like that part of it; I have been troubled by some of the other cuts to NASA though in the bill, and I am pleased that the Brown substitute would correct these problems.

First, the substitute funds NASA at the level of the President's request, $13.8 billion. It is a reasonable funding level, maintaining our commitment to NASA's programs and its dedicated personnel while at the same time continuing our commitment to deficit reduction. It is not a budget buster, and in fact the level of NASA funding contained in the Brown substitute and in the President's request is almost $100 million below the fiscal year 1996 appropriation for NASA.

Second, the Brown substitute fully funds the space station as well as the biomedical research that I believe will develop and develop into very important benefits to all of our citizens, young and old.

So I am pleased that NASA and the National Institutes of Health are working together effectively on a wide range of cooperative research activities, and the Brown substitute will allow that significant research to continue.

Third, the Brown substitute will restore funding that was cut from a number of critical accounts. In addition to the funding for Mission to Planet Earth, which I am sure other Members have addressed or will address, the Brown substitute restores funding for the Advanced Subsonic Aeronautical Research Program. The funding will allow NASA to continue several things, among them research to address safety concerns relating to aging aircraft, collaborative initiatives with the Federal Aviation Administration to improve the safety and efficiency of the Nation's air traffic management system, R&D to develop the technologies for quieter, more fuel efficient aircraft, R&D for general aviation commuter aircraft.

Mr. Chairman, the Brown substitute also restores the funding that was cut from NASA's personnel account, and I have addressed that, and it was very well addressed, and the NASA comptroller had already stated that the proposed cuts to the salaries and expense accounts would result in furloughs at the NASA centers, something that I believe no Member of Congress wants to impose on the hard-working employees of the space agency.

Further, the Brown substitute restores the funding for facilities and maintenance facilities at the center. That is very important. The one-third cut to the maintenance budget contained in H.R. 3322 would hurt the ability of the centers to carry out their missions in a safe and timely manner. So we should not really be making cuts that lead to higher costs down the road, as is usually the case when we cut the deferred maintenance.

All in all, Mr. Chairman, the Brown substitute maintains our historic support of the U.S. space program and provides the responsible level of funding for NASA and its activities. I urge my colleagues to support the Brown amendment.

Mr. VOLKMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to first thank the gentleman from California [Mr. BROWN] for offering his substitute, and I also wish to thank the approximately 16 or so Members from the minority who have spoken in favor of it and given all the details of why the substitute is so much better than the original bill.

The original bill that is before us, Mr. Chairman, Members of the House, is one of the worst bills that I have ever seen; is the worst, not one, is the worst that I have ever seen come out of the Committee on Science, Space, and Technology in my 20 years here.

I had served under, on the Committee on Science, under illustrious chairmen such as Don Fuqua and Bob Rowe and the gentleman from California [Mr. BROWN]. I now serve under the gentleman from Pennsylvania. The distinct difference between those and the one I presently have is that they were interested in promoting science in this country. They were interested in basic research in this country. They were not interested in getting rid of programs that benefit this country in the name of balancing the budget when it is really in the name: I do not like the programs, I am not in favor of the programs, therefore we are going to get rid of them no matter how good they are for the country.

□ 1830

What does this all relate to? It all really gets back to a philosophy, and a philosophy of government, and the difference between the majority, led by the Speaker, the gentleman from Georgia [Mr. GINGRICH], the radical Republican extremists, that want to remove the Federal Government from all sectors of society and say let the free market take care of it.

If we had done that in the past, we would not have all of the benefits that this country presently has, especially from basic research that we will find from NSF. We would not have the development of the small businesses and large businesses throughout this country, and our ability to be in the forefront in the economic sector of this world, because it is that partnership that was spoken of earlier between government, industry, and individuals that has made this country great.

Yet, the radical right of the majority would like to tell us that the role of the Federal Government is just to defend out shores and that is it, and get out of the way of everybody else. That is what they say. If we stop and think about that, it is a little bit scary, folks. It scares me that the Federal Government should only defend the shores and not have anything else to do with the rest of mankind in this country.

Our Constitution not only provides for defending the shores, but also says that the Federal Government must care for the general welfare of the people. That is basically what some of us are about. That is the basic difference. And when Members look at this bill that we have before us, the unnecessary cuts, because we do not need them, as the gentleman from Texas [Mr. STENHOLM] pointed out; under the coalition budget we reached a balanced budget in the same time period that the Republicans did, and yet we even cut more spending in that timeframe. Our deficits are smaller, the debt is less in 2002, and yet we could take the Brown substitute and fit it in and provide the basic research, the partnership programs with business and industry and small businesses. We can do all of that.

So this is a clear case not of doing it to balance the budget, but it is a clear case of reducing NSF funding, reducing basic research into energy supplies solely for the purpose of getting rid of it because we do not like it. The Republicans will tell you they do not believe in these programs. I daresay that if we would have been down this road when I first was here 20 years ago, we would not have many of the benefits that we have today, that we in this country enjoy today.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. VOLKMER] has expired.

(By unanimous consent, Mr. VOLKMER was allowed to proceed for 3 additional minutes.)

Mr. VOLKMER. Mr. Chairman, I do not believe that there are very many scientists in this country who do the research, that does benefit everybody in this country, who feel that we should do away with basic research programs. I maintain that there are people out there that are dedicated scientists willing to take on the task of trying to find knowledge for the sake of knowledge, so that knowledge, once it proves out, can lead to such things as getting rid of many diseases that we presently have, many illnesses that we presently have; getting us a new way to manufacture products, new materials for products.

I can remember back when I was a youngster, and things have changed dramatically up to the present time. A lot of that is because of research that was done on behalf of the Federal Government, and in cooperation with university professors and scientists, industrial scientists. It is that basic research that has gotten us where we are.

Now to say that we no longer need to do these things to the extent that the gentleman from California, Mr. BROWN, has provided in the substitute tells me very clearly that the majority, under the leadership of the gentleman from Georgia, NEWT GINGRICH, clearly is on the road to eliminating these programs.

Mr. Chairman, I strongly support the substitute offered by the gentleman from California, and I commend him for offering it. I strongly oppose the bill as offered by the gentleman from Pennsylvania [Mr. WALKER].

Mr. FAZIO of California. Mr. Chairman, I rise in opposition to the bill H.R. 3322 and in support of the Brown substitute. This bill seeks to create the impression that we are considering an omnibus civilian science proposal, but we are not. Noticeably absent are the energy research and development [R&D] programs at the Department of Energy [DOE]. How do we explain the absence of about $4.7 billion in authorizations for the civilian science programs at DOE?

Federal support for R&D is the quintessential investment in our Nation's future. Unfortunately, despite 5 years of strong bipartisan support, the Republican leadership now treats R&D as a low priority. The overall reduction would be $711 million below this year's funding and nearly $800 million below the President's proposal. Solar and renewable energy research would be cut 34 percent. Conservation energy R&D would be slashed 43 percent. Fuel cell research would be cut 66 percent. And I would remind my colleagues that this is all being done in one year, not over 5 years or 7 years.

We cannot let stand congressional proposals that endanger our ability to create more high-income jobs in developing industries as well as to promote safer, more cost-efficient and environmentally sensitive energy technologies.

R&D is responsible for approximately one-half of the productivity improvements in the Nation's economy. Technological innovation is the single most important source of long-term economic growth, and the total economic return on investment in R&D is several times as high as for other forms of investment.

While Republicans seek to make political hay out of the gas price spike we are currently suffering, they are cutting the research at DOE that moves us away from dependence upon gasoline. While Senator DOLE proposes a cut in the gas tax, House Republicans propose a cut DOE's transportation energy Research budget by $66.8 million below this year's funding, a 38 percent cut.

We don't know when or if the Republicans will make good on these threats to cut DOE. For the sake of my home State of California, I hope they do not. The Department of Energy calculated that California received about $722 million in energy R&D funding in fiscal year 1995. We are heavily involved in programs like energy conservation research, and research on fusion energy development, both of which are hit heavily in the Republican proposals. I mentioned fuel cell research as an

area being targeted and as one that is important to a State seeking to sustain our economic recovery while maintaining our air quality. In the Third District, we have the University of California at Davis, which ranks in the top 20 universities in Federal research grants and is responsible for managing three DOE laboratories. All of these programs are at risk if the Republican committee proposal prevails.

The substitute offered by Mr. BROWN today contains all of the programs that should be in an omnibus bill, including the DOE programs. And it funds them at the President's request level. If you are concerned, as I am, about our energy future you will support Mr. BROWN. If you want energy security in the future, as I know the residents of my State do, you will support the Brown substitute.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from California [Mr. BROWN].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Chairman, I demand a recorded vote, and pending that I make a point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the order of the House today, further proceedings on the amendment in the nature of a substitute offered by the gentleman from California [Mr. BROWN] will be postponed.

The point of no quorum is considered withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of today, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 14, offered by the gentlewoman from California [Ms. LOFGREN] and amendment No. 8, offered by the gentleman from California [Mr. BROWN].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MS. LOFGREN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California [Ms. LOFGREN] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 243, not voting 20, as follows:

[Roll No. 196]

AYES—170

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

NOES—243

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

NOT VOTING—20

Chapman
Conyers
de la Garza
Dingell
Foglietta
Ford
Gunderson
Hayes
Lantos
Lincoln
Lowey
McHugh
Molinari
Peterson (FL)
Pomeroy
Roukema
Solomon
Studds
Torricelli
Young (FL)

□ 1855

The Clerk announced the following pair:

On this vote:

Mr. Conyers for, with Mr. Young of Florida against.

Mr. CLINGER changed his vote from ''aye'' to ''no.''

Messrs. STOKES, BENTSEN, and MONTGOMERY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. BROWN OF CALIFORNIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from California [Mr. BROWN] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 235, not voting 22, as follows:

[Roll No. 197]

AYES—176

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

NOES—235

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

NOT VOTING—22

Bilbray
Chenoweth
Coleman
Conyers
de la Garza
Dingell
Foglietta
Ford
Gunderson
Hayes
Lantos
Largent
Lincoln
Lowey
McHugh
Molinari
Peterson (FL)
Pomeroy
Roukema
Studds
Torricelli
Young (FL)

☐ 1902

The Clerk announced the following pair:

On this vote:

Mr. Conyers for, with Mr. Young of Florida against.

Mr. FORBES changed his vote from ''aye'' to ''no.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

Mr. WALKER Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. DREIER) having assumed the chair, Mr. BURTON of Indiana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 3322, to authorize appropriations for fiscal year 1997 for civilian science activities of the Federal Government, and for other purposes, had come to no resolution thereon.

REPORT ON A HOUSE RESOLUTION ON PROCEEDINGS AGAINST JOHN M. QUINN, DAVID WATKINS, AND MATTHEW MOORE

Mr. CLINGER, from the Committee on Government Reform and Oversight, submitted a privileged report (Rept. No. 104–598) on a House resolution on proceedings against John M. Quinn, David Watkins, and Matthew Moore, which was referred to the Union Calendar and ordered to be printed.

OMNIBUS CIVILIAN SCIENCE AUTHORIZATION ACT OF 1996

The SPEAKER pro tempore. Pursuant to House Resolution 427 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3322.

☐ 1905

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3322, to authorize appropriations for fiscal year 1997 for civilian science activities of the Federal Government, and for other purposes, with Mr. BURTON of Indiana in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose earlier today, amendment No. 8, offered by the gentleman from California [Mr. BROWN] had been disposed of.

Are there further amendments to section 1?

If not, the Clerk will designate title I.

The text of title I is as follows:

TITLE I—NATIONAL SCIENCE FOUNDATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''National Science Foundation Authorization Act of 1996''.

SEC. 102. DEFINITIONS.

For purposes of this title—

(1) the term ''Director'' means the Director of the Foundation;

(2) the term ''Foundation'' means the National Science Foundation;

(3) the term ''institution of higher education'' has the meaning given such term in section 1201(a) of the Higher Education Act of 1965;

(4) the term ''national research facility'' means a research facility funded by the Foundation which is available, subject to appropriate policies allocating access, for use by all scientists and engineers affiliated with research institutions located in the United States; and

(5) the term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

Subtitle A—National Science Foundation Authorization

SEC. 111. AUTHORIZATION OF APPROPRIATIONS.

(a) FINDINGS.—The Congress finds that—

(1) the programs of the Foundation are important for the Nation to strengthen basic research and develop human resources in science and engineering, and that those programs should be funded at an adequate level;

(2) the primary mission of the Foundation continues to be the support of basic scientific research and science education and

the support of research fundamental to the engineering process and engineering education; and

(3) the Foundation's efforts to contribute to the economic competitiveness of the United States should be in accord with that primary mission.

(b) FISCAL YEAR 1997.—There are authorized to be appropriated to the Foundation $3,250,500,000 for fiscal year 1997, which shall be available for the following categories:

(1) Research and Related Activities, $2,340,300,000.

(2) Education and Human Resources Activities, $600,000,000.

(3) Major Research Equipment, $80,000,000.

(4) Academic Research Facilities Modernization, $100,000,000.

(5) Salaries and Expenses, $120,000,000.

(6) Office of Inspector General, $5,000,000.

(7) Headquarters Relocation, $5,200,000.

(c) LIMITATION.—Consistent with the amendment made by section 130(a) of this Act, funds appropriated under subsection (b)(1) of this section shall be available to not more than 6 scientific directorates. No funds appropriated under subsection (b)(1) may be obligated or expended by, for, or through a scientific directorate if funds appropriated under subsection (b)(1) have been obligated or expended for 6 other scientific directorates.

SEC. 112. PROPORTIONAL REDUCTION OF RESEARCH AND RELATED ACTIVITIES AMOUNTS.

If the amount appropriated pursuant to section 111(b)(1) is less than the amount authorized under that paragraph, the amount available for each scientific directorate under that paragraph shall be reduced by the same proportion.

SEC. 113. CONSULTATION AND REPRESENTATION EXPENSES.

From appropriations made under authorizations provided in this title, not more than $10,000 may be used in each fiscal year for official consultation, representation, or other extraordinary expenses at the discretion of the Director. The determination of the Director shall be final and conclusive upon the accounting officers of the Government.

SEC. 114. REPROGRAMMING.

(a) $500,000 OR LESS.—In any given fiscal year, the Director may transfer appropriated funds among the subcategories of Research and Related Activities, so long as the net funds transferred to or from any subcategory do not exceed $500,000.

(b) GREATER THAN $500,000.—In addition, the Director may propose transfers to or from any subcategory exceeding $500,000. An explanation of any proposed transfer under this subsection must be transmitted in writing to the Committee on Science of the House of Representatives, and the Committees on Labor and Human Resources and Commerce, Science, and Transportation of the Senate. The proposed transfer may be made only when 30 calendar days have passed after transmission of such written explanation.

Subtitle B—General Provisions

SEC. 121. ANNUAL REPORT.

Section 3(f) of the National Science Foundation Act of 1950 (42 U.S.C. 1862(f)) is amended to read as follows:

''(f) The Foundation shall provide an annual report to the President which shall be submitted by the Director to the Congress at the time of the President's annual budget submission. The report shall—

''(1) contain a strategic plan, or an update to a previous strategic plan, which—

''(A) defines for a three-year period the overall goals for the Foundation and specific goals for each major activity of the Foundation, including each scientific directorate, the education directorate, and the polar programs office; and

''(B) describe how the identified goals relate to national needs and will exploit new opportunities in science and technology;

''(2) identify the criteria and describe the procedures which the Foundation will use to assess progress toward achieving the goals identified in accordance with paragraph (1);

''(3) review the activities of the Foundation during the preceding year which have contributed toward achievement of goals identified in accordance with paragraph (1) and summarize planned activities for the coming three years in the context of the identified goals, with particular emphasis on the Foundation's planned contributions to major multi-agency research and education initiatives;

''(4) contain such recommendations as the Foundation considers appropriate; and

''(5) include information on the acquisition and disposition by the Foundation of any patents and patent rights.''.

SEC. 122. NATIONAL RESEARCH FACILITIES.

(a) FACILITIES PLAN.—The Director shall provide to Congress annually, as a part of the report required under section 3(f) of the National Science Foundation Act of 1950, a plan for the proposed construction of, and repair and upgrades to, national research facilities. The plan shall include estimates of the cost for such construction, repairs, and upgrades, and estimates of the cost for the operation and maintenance of existing and proposed new facilities. For proposed new construction and for major upgrades to existing facilities, the plan shall include funding profiles by fiscal year and milestones for major phases of the construction. The plan shall include cost estimates in the categories of construction, repair, and upgrades for the year in which the plan is submitted to Congress and for not fewer than the succeeding 4 years.

(b) LIMITATION ON OBLIGATION OF UNAUTHORIZED APPROPRIATIONS.—No funds appropriated for any project which involves construction of new national research facilities or construction necessary for upgrading the capabilities of existing national research facilities shall be obligated unless the funds are specifically authorized for such purpose by this title or any other Act which is not an appropriations Act, or unless the total estimated cost to the Foundation of the construction project is less than $50,000,000. This subsection shall not apply to construction projects approved by the National Science Board prior to June 30, 1995.

SEC. 123. ELIGIBILITY FOR RESEARCH FACILITY AWARDS.

Section 203(b) of the Academic Research Facilities Modernization Act of 1988 is amended by striking the final sentence of paragraph (3) and inserting in lieu thereof the following: ''The Director shall give priority to institutions or consortia that have not received such funds in the preceding 5 years, except that this sentence shall not apply to previous funding received for the same multiyear project.''.

SEC. 124. ADMINISTRATIVE AMENDMENTS.

(a) NATIONAL SCIENCE FOUNDATION ACT OF 1950 AMENDMENTS.—The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is amended—

(1) by redesignating the subsection (k) of section 4 (42 U.S.C. 1863(k)) that was added by section 108 of the National Science Foundation Authorization Act of 1988 as subsection (l);

(2) in section 5(e) (42 U.S.C. 1864(e)) by amending paragraph (2) to read as follows:

''(2) Any delegation of authority or imposition of conditions under paragraph (1) shall be promptly published in the Federal Register and reported to the Committees on Labor and Human Resources and Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.'';

(3) by inserting ''be entitled to'' between ''shall'' and ''receive'', and by inserting '', including traveltime,'' after ''Foundation'' in section 14(c) (42 U.S.C. 1873(c));

(4) by striking section 14(j) (42 U.S.C. 1873(j)); and

(5) by striking ''Atomic Energy Commission'' in section 15(a) (42 U.S.C. 1874(a)) and inserting in lieu thereof ''Secretary of Energy''.

(b) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976 AMENDMENTS.—Section 6(a) of the National Science Foundation Authorization Act, 1976 (42 U.S.C. 1881a(a)) is amended by striking ''social,'' the first place it appears.

(c) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1988 AMENDMENTS.—(1) Section 117(a)(1)(B)(v) of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1881b(1)(B)(v)) is amended to read as follows:

''(v) from schools established outside the several States and the District of Columbia by any agency of the Federal Government for dependents of its employees.''.

(2) Section 117(a)(3)(A) of such Act (42 U.S.C. 1881b(3)(A)) is amended by striking ''Science and Engineering Education'' and inserting in lieu thereof ''Education and Human Resources''.

(d) EDUCATION FOR ECONOMIC SECURITY ACT AMENDMENTS.—Section 107 of Education for Economic Security Act (20 U.S.C. 3917) is repealed.

(e) TECHNICAL AMENDMENT.—The second subsection (g) of section 3 of the National Science Foundation Act of 1950 is repealed.

SEC. 125. INDIRECT COSTS.

(a) MATCHING FUNDS.—Matching funds required pursuant to section 204(a)(2)(C) of the Academic Research Facilities Modernization Act of 1988 (42 U.S.C. 1862c(a)(2)(C)) shall not be considered facilities costs for purposes of determining indirect cost rates.

(b) REPORT.—The Director of the Office of Science and Technology Policy, in consultation with other relevant agencies, shall prepare a report analyzing what steps would be needed to—

(1) reduce by 10 percent the proportion of Federal assistance to institutions of higher education that are allocated for indirect costs; and

(2) reduce the variance among indirect cost rates of different institutions of higher education, including an evaluation of the relative benefits and burdens of each option on institutions of higher education. Such report shall be transmitted to the Congress no later than December 31, 1996.

SEC. 126. FINANCIAL DISCLOSURE.

Persons temporarily employed by or at the Foundation shall be subject to the same financial disclosure requirements and related sanctions under the Ethics in Government Act of 1978 as are permanent employees of the Foundation in equivalent positions.

SEC. 127. EDUCATIONAL LEAVE OF ABSENCE FOR ACTIVE DUTY.

In order to be eligible to receive funds from the Foundation after September 30, 1996, an institution of higher education must provide that whenever any student of the institution who is a member of the National Guard, or other reserve component of the Armed Forces of the United States, is called or ordered to active duty, other than active duty for training, the institution shall grant the member a military leave of absence from their education. Persons on military leave of absence from their institution shall be entitled, upon release from military duty, to be

restored to the educational status they had attained prior to their being ordered to military duty without loss of academic credits earned, scholarships or grants awarded, or tuition and other fees paid prior to the commencement of the military duty. It shall be the duty of the institution to refund tuition or fees paid or to credit the tuition and fees to the next semester or term after the termination of the educational military leave of absence at the option of the student.

SEC. 128. SCIENCE STUDIES INSTITUTE.

(a) AMENDMENT.—Section 822 of the National Defense Authorization Act for Fiscal 1991 (42 U.S.C. 6686) is amended—

(1) by striking ''Critical Technologies Institute'' in the section heading and in subsection (a), and inserting in lieu thereof ''Science Studies Institute'';

(2) in subsection (b) by striking ''As determined by the chairman of the committee referred to in subsection (c), the'' and inserting in lieu thereof ''The'';

(3) by striking subsection (c), and redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f), respectively;

(4) in subsection (c), as so redesignated by paragraph (3) of this subsection—

(A) by inserting ''science and'' after ''developments and trends in'' in paragraph (1);

(B) by striking ''with particular emphasis'' in paragraph (1) and all that follows through the end of such paragraph and inserting in lieu thereof ''and developing and maintaining relevant informational and analytical tools.'';

(C) by striking ''to determine'' and all that follows through ''technology policies'' in paragraph (2) and inserting in lieu thereof ''with particular attention to the scope and content of the Federal science and technology research and develop portfolio as it affects interagency and national issues'';

(D) by amending paragraph (3) to read as follows:

''(3) Initiation of studies and analysis of alternatives available for ensuring the long-term strength of the United States in the development and application of science and technology, including appropriate roles for the Federal Government, State governments, private industry, and institutions of higher education in the development and application of science and technology.'';

(E) by inserting ''science and'' after ''Executive branch on'' in paragraph (4)(A); and

(F) by amending paragraph (4)(B) to read as follows:

''(B) to the interagency committees and panels of the Federal Government concerned with science and technology.'';

(5) in subsection (d), as so redesignated by paragraph (3) of this subsection, by striking ''subsection (d)'' and inserting in lieu thereof ''subsection (c)''; and

(6) by amending subsection (f), as so redesignated by paragraph (3) of this subsection, to read as follows:

''(f) SPONSORSHIP.—The Director of the Office of Science and Technology Policy shall be the sponsor of the Institute.''.

(b) CONFORMING USAGE.—All references in Federal law or regulations to the Critical Technologies Institute shall be considered to be references to the Science Studies Institute.

SEC. 129. EDUCATIONAL IMPACT.

(a) FINDINGS.—The Congress finds that—

(1) Federal research funds made available to institutions of higher education often create incentives for such institutions to emphasize research over undergraduate teaching and to narrow the focus of their graduate programs; and

(2) National Science Foundation funds for Research and Related Activities should be spent in the manner most likely to improve the quality of undergraduate and graduate education in institutions of higher education.

(b) EDUCATIONAL IMPACT.—(1) The impact that a grant or cooperative agreement by the National Science Foundation would have on undergraduate and graduate education at an institution of higher education shall be a factor in any decision whether to award such grant or agreement to that institution.

(2) Paragraph (1) shall be effective with respect to any grant or cooperative agreement awarded after September 30, 1997.

(c) REPORT.—The Director shall provide a plan for the implementation of subsection (b) of this section, no later than December 31, 1996, to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Labor and Human Resources of the Senate.

SEC. 130. DIVISIONS OF THE FOUNDATION.

(a) AMENDMENT.—Section 8 of the National Science Foundation Act of 1950 (42 U.S.C. 1866) is amended by inserting ''The Director may appoint, in consultation with the Board, not more than 6 Assistant Directors to assist in managing the Divisions.'' after ''time to time determine.''.

(b) REPORT.—By November 15, 1996, the Director shall transmit to the Congress a report on the reorganization of the National Science Foundation required as a result of the amendment made by subsection (a).

SEC. 131. NATIONAL SCIENCE AND ENGINEERING FOUNDATION.

The National Science Foundation and the National Science Board are hereby renamed as the National Science and Engineering Foundation and the National Science and Engineering Board, respectively, and all references thereto in Federal law or regulation shall be deemed to refer to the National Science and Engineering Foundation or the National Science and Engineering Board, as appropriate.

The CHAIRMAN. Are there any amendments to title I?

AMENDMENT OFFERED BY MR. EHLERS

Mr. EHLERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EHLERS: Page 20, lines 1 through 10, strike section 131. Amend the table of contents accordingly.

Mr. EHLERS. Mr. Chairman, the purpose of the amendment is very straightforward and very simple. In the Committee on Science, an amendment was added to the bill to change the name of the National Science Foundation to the National Science and Engineering Foundation. That amendment was added by a 1-vote margin. The purpose of my amendment is to strike that amendment and to maintain the name of the National Science Foundation as the National Science Foundation.

I want to emphasize that the issue before us is not an issue dealing with respect for engineering. It is not an issue dealing with support of engineering. I must say that I have the greatest respect for engineers. I began my career in academic work as an engineer. I would be perfectly happy and proud to have remained on that career track and to be an engineer today. I also have a son who is currently a practicing engineer. I have the greatest respect for the engineering profession and for engineers as professionals.

I also strongly support and will continue to support engineering as a discipline within the National Science Foundation. Currently the engineering portion of the National Science Foundation budget exceeds 13 percent. So, obviously, there is a great deal of support for engineering within the National Science Foundation.

As far as I am concerned, in fact, engineering is a part of science. It is one of the subfields or subdisciplines of science, and I believe it is a mistake to single them out and include them in the name of the National Science Foundation.

Mr. Chairman, just to give some idea of what the National Science Foundation covers, at this point they have programs in physics, biology, chemistry, a number of the social sciences—including psychology and economics—computer science, mathematics, oceanography, geology, atmospheric sciences, and also education. I believe that if this name change is added, there would immediately be a request for other names to be included in the title of the organization and, eventually, the name would lose all meaning as we would end up with another meaningless Washington acronym.

Mr. Chairman, in fact, I believe that the only discipline within the National Science Foundation which might have some rightful claim to being included separately in the name of the NSF would be mathematics, which never has been and is not now considered a science. It is a separate discipline, a separate method of thought and investigation, and provides the foundation for much of science. Also if anyone were to change the name of the National Science Foundation to accurately reflect its mission, perhaps ''National Research Foundation'' might be most appropriate, because that is the primary emphasis of the National Science Foundation in all the disciplines mentioned above. They fund research in all these different scientific fields, including all those I have mentioned, including engineering, as well as a few others.

The suggestion to change the name is particularly inappropriate at this time because there is currently a trend, not only within the National Science Foundation but within this Nation itself, in research establishments to engage in interdisciplinary science. The lines between the disciplines are blurring and we find more and more interdisciplinary efforts to combine engineering and chemistry, for example, or to combine mathematics and physics in particular programs and in particular directions of research.

I would also emphasize that a major part of the Foundation's work is in education, and the teachers might well come along and ask why NSF should not be named the National Science and Education Foundation.

I recognize that a large number of engineers, many of whom are close friends and all of whom I respect very

deeply, are very anxious to have their discipline achieve greater recognition and to be named specifically in the title of the National Science Foundation. I believe this is going in the wrong direction. It is very important to maintain the identity of the National Science Foundation as it is. It is known worldwide by that name.

□ 1915

Because I am a practicing scientist, I recall what happened when the name of the National Bureau of Standards was changed to the National Institutes of Standards and Technology. It still causes confusion throughout the world because for many years the National Bureau of Standards was recognized worldwide as a major scientific enterprise and everyone knew it by that name.

In summary, Mr. Chairman, I urge that we adopt my amendment and maintain the name of the organization as the National Science Foundation.

Mr. BARTON of Texas. Mr. Chairman, I rise to speak in opposition to the amendment.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman, I am reminded of a story that President Abraham Lincoln used to tell. Somebody was about to be hung and the crowd was gathering on the town square and they asked the gentleman about to be hung if he had any last remarks; and he said, if it were not for the honor of the occasion, he would just as soon not be there.

If it were not for the honor of having my amendment singled out to be struck from the bill, I would just as soon not be here. I am the author of the amendment to change the name of the National Science Foundation to the National Science and Engineering Foundation. Admittedly, it was a close vote, 23 to 22, but it still was an affirmative vote.

I think it is very important that we recognize engineering for its contributions to the American society. Our first President, George Washington, was a practicing engineer. Even in this century, we have had engineering Presidents like President Hoover and President Carter.

There are over 6 million practicing engineers in our Nation. So engineers are not a part of science, they are a separate discipline. If you go to any major research university in this country, they have a school of engineering that is separate and apart from their science departments. We have a National Academy of Sciences. We have a National Academy of Engineering.

If my colleagues read the annual report of the National Science Foundation, budget summary, fiscal 1997, I read the first sentence, ''The National Science Foundation requests $3.3 billion for fiscal 1997 to invest in almost 20,000 research and education projects in science and engineering.'' Everywhere in the first two pages of the NSF budget summary, where it says ''science,'' it says, ''and engineering.''

All of the various societies of engineering have submitted letters of endorsement to change the name of the National Science Foundation to the National Science and Engineering Foundation. I will submit those for the RECORD. We have the Institute of Electrical and Electronics Engineers, the American Society of Mechanical Engineers, the American Nuclear Engineering Society, the American Society of Civil Engineers; they have all gone on record specifically endorsing the Barton amendment to change the name from the National Science Foundation to the National Science and Engineering Foundation.

There is no cost to this amendment. The Director of the National Science Foundation, Dr. Neal Lane, testified at our budget hearing that there is no cost associated with this. It does not cost anything. It empowers engineers. They are a separate field. It passed in committee on a bipartisan vote in support of it.

Mr. Chairman, I would strongly recommend that we defeat the amendment of the gentleman from Michigan [Mr. EHLERS]. Keep the name change as adopted in committee and let us empower engineers. Let us call it the National Science and Engineering Foundation.

Mr. BROWN of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is a very difficult vote for me, and I would like to explain why. I have shared with the gentleman from Texas [Mr. BARTON] the desire to give engineers a more prominent role in the national scientific and technological community, and I pursued this over many, many years. I have actually authored a number of the changes in the Science Foundation charter, which specifically includes in a number of places in the charter a separate role for engineers.

I have not done this with the purpose of setting up a rivalry between scientists and engineers, but to give what I felt was due respect to the engineering profession and its vast contributions to the American public.

I have likewise authored legislation to set up a separate foundation for engineers and what you might call technologists that would parallel the National Science Foundation, just as we have at the national academies, a National Academy of Science and a National Academy of Engineering, as well as the National Institute of Medicine. I thought perhaps we could set up that kind of a structure.

My previous efforts to establish a separate engineering institute or foundation have not succeeded, and I was persuaded that I should join with the gentleman from Texas in this title change as a means of providing the kind of respect and attention that I thought was deserved.

At the risk of appearing to be without principle and totally wishy-washy I have decided that I made the wrong vote in committee in supporting Mr. BARTON, and since there was only one vote difference, I think Mr. BARTON ought to accept the fact that he has lost the mandate of heaven and that we ought to leave the title the same as it was. I apologize for this, because I think I did not do justice to my overall goal of trying to give greater respect to the engineering profession.

Mr. BARTON of Texas. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, I just want to make sure that I understand my good friend from California who has been such a stalwart supporter of mine on this issue. When we are down to the critical moment on the floor of the House of Representatives with the entire country watching, we are not watching you change your mind as we debate the issue?

Is that the gentleman's current position?

Mr. BROWN of California. Mr. Chairman, reclaiming my time, well, to some of my friends on the other side who think I am a totally inflexible, knee-jerk liberal, I want to indicate that I can change my mind.

Mr. BARTON of Texas. Mr. Chairman, I respect the gentleman from California. I am disappointed, but I certainly respect his change of mind.

Mr. BROWN of California. Mr. Chairman, again reclaiming my time, I can assure the gentleman that I am not happy with having to make this change either, but I have received a number of communications from people that I respect that this was not achieving what I thought it might achieve, and my conclusion is that I would join with Mr. EHLERS in trying to reverse this action, and I yield back the balance of my time.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do rise in support of the amendment. This section of the bill did come out of committee on a one-vote margin, and the gentleman from Texas [Mr. BARTON] has worked very honorably on this and feels very strongly about the need for this name change.

Mr. Chairman, my concern is this. You have one of the premier science agencies in the world in the National Science Foundation. It is recognized worldwide for the quality of its work. By changing the name, we will in fact affect the ability of the world to understand just exactly who our premier science agency is, and I think that would be a shame at the present time.

Mr. Chairman, I also think that the current name more reflects the mission of the agency than the changed name would. Adding engineering to NSF's name suggests that science and engineering are fundamentally separate and incompatible. A broader perspective recognizes science as a method for solving problems. It is a method used

by physicists, chemists anthropologists, and engineers.

NSF does not support engineering the way it is classically defined, the application of science and mathematics to practical ends. Rather, it supports research, using scientific method on problems of interest to engineers, just as it supports research using the scientific method on problems of interest to chemists, physicists, and anthropologists.

The absence of the name ''engineering'' in the foundation's name is not indicative of any absence of respect for engineers, any more than the absence of ''teachers'' in the name shows a lack of respect for education, which is another of the foundation's central missions.

The move to gain support for a name change comes at a particularly unsuitable time for NSF inasmuch as the fiscal 1997 budget emphasizes moving out of constraining ways of solving problems and encouraging interdisciplinary thinking and the integration of problem-solving efforts across multiple areas of inquiry.

NSF does not need a name change that brings attention to outdated professional rivalries that are irrelevant to its mission.

The name of our committee was changed from Science, Space, and Technology to Science to indicate our support for science in its broadest context. Similarly, I believe that the National Science Foundation supports the idea of basic research.

Mr. VOLKMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just would like to make a little observation. Before I do, I voted with the gentleman from Texas in committee and I plan to vote with him now. But what I would like to observe is that with all of the monumental tasks facing this Nation and facing this House of Representatives, we are spending time debating whether or not the National Science Foundation is called the National Science Foundation or whether it is called the National Science and Engineering Foundation.

Mr. Chairman, it does not make a difference what we call it. It is going to do the same thing. It is only going to get the same amount of money. Everything is going to be the same. I think this is really, absolutely silly. Mr. Chairman, it is worse than whether we should have pets in senior citizen housing.

Mr. BARTLETT of Maryland. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise very reluctantly to support the amendment of the gentleman from Michigan [Mr. EHLERS], because I have such great respect for the gentleman from Texas [Mr. BARTON].

Mr. Chairman, I am a scientist. I have about 100 papers in the literature; probably 50 of them are basic science. I worked as an engineer. I was called engineer in several places. I was called engineer for 8 years, at IBM for one of them. I have been awarded 20 patents, which is certainly in the engineering area.

Our youngest son of 10 children has just gotten his degree in chemical engineering, so I am very, very supportive of engineering, having worked as one and been awarded patents and having a son who is an engineer. And I also have been in the scientific area.

I just think that this name change is not in the best interest of either scientists or engineers. NSF has a long history. It is known worldwide. I think it would be very confusing to people to change the name.

I agree with the comment that was made that changing the name of the National Bureau of Standards did not do much good. There is now a lot of confusion. I still tend to refer to it as NBS because it was that for a number of years. We need to be careful when changing names because we may do more than change the name.

Mr. BARTON of Texas. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT of Maryland. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, what was that name changed to?

Mr. BARTLETT of Maryland. The National Institute of Science and Technology.

Mr. BARTON of Texas. Mr. Chairman, and my name change is from the National Science Foundation and we are adding ''engineering.'' Does the gentleman really think that is going to confuse people?

Mr. BARTLETT of Maryland. Mr. Chairman, if the gentleman will continue to yield, yes, I think it will confuse people. And if we need a National Science Foundation, I will be very happy to join the gentleman from California [Mr. BROWN] in supporting that National Engineering Foundation. I think that would be appropriate.

But the National Science Foundation is the National Science Foundation. Science is not engineering. Engineering is not science. They are separate disciplines, and I would strongly urge support to the Ehlers amendment.

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Mr. STEARNS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Barton amendment and what he is trying to do. I think the simple word ''science'' without the word ''engineering'' connotes that it is applied research. With ''engineering,'' it has practical aspects and it also represents a broad consensus in America that engineers have a role, so their name should be part of this.

So I strongly urge my colleagues to support the gentleman from Texas [Mr. BARTON]. I think the gentleman has taken a courageous stand for engineers across this country, and I think we should support him.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. EHLERS].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. EHLERS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 339, noes 58, answered ''present'' 1, not voting 35, as follows:

[Roll No. 198]

AYES—339

Abercrombie	Deutsch	Johnson (CT)
Ackerman	Diaz-Balart	Johnson (SD)
Allard	Dickey	Johnson, Sam
Andrews	Dicks	Johnston
Archer	Dixon	Kanjorski
Armey	Doggett	Kaptur
Bachus	Doolittle	Kasich
Baesler	Dornan	Kelly
Baker (CA)	Doyle	Kennedy (MA)
Baldacci	Dreier	Kennedy (RI)
Ballenger	Duncan	Kennelly
Barcia	Dunn	Kildee
Barr	Durbin	King
Barrett (NE)	Edwards	Kingston
Barrett (WI)	Ehlers	Kleczka
Bartlett	Ehrlich	Klink
Bass	Emerson	Klug
Bateman	Engel	Knollenberg
Becerra	English	Kolbe
Beilenson	Ensign	LaHood
Bereuter	Eshoo	Latham
Berman	Evans	LaTourette
Bevill	Everett	Laughlin
Bilirakis	Ewing	Lazio
Bishop	Farr	Levin
Bliley	Fattah	Lewis (CA)
Blute	Fawell	Lewis (GA)
Boehner	Fazio	Lewis (KY)
Bonior	Fields (LA)	Lightfoot
Bono	Fields (TX)	Linder
Borski	Filner	Livingston
Boucher	Flake	LoBiondo
Browder	Flanagan	Lofgren
Brown (CA)	Foley	Longley
Brown (FL)	Forbes	Lucas
Brown (OH)	Fowler	Luther
Brownback	Fox	Maloney
Bryant (TN)	Frank (MA)	Manton
Bunn	Franks (CT)	Manzullo
Bunning	Franks (NJ)	Markey
Buyer	Frelinghuysen	Martinez
Callahan	Frisa	Martini
Camp	Furse	Mascara
Campbell	Gallegly	Matsui
Canady	Ganske	McCarthy
Cardin	Gejdenson	McCollum
Castle	Gekas	McCrery
Chabot	Gephardt	McDermott
Chambliss	Gilchrest	McHugh
Chapman	Gillmor	McIntosh
Chenoweth	Gonzalez	McKeon
Christensen	Goodlatte	McNulty
Chrysler	Goodling	Meehan
Clay	Gordon	Menendez
Clement	Goss	Metcalf
Clinger	Greene (UT)	Mica
Coble	Greenwood	Miller (CA)
Coleman	Gutierrez	Miller (FL)
Collins (GA)	Hamilton	Minge
Collins (IL)	Hancock	Mink
Combest	Hansen	Moakley
Condit	Hastings (WA)	Mollohan
Cooley	Hayworth	Montgomery
Costello	Hefner	Moorhead
Cox	Heineman	Moran
Coyne	Hinchey	Morella
Cramer	Hobson	Murtha
Crane	Hoekstra	Myers
Crapo	Hoke	Myrick
Cremeans	Holden	Nadler
Cubin	Houghton	Neal
Cummings	Hoyer	Nethercutt
Cunningham	Hunter	Neumann
Danner	Hutchinson	Ney
Davis	Hyde	Norwood
Deal	Inglis	Nussle
DeLauro	Jackson (IL)	Oberstar
Dellums	Jacobs	Obey

Olver	Royce	Talent
Ortiz	Rush	Tanner
Orton	Sabo	Tate
Oxley	Sanders	Tauzin
Packard	Sanford	Taylor (MS)
Pallone	Sawyer	Taylor (NC)
Pastor	Saxton	Tejeda
Paxon	Scarborough	Thomas
Payne (NJ)	Schaefer	Thornton
Pelosi	Schroeder	Thurman
Peterson (MN)	Schumer	Torkildsen
Petri	Scott	Traficant
Pickett	Seastrand	Upton
Pombo	Sensenbrenner	Velazquez
Porter	Serrano	Vento
Portman	Shadegg	Visclosky
Poshard	Shaw	Walker
Pryce	Shays	Walsh
Quillen	Shuster	Wamp
Quinn	Sisisky	Ward
Radanovich	Skaggs	Watt (NC)
Rahall	Skelton	Watts (OK)
Ramstad	Slaughter	Waxman
Rangel	Smith (MI)	Weller
Reed	Smith (NJ)	White
Regula	Smith (TX)	Whitfield
Richardson	Smith (WA)	Wicker
Riggs	Solomon	Williams
Rivers	Souder	Wise
Roberts	Spence	Wolf
Roemer	Spratt	Woolsey
Rogers	Stenholm	Wynn
Ros-Lehtinen	Stokes	Yates
Rose	Stump	Young (AK)
Roybal-Allard	Stupak	Zeliff

NOES—58

Baker (LA)	Hall (TX)	Millender-McDonald
Barton	Harman	Owens
Bentsen	Hastings (FL)	Parker
Bilbray	Hefley	Payne (VA)
Boehlert	Hilleary	Rohrabacher
Bryant (TX)	Hilliard	Salmon
Burr	Hostettler	Schiff
Burton	Jackson-Lee (TX)	Stearns
Calvert	Jefferson	Stockman
Clayton	Johnson, E. B.	Thompson
Clyburn	Jones	Thornberry
Coburn	Kim	Tiahrt
Collins (MI)	Largent	Torres
DeLay	Lipinski	Towns
Frost	McHale	Volkmer
Funderburk	McInnis	Waters
Geren	McKinney	Weldon (FL)
Graham	Meek	Weldon (PA)
Green (TX)	Meyers	Zimmer
Gutknecht		

ANSWERED ''PRESENT''—1

DeFazio

NOT VOTING—35

Bonilla	Hastert	Peterson (FL)
Brewster	Hayes	Pomeroy
Conyers	Herger	Roth
de la Garza	Horn	Roukema
Dingell	Istook	Skeen
Dooley	LaFalce	Stark
Foglietta	Lantos	Studds
Ford	Leach	Torricelli
Gibbons	Lincoln	Vucanovich
Gilman	Lowey	Wilson
Gunderson	McDade	Young (FL)
Hall (OH)	Molinari	

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Messrs. BRYANT of Texas, HILLIARD, CLYBURN, and JEFFERSON changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HORN. Mr. Chairman, on rollcall No. 198, I was unavoidably detained on official business and was not able to vote on the Ehlers amendment which eliminated Engineering from the proposed title of National Science and Engineering Foundation. Since I believe science and engineering are equally honorable professions essential to the well-being of our people and our Nation, I would have voted ''nay''.

PERSONAL EXPLANATION

Mr. GILMAN. Mr. Speaker, I inadvertently was absent during rollcall 198 on the Ehlers amendment and, had I been present, I would have voted ''aye''.

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Subtitle A—General Provisions

SEC. 201. SHORT TITLE.

This title may be cited as the ''National Aeronautics and Space Administration Authorization Act, Fiscal Year 1997''.

SEC. 202. FINDINGS.

The Congress makes the following findings:

(1) The National Aeronautics and Space Administration should aggressively pursue actions and reforms directed at reducing institutional costs, including management restructuring, facility consolidation, procurement reform, personnel base downsizing, and convergence with other defense and commercial sector systems.

(2) While institutional reforms, restructurings, and downsizing hold the slim promise of reconciling the disparity between projected needs of the National Aeronautics and Space Administration with funding levels requested by the Administration over the next 4 years, such reforms provide no guarantee against cancellation of missions or elimination of centers in the event reform efforts fail to achieve cost reduction targets.

(3) The National Aeronautics and Space Administration must reverse its current trend toward becoming an operational agency, and return to its proud history as the Nation's leader in basic scientific air and space research.

(4) Commercial space activity is in a delicate state of growth. It has the potential to eclipse Federal space activity in its economic return to the Nation, if it is not stifled.

(5) The United States is on the verge of creating and using new technologies in microsatellites, information processing, and space launches that could radically alter the manner in which the Government approaches its space mission.

(6) The overwhelming preponderance of the Federal Government's requirements for routine, nonemergency manned and unmanned space transportation can be met most effectively, efficiently, and economically by a free and competitive market in privately developed and operated launch services.

(7) In formulating a national space transportation service policy, the National Aeronautics and Space Administration should aggressively promote the pursuit by the commercial sector of development of advanced space transportation technologies including reusable space vehicles, single-stage-to-orbit vehicles, and human space systems.

(8) The Federal Government should invest in the types of research and innovative technology in which the United States private sector does not invest, while avoiding competition with the activities in which the United States private sector does invest.

(9) International cooperation in space exploration and science activities serves the United States national interest—

(A) when it—

(i) reduces the cost of undertaking missions the United States Government would pursue unilaterally;

(ii) enables the United States to pursue missions that it could not otherwise afford to pursue unilaterally; or

(iii) enhances United States capabilities to use and develop space for the benefit of United States citizens; and

(B) when it does not—

(i) otherwise harm or interfere with the ability of United States private sector firms to develop or explore space commercially;

(ii) interfere with the ability of Federal agencies to use space to complete their missions;

(iii) undermine the ability of United States private enterprise to compete favorably with foreign entities in the commercial space arena; or

(iv) transfer sensitive or commercially advantageous technologies or knowledge from the United States to other countries or foreign entities except as required by those countries or entities to make their contribution to a multilateral space project in partnership with the United States, or on a quid pro quo basis.

(10) The National Aeronautics and Space Administration and the Department of Defense can cooperate more effectively in leveraging their mutual capabilities to conduct joint space missions that improve United States space capabilities and reduce the cost of conducting space missions.

(11) The Reusable Launch Vehicle program, and the acquisition by the Federal Government of the vehicle resulting from that program, are necessary for the protection of essential security interests for purposes of interpreting the obligations of the United States under the General Agreement on Tariffs and Trade.

SEC. 203. DEFINITIONS.

For purposes of this title—

(1) the term ''Administrator'' means the Administrator of the National Aeronautics and Space Administration;

(2) the term ''cost threat'' means a potential change to the program baseline documented as a potential cost by the Space Station Program Office; and

(3) the term ''institution of higher education'' has the meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

Subtitle B—Authorization of Appropriations

CHAPTER 1—AUTHORIZATIONS

SEC. 211. HUMAN SPACE FLIGHT.

There are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1997 for Human Space Flight the following amounts:

(1) For the Space Station, $1,840,200,000.

(2) For Space Shuttle Operations, $2,514,900,000.

(3) For Space Shuttle Safety and Performance Upgrades, $636,000,000, including for Construction of Facilities relating to such programs—

(A) replacement of LC–39 Pad B Chillers (KSC), $1,800,000;

(B) restoration of Pad B Fixed Support Structure Elevator System (KSC), $1,500,000;

(C) rehabilitation of 480V Electrical Distribution System, Kennedy Space Center, External Tank Manufacturing Building (MAF), $2,500,000; and

(D) restoration of High Pressure Industrial Water Plant, Stennis Space Center, $2,500,000.

(4) For Payload and Utilization Operations, $271,800,000.

(5) For Russian Cooperation, $100,000,000.

SEC. 212. SCIENCE, AERONAUTICS, AND TECHNOLOGY.

There are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1997 for Science, Aeronautics, and Technology the following amounts:

(1) For Space Science, $2,167,400,000.

(2) For Life and Microgravity Sciences and Applications, $498,500,000, of which at least $2,000,000 is reserved for research and early detection systems for breast and ovarian cancer and other women's health issues.

(3) For Mission to Planet Earth, $1,028,400,000, of which $50,000,000 shall be for commercial data purchases under section 259(a). Funds authorized by this paragraph may not be obligated to duplicate private sector or other Federal activities or to procure systems to provide data unless the Administrator certifies to Congress that no private sector entity, or Federal entity other than the National Aeronautics and Space Administration, can provide suitable data in a timely manner.

(4) For Space Access and Technology, $711,000,000 of which—

(A) $324,700,000 are authorized for Advanced Space Transportation; and

(B) $10,000,000 shall be for continuing the Launch Voucher Demonstration Program authorized under section 504 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (15 U.S.C. 5803).

(5) For Aeronautical Research and Technology, $823,400,000, of which—

(A) $354,400,000 are authorized for Research and Technology Base activities;

(B) $254,300,000 are authorized for High Speed Research;

(C) $152,800,000 are authorized for Advanced Subsonic Technology;

(D) $23,300,000 are authorized for High-Performance Computing and Communications; and

(E) $38,600,000 are authorized for Numerical Aerodynamic Simulation.

(6) For Mission Communication Services, $410,600,000.

(7) For Academic Programs, $95,500,000.

SEC. 213. MISSION SUPPORT.

There are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1997 for Mission Support the following amounts:

(1) For Safety, Reliability, and Quality Assurance, $36,700,000.

(2) For Space Communication Services, $281,250,000.

(3) For Construction of Facilities, including land acquisition, $105,000,000, including the following:

(A) Modernization of Electrical Distribution System, Ames Research Center, $2,400,000.

(B) Modification of Aircraft Ramp and Tow Way, Dryden Flight Research Center, $3,000,000.

(C) Restoration of Hangar Building 4801, Dryden Flight Research Center, $4,500,000.

(D) Modernization of Secondary Electrical Systems, Goddard Space Flight Center, $1,500,000.

(E) Restoration of Chilled Water Distribution System, Goddard Space Flight Center, $4,000,000.

(F) Modification of Refrigeration Systems, Various Buildings, Jet Propulsion Laboratory, $2,800,000.

(G) Rehabilitation of Utility Tunnel Structure and Systems, Johnson Space Center, $4,400,000.

(H) Replacement of DX Units with Central Chilled Water System, Logistics Facility, Kennedy Space Center, $1,800,000.

(I) Rehabilitation of Central Air Equipment Building, Lewis Research Center, $6,500,000.

(J) Modification of Chilled Water System, Marshall Space Flight Center, $6,700,000.

(K) Rehabilitation of Condenser Water System, 202/207 Complex (MAF), $2,100,000.

(L) Rehabilitation of Electrical Distribution System, White Sands Test Facility, $2,600,000.

(M) Minor Revitalization of Facilities at Various Locations, not in excess of $1,500,000 per project, $19,600,000.

(N) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of $1,500,000 per project, $3,400,000.

(O) Facility planning and design, not otherwise provided for, $6,700,000.

(P) Environmental compliance and restoration, $33,000,000.

(4) For Research and Program Management, including personnel and related costs, travel, and research operations support, $1,957,850,000.

SEC. 214. INSPECTOR GENERAL.

There are authorized to be appropriated to the National Aeronautics and Space Administration for Inspector General, $17,000,000 for fiscal year 1997.

SEC. 215. TOTAL AUTHORIZATION.

Notwithstanding any other provision of this subtitle, the total amount authorized to be appropriated to the National Aeronautics and Space Administration under this title shall not exceed $13,495,500,000 for fiscal year 1997.

SEC. 216. OFFICE OF COMMERCIAL SPACE TRANSPORTATION AUTHORIZATION.

There are authorized to be appropriated to the Secretary of Transportation for the activities of the Office of Commercial Space Transportation, $5,770,000 for fiscal year 1997.

SEC. 217. OFFICE OF SPACE COMMERCE.

There are authorized to be appropriated to the Secretary of Commerce for the activities of the Office of Space Commerce established by section 253 of this Act, $500,000 for fiscal year 1997.

CHAPTER 2—RESTRUCTURING THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SEC. 221. FINDINGS.

The Congress finds that—

(1) the restructuring of the National Aeronautics and Space Administration is essential to accomplishing the space missions of the United States while simultaneously balancing the Federal budget;

(2) to restructure the National Aeronautics and Space Administration rapidly without reducing mission content and safety requires objective financial judgment; and

(3) a formal economic review of its missions and the Federal assets that support them is required in order to plan and implement needed restructuring of the National Aeronautics and Space Administration.

SEC. 222. RESTRUCTURING REPORTS.

(a) IMPLEMENTATION REPORT.—The Administrator shall transmit to Congress, no later than July 31, 1996, a report on its restructuring activities by fiscal year containing, at a minimum, a description of all actions taken or planned to be taken after July 31, 1995, and before October 1, 2002, including contracts terminated or consolidated; reductions in force; relocations of personnel and facilities; sales, closures, or mothballing of capital assets or facilities; and net savings to be realized from such actions by fiscal year.

(b) PROPOSED LEGISLATION.—The President shall propose to Congress, not later than September 30, 1996, all enabling legislation required to carry out actions described by the Administrator's report under subsection (a).

CHAPTER 3—LIMITATIONS AND SPECIAL AUTHORITY

SEC. 231. USE OF FUNDS FOR CONSTRUCTION.

(a) AUTHORIZED USES.—Funds appropriated under sections 211(1) through (5), 212, and 213(1) and (2), and funds appropriated for research operations support under section 213(4), may be used for the construction of new facilities and additions to, repair of, rehabilitation of, or modification of existing facilities at any location in support of the purposes for which such funds are authorized.

(b) LIMITATION.—None of the funds pursuant to subsection (a) may be expended for a project, the estimated cost of which to the National Aeronautics and Space Administration, including collateral equipment, exceeds $500,000, until 30 days have passed after the Administrator has notified the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the nature, location, and estimated cost to the National Aeronautics and Space Administration of such project.

(c) TITLE TO FACILITIES.—If funds are used pursuant to subsection (a) for grants to institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities, title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in the grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to ensure that the United States will receive therefrom benefits adequate to justify the making of that grant.

SEC. 232. AVAILABILITY OF APPROPRIATED AMOUNTS.

To the extent provided in appropriations Acts, appropriations authorized under chapter 1 may remain available without fiscal year limitation.

SEC. 233. REPROGRAMMING FOR CONSTRUCTION OF FACILITIES.

(a) IN GENERAL.—Appropriations authorized under any paragraph of section 211(6) or 213(3)—

(1) may be varied upward by 10 percent in the discretion of the Administrator; or

(2) may be varied upward by 25 percent, to meet unusual cost variations, after the expiration of 15 days following a report on the circumstances of such action by the Administrator to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

The aggregate amount authorized to be appropriated under sections 211(6) and 213(3) shall not be increased as a result of actions authorized under paragraphs (1) and (2) of this subsection.

(b) SPECIAL RULE.—Where the Administrator determines that new developments in the national program of aeronautical and space activities have occurred; and that such developments require the use of additional funds for the purposes of construction, expansion, or modification of facilities at any location; and that deferral of such action until the enactment of the next National Aeronautics and Space Administration Authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities, the Administrator may use up to $10,000,000 of the amounts authorized under section 211(6) or 213(3) for each fiscal year for such purposes. No such funds may be obligated until a period of 30 days has passed after the Administrator has

transmitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives a written report describing the nature of the construction, its costs, and the reasons therefor.

SEC. 234. CONSIDERATION BY COMMITTEES.

Notwithstanding any other provision of law—

(1) no amount appropriated to the National Aeronautics and Space Administration may be used for any program for which the President's annual budget request included a request for funding, but for which the Congress denied or did not provide funding;

(2) no amount appropriated to the National Aeronautics and Space Administration may be used for any program in excess of the amount actually authorized for the particular program under this subtitle; and

(3) no amount appropriated to the National Aeronautics and Space Administration may be used for any program which has not been presented to the Congress in the President's annual budget request or the supporting and ancillary documents thereto,

unless a period of 30 days has passed after the receipt by the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of notice given by the Administrator containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action. The National Aeronautics and Space Administration shall keep the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate fully and currently informed with respect to all activities and responsibilities within the jurisdiction of those committees. Except as otherwise provided by law, any Federal department, agency, or independent establishment shall furnish any information requested by either committee relating to any such activity or responsibility.

SEC. 235. LIMITATION ON OBLIGATION OF UNAUTHORIZED APPROPRIATIONS.

(a) REPORTS TO CONGRESS.—Not later than 30 days after the later of the date of enactment of an Act making appropriations to the National Aeronautics and Space Administration for fiscal year 1997 and the date of enactment of this Act, the Administrator shall submit a report to Congress and to the Comptroller General which specifies—

(1) the portion of such appropriations which are for programs, projects, or activities not authorized under chapter 1 of this subtitle, or which are in excess of amounts authorized for the relevant program, project, or activity under this title; and

(2) the portion of such appropriations which are authorized under this title.

(b) FEDERAL REGISTER NOTICE.—The Administrator shall, coincident with the submission of the report required by subsection (a), publish in the Federal Register a notice of all programs, projects, or activities for which funds are appropriated but which were not authorized under this title, and solicit public comment thereon regarding the impact of such programs, projects, or activities on the conduct and effectiveness of the national aeronautics and space program.

(c) LIMITATION.—Notwithstanding any other provision of law, no funds may be obligated for any programs, projects, or activities of the National Aeronautics and Space Administration for fiscal year 1997 not authorized under this title until 30 days have passed after the close of the public comment period contained in the notice required in subsection (b).

SEC. 236. USE OF FUNDS FOR SCIENTIFIC CONSULTATIONS OR EXTRAORDINARY EXPENSES.

Not more than $30,000 of the funds appropriated under section 212 may be used for scientific consultations or extraordinary expenses, upon the authority of the Administrator.

Subtitle C—International Space Station

SEC. 241. FINDINGS.

The Congress finds that—

(1) the development, assembly, and operation of the International Space Station is in the national interest of the United States;

(2) the National Aeronautics and Space Administration has restructured and redesigned the International Space Station, consolidated contract responsibility, and achieved program management, control, and stability;

(3) the significant involvement by private ventures in marketing and using, competitively servicing, and commercially augmenting the operational capabilities of the International Space Station during its assembly and operational phases will lower costs and increase benefits to the international partners;

(4) further rescoping or redesigns of the International Space Station will lead to costly delays, increase costs to its international partners, discourage commercial involvement, and weaken the international space partnership necessary for future space projects;

(5) total program costs for development, assembly, and initial operations have been identified and capped to ensure financial discipline and maintain program schedule milestones;

(6) in order to contain costs, mission planning and engineering functions of the National Space Transportation System (Space Shuttle) program should be coordinated with the Space Station Program Office;

(7) the International Space Station represents an important component of an adequately funded civil space program which balances human space flight with science, aeronautics, and technology;

(8) the International Space Station should be an inspiration to society, particularly our young people, and should provide new and expanded opportunities to meet important educational goals; and

(9) when completed, the International Space Station will be the largest, most capable microgravity research facility ever developed. It will provide a lasting framework for conducting large-scale science programs with international partners and it is the next step in the human exploration of space. The United States should commit to completing this program, thereby reaping the benefits of scientific research and international cooperation.

SEC. 242. COMMERCIALIZATION OF SPACE STATION.

(a) POLICY.—The Congress declares that a priority goal of constructing the International Space Station is the economic development of Earth orbital space. The Congress further declares that the use of free market principles in operating, allocating the use of, and adding capabilities to the Space Station, and the resulting fullest possible engagement of commercial providers and participation of commercial users, will reduce Space Station operational costs for all partners and the Federal Government's share of the United States burden to fund operations.

(b) REPORT.—The Administrator shall deliver to the Congress, within 60 days after the date of the enactment of this Act, a market study that examines the role of commercial ventures which could supply, use, service, or augment the International Space Station, the specific policies and initiatives the Administrator is advancing to encourage these commercial opportunities, the cost savings to be realized by the international partnership from applying commercial approaches to cost-shared operations, and the cost reimbursements to the United States Federal Government from commercial users of the Space Station.

SEC. 243. SENSE OF CONGRESS.

It is the sense of Congress that the ''cost incentive fee'' single prime contract negotiated by the National Aeronautics and Space Administration for the International Space Station, and the consolidation of programmatic and financial accountability into a single Space Station Program Office, are two examples of reforms for the reinvention of all National Aeronautics and Space Administration programs that should be applied as widely and as quickly as possible throughout the Nation's civil space program.

SEC. 244. SPACE STATION ACCOUNTING REPORT.

(a) ANNUAL REPORT TO THE CONGRESS.—The Administrator shall transmit a report to the Congress each year containing a complete accounting of all costs of the space station, including cash and other payments to Russia.

(b) QUARTERLY REPORTS FROM RUSSIA.—The Administrator shall obtain quarterly reports from the Russian Space Agency during the term of the contract between the Russian Space Agency and the National Aeronautics and Space Administration which fully account for the disposition of funds paid or transferred by the National Aeronautics and Space Administration to Russia, including—

(1) the amount of funds received from the National Aeronautics and Space Administration and the date of their receipt;

(2) the amount of funds converted from United States currency by the Russian Space Agency, the currency into which the funds have been converted, and the dates and exchange rates of each such conversion;

(3) the amount of non-United States currency, and of United States currency, disbursed by the Russian Space Agency to any contractor or subcontractor, the identity of such contractor or subcontractor, and the date on which the funds were disbursed; and

(4) the balance of the funds provided by the National Aeronautics and Space Administration which have not been disbursed by the Russian Space Agency as of the date of the report.

Subtitle D—Miscellaneous Provisions

SEC. 251. COMMERCIAL SPACE LAUNCH AMENDMENTS.

(a) AMENDMENTS.—Chapter 701 of title 49, United States Code, is amended—

(1) in the table of sections—

(A) by amending the item relating to section 70104 to read as follows:

''70104. Restrictions on launches, operations, and reentries.'';

(B) by amending the item relating to section 70108 to read as follows:

''70108. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries.'';

and

(C) by amending the item relating to section 70109 to read as follows:

''70109. Preemption of scheduled launches or reentries.'';

(2) in section 70101—

(A) by inserting ''microgravity research,'' after ''information services,'' in subsection (a)(3);

(B) by inserting '', reentry,'' after ''launching'' both places it appears in subsection (a)(4);

(C) by inserting ‘‘, reentry vehicles,’’ after ‘‘launch vehicles’’ in subsection (a)(5);

(D) by inserting ‘‘and reentry services’’ after ‘‘launch services’’ in subsection (a)(6);

(E) by inserting ‘‘, reentries,’’ after ‘‘launches’’ both places it appears in subsection (a)(7);

(F) by inserting ‘‘, reentry sites,’’ after ‘‘launch sites’’ in subsection (a)(8);

(G) by inserting ‘‘and reentry services’’ after ‘‘launch services’’ in subsection (a)(8);

(H) by inserting ‘‘reentry sites,’’ after ‘‘launch sites,’’ in subsection (a)(9);

(I) by inserting ‘‘and reentry site’’ after ‘‘launch site’’ in subsection (a)(9);

(J) by inserting ‘‘reentry vehicles,’’ after ‘‘launch vehicles’’ in subsection (b)(2);

(K) by striking ‘‘launch’’ in subsection (b)(2)(A);

(L) by inserting ‘‘and reentry’’ after ‘‘commercial launch’’ in subsection (b)(3);

(M) by striking ‘‘launch’’ after ‘‘and transfer commercial’’ in subsection (b)(3); and

(N) by inserting ‘‘and development of reentry sites,’’ after ‘‘launch-site support facilities,’’ in subsection (b)(4);

(3) in section 70102—

(A) by striking ‘‘and any payload’’ and inserting in lieu thereof ‘‘or reentry vehicle and any payload from Earth’’ in paragraph (3);

(B) by inserting ‘‘or reentry vehicle’’ after ‘‘means of a launch vehicle’’ in paragraph (8);

(C) by redesignating paragraphs (10) through (12) as paragraphs (14) through (16), respectively;

(D) by inserting after paragraph (9) the following new paragraphs:

‘‘(10) ‘reenter’ and ‘reentry’ mean to return or attempt to return, purposefully, a reentry vehicle and its payload, if any, from Earth orbit or from outer space to Earth.

‘‘(11) ‘reentry services’ means—

‘‘(A) activities involved in the preparation of a reentry vehicle and its payload, if any, for reentry; and

‘‘(B) the conduct of a reentry.

‘‘(12) ‘reentry site’ means the location on Earth to which a reentry vehicle is intended to return (as defined in a license the Secretary issues or transfers under this chapter).

‘‘(13) ‘reentry vehicle’ means a vehicle designed to return from Earth orbit or outer space to Earth, or a reusable launch vehicle designed to return from outer space substantially intact.’’; and

(E) by inserting ‘‘or reentry services’’ after ‘‘launch services’’ each place it appears in paragraph (15), as so redesignated by subparagraph (C) of this paragraph;

(4) in section 70103(b)—

(A) by inserting ‘‘AND REENTRIES’’ after ‘‘LAUNCHES’’ in the subsection heading;

(B) by inserting ‘‘and reentries’’ after ‘‘space launches’’ in paragraph (1); and

(C) by inserting ‘‘and reentry’’ after ‘‘space launch’’ in paragraph (2);

(5) in section 70104—

(A) by amending the section designation and heading to read as follows:

‘‘§ 70104. Restrictions on launches, operations, and reentries’’;

(B) by inserting ‘‘or reentry site, or to reenter a reentry vehicle,’’ after ‘‘operate a launch site’’ each place it appears in subsection (a);

(C) by inserting ‘‘or reentry’’ after ‘‘launch or operation’’ in subsection (a)(3) and (4);

(D) in subsection (b)—

(i) by striking ‘‘launch license’’ and inserting in lieu thereof ‘‘license’’;

(ii) by inserting ‘‘or reenter’’ after ‘‘may launch’’; and

(iii) by inserting ‘‘or reentering’’ after ‘‘related to launching’’; and

(E) in subsection (c)—

(i) by amending the subsection heading to read as follows: ‘‘PREVENTING LAUNCHES AND REENTRIES.—’’;

(ii) by inserting ‘‘or reentry’’ after ‘‘prevent the launch’’; and

(iii) by inserting ‘‘or reentry’’ after ‘‘decides the launch’’;

(6) in section 70105—

(A) by inserting ‘‘or a reentry site, or the reentry of a reentry vehicle,’’ after ‘‘operation of a launch site’’ in subsection (b)(1); and

(B) by striking ‘‘or operation’’ and inserting in lieu thereof ‘‘, operation, or reentry’’ in subsection (b)(2)(A);

(7) in section 70106(a)—

(A) by inserting ‘‘or reentry site’’ after ‘‘observer at a launch site’’;

(B) by inserting ‘‘or reentry vehicle’’ after ‘‘assemble a launch vehicle’’; and

(C) by inserting ‘‘or reentry vehicle’’ after ‘‘with a launch vehicle’’;

(8) in section 70108—

(A) by amending the section designation and heading to read as follows:

‘‘§ 70108. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries’’;

and

(B) in subsection (a)—

(i) by inserting ‘‘or reentry site, or reentry of a reentry vehicle,’’ after ‘‘operation of a launch site’’; and

(ii) by inserting ‘‘or reentry’’ after ‘‘launch or operation’’;

(9) in section 70109—

(A) by amending the section designation and heading to read as follows:

‘‘§ 70109. Preemption of scheduled launches or reentries’’;

(B) in subsection (a)—

(i) by inserting ‘‘or reentry’’ after ‘‘ensure that a launch’’;

(ii) by inserting ‘‘, reentry site,’’ after ‘‘United States Government launch site’’;

(iii) by inserting ‘‘or reentry date commitment’’ after ‘‘launch date commitment’’;

(iv) by inserting ‘‘or reentry’’ after ‘‘obtained for a launch’’;

(v) by inserting ‘‘, reentry site,’’ after ‘‘access to a launch site’’;

(vi) by inserting ‘‘, or services related to a reentry,’’ after ‘‘amount for launch services’’; and

(vii) by inserting ‘‘or reentry’’ after ‘‘the scheduled launch’’; and

(C) in subsection (c), by inserting ‘‘or reentry’’ after ‘‘prompt launching’’;

(10) in section 70110—

(A) by inserting ‘‘or reentry’’ after ‘‘prevent the launch’’ in subsection (a)(2); and

(B) by inserting ‘‘or reentry site, or reentry of a reentry vehicle,’’ after ‘‘operation of a launch site’’ in subsection (a)(3)(B);

(11) in section 70111—

(A) by inserting ‘‘or reentry’’ after ‘‘launch’’ in subsection (a)(1)(A);

(B) by inserting ‘‘and reentry services’’ after ‘‘launch services’’ in subsection (a)(1)(B);

(C) by inserting ‘‘or reentry services’’ after ‘‘or launch services’’ in subsection (a)(2);

(D) by inserting ‘‘or reentry’’ after ‘‘commercial launch’’ both places it appears in subsection (b)(1);

(E) by inserting ‘‘or reentry services’’ after ‘‘launch services’’ in subsection (b)(2)(C);

(F) by striking ‘‘or its payload for launch’’ in subsection (d) and inserting in lieu thereof ‘‘or reentry vehicle, or the payload of either, for launch or reentry’’; and

(G) by inserting ‘‘, reentry vehicle,’’ after ‘‘manufacturer of the launch vehicle’’ in subsection (d);

(12) in section 70112—

(A) by inserting ‘‘or reentry’’ after ‘‘one launch’’ in subsection (a)(3);

(B) by inserting ‘‘or reentry services’’ after ‘‘launch services’’ in subsection (a)(4);

(C) by inserting ‘‘or reentry services’’ after ‘‘launch services’’ each place it appears in subsection (b);

(D) by inserting ‘‘applicable’’ after ‘‘carried out under the’’ in paragraphs (1) and (2) of subsection (b);

(E) by striking ‘‘, Space, and Technology’’ in subsection (d)(1);

(F) by inserting ‘‘OR REENTRIES’’ after ‘‘LAUNCHES’’ in the heading for subsection (e); and

(G) by inserting ‘‘or reentry site or a reentry’’ after ‘‘launch site’’ in subsection (e);

(13) in section 70113(a)(1) and (d)(1) and (2), by inserting ‘‘or reentry’’ after ‘‘one launch’’ each place it appears;

(14) in section 70115(b)(1)(D)(i)—

(A) by inserting ‘‘reentry site,’’ after ‘‘launch site,’’; and

(B) by inserting ‘‘or reentry vehicle’’ after ‘‘launch vehicle’’ both places it appears; and

(15) in section 70117—

(A) by inserting ‘‘or reentry site, or to reenter a reentry vehicle’’ after ‘‘operate a launch site’’ in subsection (a);

(B) by inserting ‘‘or reentry’’ after ‘‘approval of a space launch’’ in subsection (d);

(C) by amending subsection (f) to read as follows:

‘‘(f) LAUNCH NOT AN EXPORT; REENTRY NOT AN IMPORT.—A launch vehicle, reentry vehicle, or payload that is launched or reentered is not, because of the launch or reentry, an export or import, respectively, for purposes of a law controlling exports or imports.’’; and

(D) in subsection (g)—

(i) by striking ‘‘operation of a launch vehicle or launch site,’’ in paragraph (1) and inserting in lieu thereof ‘‘reentry, operation of a launch vehicle or reentry vehicle, or operation of a launch site or reentry site,’’; and

(ii) by inserting ‘‘reentry,’’ after ‘‘launch,’’ in paragraph (2).

(b) ADDITIONAL AMENDMENTS.—(1) Section 70105 of title 49, United States Code, is amended—

(A) by inserting ‘‘(1)’’ before ‘‘A person may apply’’ in subsection (a);

(B) by striking ‘‘receiving an application’’ both places it appears in subsection (a) and inserting in lieu thereof ‘‘accepting an application in accordance with criteria established pursuant to subsection (b)(2)(D)’’;

(C) by adding at the end of subsection (a) the following new paragraph:

‘‘(2) In carrying out paragraph (1), the Secretary may establish procedures for certification of the safety of a launch vehicle, reentry vehicle, or safety system, procedure, service, or personnel that may be used in conducting licensed commercial space launch or reentry activities.’’;

(D) by striking ‘‘and’’ at the end of subsection (b)(2)(B);

(E) by striking the period at the end of subsection (b)(2)(C) and inserting in lieu thereof ‘‘; and’’;

(F) by adding at the end of subsection (b)(2) the following new subparagraph:

‘‘(D) regulations establishing criteria for accepting or rejecting an application for a license under this chapter within 60 days after receipt of such application.’’; and

(G) by inserting ‘‘, or the requirement to obtain a license,’’ after ‘‘waive a requirement’’ in subsection (b)(3).

(2) The amendment made by paragraph (1)(B) shall take effect upon the effective date of final regulations issued pursuant to section 70105(b)(2)(D) of title 49, United States Code, as added by paragraph (1)(F) of this subsection.

(3) Section 70102(5) of title 49, United States Code, is amended—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(B) by inserting before subparagraph (B), as so redesignated by subparagraph (A) of this paragraph, the following new subparagraph:

''(A) activities directly related to the preparation of a launch site or payload facility for one or more launches;''.

(4) Section 70103(b) of title 49, United States Code, is amended—

(A) in the subsection heading, as amended by subsection (a)(4)(A) of this section, by inserting ''AND STATE SPONSORED SPACEPORTS'' after ''AND REENTRIES''; and

(B) in paragraph (1), by inserting ''and State sponsored spaceports'' after ''private sector''.

(5) Section 70105(a)(1) of title 49, United States Code, as amended by subsection (b)(1) of this section, is amended by inserting at the end the following: ''The Secretary shall submit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written notice not later than 7 days after any occurrence when a license is not issued within the deadline established by this subsection.''.

(6) Section 70111 of title 49, United States Code, is amended—

(A) in subsection (a)(1), by inserting after subparagraph (B) the following:

''The Secretary shall establish criteria and procedures for determining the priority of competing requests from the private sector and State governments for property and services under this section.'';

(B) by striking ''actual costs'' in subsection (b)(1) and inserting in lieu thereof ''additive costs only''; and

(C) by inserting after subsection (b)(2) the following new paragraph:

''(3) The Secretary shall ensure the establishment of uniform guidelines for, and consistent implementation of, this section by all Federal agencies.''.

(7) Section 70112 of title 49, United States Code, is amended—

(A) in subsection (a)(1), by inserting ''launch, reentry, or site operator'' after ''(1) When a'';

(B) in subsection (b)(1), by inserting ''launch, reentry, or site operator'' after ''(1)A''; and

(C) in subsection (f), by inserting ''launch, reentry, or site operator'' after ''carried out under a''.

(c) REGULATIONS.—(1) Chapter 701 of title 49, United States Code, is amended by adding at the end the following new section:

''§ 70120. Regulations

''The Secretary of Transportation, within 6 months after the date of the enactment of this section, shall issue regulations to carry out this chapter that include—

''(1) guidelines for industry to obtain sufficient insurance coverage for potential damages to third parties;

''(2) procedures for requesting and obtaining licenses to operate a commercial launch vehicle and reentry vehicle;

''(3) procedures for requesting and obtaining operator licenses for launch and reentry; and

''(4) procedures for the application of government indemnification.''.

(2) The table of sections for such chapter 701 is amended by adding after the item relating to section 70119 the following new item:

''70120. Regulations.''.

(d) REPORT TO CONGRESS.—(1) Chapter 701 of title 49, United States Code, is further amended by adding at the end the following new section:

''§ 70121. Report to Congress

''The Secretary of Transportation shall submit to Congress an annual report to accompany the President's budget request that—

''(1) describes all activities undertaken under this chapter, including a description of the process for the application for and approval of licenses under this chapter and recommendations for legislation that may further commercial launches and reentries; and

''(2) reviews the performance of the regulatory activities and the effectiveness of the Office of Commercial Space Transportation.''.

(2) The table of sections for such chapter 701 is further amended by adding after the item relating to section 70120, as added by subsection (c)(2) of this section, the following new item:

''70121. Report to Congress.''.

SEC. 252. REQUIREMENT FOR INDEPENDENT COST ANALYSIS.

Before any funds may be obligated for Phase C of a project that is projected to cost more than $75,000,000 in total project costs, the Chief Financial Officer for the National Aeronautics and Space Administration shall conduct an independent cost analysis of such project and shall report the results to Congress. In developing cost accounting and reporting standards for carrying out this section, the Chief Financial Officer shall, to the extent practicable and consistent with other laws, solicit the advice of expertise outside of the National Aeronautics and Space Administration.

SEC. 253. OFFICE OF SPACE COMMERCE.

(a) ESTABLISHMENT.—There is established within the Department of Commerce an Office of Space Commerce.

(b) FUNCTIONS.—The Office of Space Commerce shall be the principal unit for the coordination of space-related issues, programs, and initiatives within the Department of Commerce. The Office's primary responsibilities shall include—

(1) promoting private sector investment in space activities by collecting, analyzing, and disseminating information on space markets, and conducting workshops and seminars to increase awareness of commercial space opportunities;

(2) assisting United States commercial providers in their efforts to do business with the United States Government, and acting as an industry advocate within the executive branch to ensure that the Federal Government meets its space-related requirement, to the fullest extent feasible, with commercially available space goods and services;

(3) ensuring that the United States Government does not compete with the private sector in the provision of space hardware and services otherwise available from the private sector;

(4) promoting the export of space-related goods and services;

(5) representing the Department of Commerce in the development of United States policies and in negotiations with foreign countries to ensure free and fair trade internationally in the area of space commerce;

(6) seeking the removal of legal, policy, and institutional impediments to space commerce; and

(7) licensing private sector parties to operate private remote sensing space systems and supporting the private sector's role in the commercial development of Landsat remote sensing data distribution.

SEC. 254. NATIONAL AERONAUTICS AND SPACE ACT OF 1958 AMENDMENTS.

(a) DECLARATION OF POLICY AND PURPOSE.—Section 102 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451) is amended—

(1) by striking subsection (f) and redesignating subsections (g) and (h) as subsections (f) and (g), respectively; and

(2) in subsection (g), as so redesignated by paragraph (1) of this subsection, by striking ''(f), and (g)'' and inserting in lieu thereof ''and (f)''.

(b) REPORTS TO THE CONGRESS.—Section 206(a) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2476(a)) is amended—

(1) by striking ''January'' and inserting in lieu thereof ''May''; and

(2) by striking ''calendar'' and inserting in lieu thereof ''fiscal''.

(c) DISCLOSURE OF TECHNICAL DATA.—Section 303 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2454) is amended—

(1) in subsection (a)(C), by inserting ''or (c)'' after ''subsection (b)''; and

(2) by adding at the end the following new subsection:

''(c)(1) The Administrator, at his discretion or at the request of a private sector entity, shall delay for a period of at least one day, but not to exceed 5 years, the unrestricted public disclosure of technical data in the possession of, or under the control of, the Administration that has been generated in the performance of experimental, developmental, or research activities or programs funded jointly by the Administration and such private sector entity.

''(2) Within 1 year after the date of the enactment of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1997, the Administrator shall issue regulations to carry out this subsection. Paragraph (1) shall not take effect until such regulations are issued.

''(3) Regulations issued pursuant to paragraph (2) shall include—

''(A) guidelines for a determination of whether data is technical data within the meaning of this subsection;

''(B) provisions to ensure that technical data is available for dissemination within the United States to United States persons and entities in furtherance of the objective of maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base; and

''(C) a specification of the period or periods for which the delay in unrestricted public disclosure of technical data is to apply to various categories of such data, and the restrictions on disclosure of such data during such period or periods, including a requirement that the maximum 5-year protection under this subsection shall not be provided unless at least 50 percent of the funding for the activities or programs is provided by the private sector.

''(4) The Administrator shall annually report to the Congress all determinations made under paragraph (1).

''(5) For purposes of this subsection, the term 'technical data' means any recorded information, including computer software, that is or may be directly applicable to the design, engineering, development, production, manufacture, or operation of products or processes that may have significant value in maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base.''.

SEC. 255. PROCUREMENT.

(a) PROCUREMENT DEMONSTRATION PROGRAM.—

(1) IN GENERAL.—The Administrator shall establish within the Office of Space Access and Technology a program of expedited technology procurement for the purpose of demonstrating how innovative technology concepts can rapidly be brought to bear upon

space missions of the National Aeronautics and Space Administration.

(2) PROCEDURES AND EVALUATION.—The Administrator shall establish procedures for actively seeking from persons outside the National Aeronautics and Space Administration innovative technology concepts, relating to the provision of space hardware, technology, or service to the National Aeronautics and Space Administration.

(3) REQUIREMENT.—At least 1 percent of amounts authorized to be appropriated under section 212(4) shall be used for innovative technology procurements that are determined under paragraph (2) of this subsection to meet mission requirements.

(4) SPECIAL AUTHORITY.—In order to carry out this subsection the Administrator shall recruit and hire for limited term appointments persons from outside the National Aeronautics and Space Administration with special expertise and experience related to the innovative technology concepts with respect to which procurements are made under this subsection.

(5) SUNSET.—This subsection shall cease to be effective 10 years after the date of its enactment.

(b) TECHNOLOGY PROCUREMENT INITIATIVE.—

(1) IN GENERAL.—The Administrator shall coordinate National Aeronautics and Space Administration resources in the areas of procurement, commercial programs, and advanced technology in order to—

(A) fairly assess and procure commercially available technology from the marketplace in the most efficient manner practicable;

(B) achieve a continuous pattern of integrating advanced technology from the commercial sector, and from Federal sources outside the National Aeronautics and Space Administration, into the missions and programs of the National Aeronautics and Space Administration;

(C) incorporate private sector buying and bidding procedures, including fixed price contracts, into procurements; and

(D) provide incentives for cost-plus contractors of the National Aeronautics and Space Administration to integrate commercially available technology in subsystem contracts on a fixed-price basis.

(2) CERTIFICATION.—Upon solicitation of any procurement for space hardware, technology, or services that are not commercially available, the Administrator shall certify, by publication of a notice and opportunity to comment in the Commerce Business Daily, for each such procurement action, that no functional equivalent, commercially, available space hardware, technology, or service exists and that no commercial method of procurement in available.

SEC. 256. ADDITIONAL NATIONAL AERONAUTICS AND SPACE ADMINISTRATION FACILITIES.

The Administrator shall not construct or enter into a new lease for facilities to support National Aeronautics and Space Administration programs unless the Administrator notifies the Congress that the Administrator reviewed existing National Aeronautics and Space Administration and other federally owned facilities, including military facilities scheduled for closing or reduction, and found no such facilities appropriate for the intended use.

SEC. 257. PURCHASE OF SPACE SCIENCE DATA.

(a) IN GENERAL.—To the maximum extent possible, the National Aeronautics and Space Administration shall, where cost effective, purchase space science data from the United States private sector. Examples of such data include scientific data concerning the elemental and mineralogical resources of the moon and the planets, Earth environmental data obtained through remote sensing observations, and solar storm monitoring.

(b) COMPETITIVE BIDDING.—(1) Contracts for the purchase of space data under this section shall be awarded in a process of full, fair, and open competitive bidding.

(2) Submission of cost data, either for the purposes of supporting the bid or fulfilling the terms of the contract, shall not be required of bidders or awardees of the contract.

(3) Reasonable performance specifications, rather than design or construction specifications, shall be used to the maximum extent feasible to define requirements for United States private sector providers with respect to the design, construction, or operation of equipment used in obtaining space science data under contracts entered into under this section. This subsection shall not be construed to prohibit the Federal Government from requiring compliance with applicable safety standards.

(4) Contracts under this section shall not provide for the Federal Government to obtain ownership of data not specifically sought by the Federal Government.

SEC. 258. PLAN FOR MISSION TO PLANET EARTH.

(a) REQUIREMENT.—The Administrator shall, within 6 months after the date of the enactment of this Act, transmit to the Congress a report containing a plan for Mission to Planet Earth.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) an analysis of Earth observation systems of other countries and the ways in which the United States could benefit from such systems, including by eliminating duplication of effort;

(2) an analysis of how the Department of Defense's airborne and space sensor programs could be used in Mission to Planet Earth;

(3) a plan for infusing advanced technology into the Mission to Planet Earth program, including milestones and an identification of available resources;

(4) a plan to solicit proposals from the private sector on how to innovatively accomplish the most critical research on global climate change;

(5) an integrated plan for research in the Scientific Research and Mission to Planet Earth enterprises described in the National Aeronautics and Space Administration Strategic Plan issued in May, 1994;

(6) a plan for developing metrics and milestones to quantify the performance of work on Mission to Planet Earth; and

(7) a plan for the role, structure, and operation of the Earth Observing Satellite Data Information System.

SEC. 259. ACQUISITION OF EARTH REMOTE SENSING DATA.

(a) ACQUISITION.—To the maximum extent possible, the Administrator shall, where cost effective, acquire space-based and airborne Earth remote sensing data, services, distribution, and applications provided by the United States private sector to meet Government goals for Mission to Planet Earth.

(b) STUDY.—(1) The Administrator shall conduct a study to determine the extent to which the baseline scientific requirements of Mission to Planet Earth can be met by the private sector, and how the National Aeronautics and Space Administration will meet such requirements which cannot be met by the private sector.

(2) The study conducted under this subsection shall—

(A) make recommendations to promote the availability of information from the National Aeronautics and Space Administration to the private sector to enable the private sector to better meet the baseline scientific requirements of Mission to Planet Earth;

(B) determine and prioritize the appropriate baseline scientific requirements for Mission to Planet Earth, and reevaluate, scientifically justify, and prioritize the data sets necessary to fulfill those baseline scientific requirements;

(C) make recommendations to promote the dissemination to the private sector of information on advanced technology research and development performed by or for the National Aeronautics and Space Administration; and

(D) identify policy, regulatory, and legislative barriers to the implementation of the recommendations made under this subsection.

(3) The results of the study conducted under this subsection shall be transmitted to the Congress within 6 months after the date of the enactment of this Act.

(c) ADMINISTRATION.—This section shall be carried out as part of the Commercial Remote Sensing Program at the Stennis Space Center.

SEC. 260. SHUTTLE PRIVATIZATION.

(a) POLICY AND PREPARATION.—The Administrator shall prepare for an orderly transition from the Federal operation, or Federal management of contracted operation, of space transportation systems to the Federal purchase of commercial space transportation services for all nonemergency launch requirements, including human, cargo, and mixed payloads. In those preparations, the Administrator shall take into account the need for short-term economies, as well as the goal of restoring the National Aeronautics and Space Administration's research focus and its mandate to promote the fullest possible commercial use of space. As part of those preparations, the Administrator shall plan for the potential privatization of the Space Shuttle program after the year 2012. Such plan shall keep safety and cost effectiveness as high priorities. Nothing in this section shall prohibit the National Aeronautics and Space Administration from studying, designing, developing, or funding upgrades or modifications essential to the safe and economical operation of the Space Shuttle fleet.

(b) SAFE OPERATION.—In reviewing proposals for moving to a single prime contractor the Administrator shall give priority to continued safe operation of space transportation systems.

(c) FEASIBILITY STUDY.—The Administrator shall conduct a study of the feasibility of implementing the recommendation of the Independent Shuttle Management Review Team that the National Aeronautics and Space Administration transition toward the privatization of the Space Shuttle. The study shall identify, discuss, and, where possible, present options for resolving, the major policy and legal issues that must be addressed before the Space Shuttle is privatized, including—

(1) whether the Federal Government or the Space Shuttle contractor should own the Space Shuttle orbiters and ground facilities;

(2) whether the Federal Government should indemnify the contractor for any third party liability arising from Space Shuttle operations, and, if so, under what terms and conditions;

(3) whether payloads other than National Aeronautics and Space Administration payloads should be allowed to be launched on the Space Shuttle, how missions will be prioritized, and who will decide which mission flies and when;

(4) whether commercial payloads should be allowed to be launched on the Space Shuttle and whether any classes of payloads should be made ineligible for launch consideration;

(5) whether National Aeronautics and Space Administration and other Federal Government payloads should have priority

over non-Federal payloads in the Space Shuttle launch assignments, and what policies should be developed to prioritize among payloads generally;

(6) whether the public interest requires that certain Space Shuttle functions continue to be performed by the Federal Government; and

(7) how much cost savings, if any, will be generated by privatization of the Space Shuttle.

(d) REPORT TO CONGRESS.—Within 60 days after the date of the enactment of this Act, the National Aeronautics and Space Administration shall complete the study required under subsection (c) and shall submit a report on the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

SEC. 261. LAUNCH VOUCHER DEMONSTRATION PROGRAM AMENDMENTS.

Section 504 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (15 U.S.C. 5803) is amended—

(1) in subsection (a)—

(A) by striking ''the Office of Commercial Programs within''; and

(B) by striking ''Such program shall not be effective after September 30, 1995.'';

(2) by striking subsection (c); and

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 262. PRIVATIZATION OF MICROGRAVITY PARABOLIC FLIGHT OPERATIONS.

(a) FINDING.—The Congress finds that no national security or mission critical justification exists for the National Aeronautics and Space Administration to maintain its own fleet of aircraft to provide a short duration microgravity environment via parabolic flight.

(b) PRIVATIZATION OF FLIGHT OPERATIONS.—(1) The Administrator shall privatize all parabolic flight aircraft operations conducted by or for the National Aeronautics and Space Administration in support of microgravity research, astronaut training, and other functions, whose total cost can be reduced through issuance of one or more long-term, renewable, block purchase contracts for the performance of such operations by United States commercial sector providers.

(2) Within 90 days after the date of the enactment of this Act, the Administrator shall issue a request for proposals to provide services which meet all or part of the microgravity flight needs of the National Aeronautics and Space Administration, as described in paragraph (1) at a net savings to the United States Government. The Administrator shall coordinate the process of review of such proposals, and shall oversee the transfer of such operations to the commercial sector as specified in paragraph (3).

(3) Within 6 months after the issuance of a request for proposals under paragraph (2), the Administrator shall, where cost effective, award one or more contracts for microgravity parabolic flight services to a microgravity flight provider that is certified by the Federal Aviation Administration. Except as provided in paragraph (4), the Administrator shall cease all National Aeronautics and Space Administration-operated parabolic aircraft flights, and shall thereafter procure all microgravity parabolic flight services from commercial sector providers. National Aeronautics and Space Administration experimenters, and National Aeronautics and Space Administration-funded experimenters, who would otherwise use National Aeronautics and Space Administration-owned or operated microgravity parabolic flight aircraft, shall be issued vouchers for the procurement of microgravity parabolic flight services from the commercial sector.

(4) The Administrator may, as necessary to ensure the continuity of National Aeronautics and Space Administration operations, continue to operate parabolic aircraft flights for up to 3 months after a contract is awarded under paragraph (3). If the Administrator continues operations pursuant to this paragraph, the Administrator shall concurrently transmit to the Congress an explanation of the reasons for such action.

(5) Six months after the National Aeronautics and Space Administration ceases all parabolic aircraft flights under paragraph (3), the Administrator shall transmit a report to Congress on the effectiveness of privatization under this section.

SEC. 263. UNITARY WIND TUNNEL PLAN ACT OF 1949 AMENDMENTS.

The Unitary Wind Tunnel Plan Act of 1949 is amended—

(1) in section 101 (50 U.S.C. 511) by striking ''transsonic and supersonic'' and inserting in lieu thereof ''transonic, supersonic, and hypersonic''; and

(2) in section 103 (50 U.S.C. 513)—

(A) by striking ''laboratories'' in subsection (a) and inserting in lieu thereof ''laboratories and centers'';

(B) by striking ''supersonic'' in subsection (a) and inserting in lieu thereof ''transonic, supersonic, and hypersonic''; and

(C) by striking ''laboratory'' in subsection (c) and inserting in lieu thereof ''facility''.

SEC. 264. USE OF ABANDONED AND UNDERUTILIZED BUILDINGS, GROUNDS, AND FACILITIES.

(a) IN GENERAL.—In meeting the needs of the National Aeronautics and Space Administration for additional facilities, the Administrator, whenever feasible, shall select abandoned and underutilized buildings, grounds, and facilities in depressed communities that can be converted to National Aeronautics and Space Administration facilities at a reasonable cost, as determined by the Administrator.

(b) DEFINITIONS.—For purposes of this section, the term ''depressed communities'' means rural and urban communities that are relatively depressed, in terms of age of housing, extent of poverty, growth of per capita income, extent of unemployment, job lag, or surplus labor.

SEC. 265. COST EFFECTIVENESS CALCULATIONS.

In calculating the cost effectiveness of the cost of the National Aeronautics and Space Administration engaging in an activity as compared to the private sector, the comparison shall be made based only on the price the private sector provider will charge for such activity.

SEC. 266. PROCUREMENT OMBUDSMAN.

(a) ESTABLISHMENT.—The Administrator shall establish the position of Procurement Ombudsman for the National Aeronautics and Space Administration.

(b) FUNCTIONS.—The Procurement Ombudsman shall—

(1) be responsible, in consultation with the Office of Procurement, for reviewing proposed new missions for the National Aeronautics and Space Administration to determine if such missions, or elements thereof, can be fulfilled by United States commercial providers; and

(2) serve as a point of contact for—

(A) persons with whom the National Aeronautics and Space Administration has entered into a procurement contract, with respect to concerns of those persons about that contract; and

(B) United States commercial providers, with respect to issues relating to competition between those providers and the Federal Government.

(c) REPORTS TO CONGRESS.—The Procurement Ombudsman shall annually, in conjunction with the President's annual budget request, transmit a report to Congress describing the activities of the Ombudsman during the previous year.

SEC. 267. AUTHORITY TO REDUCE OR SUSPEND CONTRACT PAYMENTS BASED ON SUBSTANTIAL EVIDENCE OF FRAUD.

Section 2307(h)(8) of title 10, United States Code, is amended by striking ''and (4)'' and inserting in lieu thereof ''(4), and (6)''.

Mr. WALKER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. KINGSTON) having assumed the chair, Mr. BURTON of Indiana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3322) to authorize appropriations for fiscal year 1997 for civilian science activities of the Federal Government, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3517, MILITARY CONSTRUCTION APPROPRIATIONS BILL, FISCAL YEAR 1997

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104–599) on the resolution (H. Res. 442) providing for consideration of the bill (H.R. 3517) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON H.R. 3540, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1997

Mr. CALLAHAN, from the Committee on Appropriations, submitted a privileged report (Rept. No. 104–600) on the bill (H.R. 3540) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1997, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending business is the question of the Speaker's approval of the Journal.

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

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1462

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent to

remove my name as a cosponsor of H.R. 1462.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2723 AND H.R. 1972

Mr. STOCKMAN. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2723 and H.R. 1972.

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

There was no objection.

EXPRESSING SYMPATHY ON THE DEATH OF JERRY JUNKINS, PRESIDENT OF TEXAS INSTRUMENTS

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I join Dallas, the State of Texas, and the Nation in expressing my profound sympathy for the loss of a world leader, Mr. Jerry Junkins, president of Texas Instruments, who died, untimely, of a heart attack while traveling in Europe.

Mr. Junkins is well known throughout Texas, the Nation, and the world. He was a leader in trade policies, a leader in support of education, a leader in support of public-private partnerships and the creation of jobs, and a real leader in giving minority businesspeople opportunities. A very untimely death.

Mr. Speaker, with great sadness, I rise to pay special tribute to a good friend, and a remarkable individual who has distinguished himself by his exceptional contributions to the Dallas business community. Mr. Jerry R. Junkins, the Chairman, president and CEO of Texas Instruments, passed away from a heart attack while on a business trip in Germany. He was 58.

Jerry Junkins will be remembered for his many contributions in the international, national and state arenas, particularly as a leader in pushing for global trade expansion for the U.S. But for those of us in Dallas, he will be remembered as a champion for our community. He was a champion of early childhood education, especially for TI's support of the Margaret H. Cone Model Head Start Center. For many years, he chaired the Dallas Citizen's Council Education Committee. He was a guardian angel for Paul Quinn College, and he was the inspiration behind the TI Minority Business Development Program which grew to over $120 million in a very short time.

Jerry Junkins joined Texas Instruments in 1959, and worked his way to its top position of president and CEO in 1985. He became chairman in 1988. Jerry Junkins served in a broad range of civic and industrial positions in Dallas, including: Member of the Board of Trustees of Southern Methodist University; and Member of the Board of Directors of Caterpillar Inc., The Procter & Gamble Company, and 3M. He was also a member of the Business Council, cochairman of The Business Roundtable, and chairman of its International Trade and Investment Task Force.

Mr. Speaker, all of Dallas and the State of Texas grieve for Jerry Junkins' wife, Sally, his daughters Kirsten and Karen, his parents, and his brothers and sisters. Mr. Junkins was an extraordinary leader, an exemplary businessman, and a highly respected national and community leaders. He inspired those he worked with, won the devotion of his friends, and earned the gratitude of his Nation. I ask my colleagues to join me in honoring Mr. Jerry Junkins.

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 California [Mr. RIGGS] is recognized for 5 minutes.

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

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

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

WHAT NEXT FOR THE INDEPENDENT COUNSEL?

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. Mr. Speaker, this week, the President's business partners in the Whitewater venture were found guilty of a total of 22 counts of bank fraud. James and Susan McDougal were President and Mrs. Clinton's business partners in the Whitewater Development Corp.—which is still the main focus of Kenneth Starr's investigation.

In addition, Jim Guy Tucker, Bill Clinton's successor as Governor of Arkansas, was found guilty of conspiracy and mail fraud.

Recently, a number of my colleagues have been raising questions about Mr. Starr's ethics and his work as Independent Counsel. They have stated that he is biased because of his Republican background or his legal work for different clients.

Mr. Speaker, this is nonsense being put out by the Democrats for political purposes. Mr. Starr's results speak for themselves:

First, of 19 charges that Mr. Starr filed against Mr. McDougal, he was convicted on 18.

Second, of four charges Mr. Starr filed against Mrs. McDougal, she was convicted on all four.

Third, of seven charges filed against Governor Tucker, he was convicted on two.

Fourth, of 30 charges Mr. Starr filed in these cases, he won convictions on 24. That is an 80 percent conviction rate. A jury of 12 Arkansas citizens has examined the evidence and clearly does not feel that Mr. Starr is filing frivolous or unsupported charges.

Fifth, in addition to this week's convictions, Mr. Starr has received guilty pleas from nine other people involved in Whitewater—political associates of President Clinton, associates of Madison Guarantee Savings and Loan, and people who worked on the Whitewater deal.

Sixth, one of those people who pled guilty was the Associate Attorney General of the United States—Webster Hubbell—a close friend of the President.

Clearly, serious crimes have been committed, and the independent counsel is doing a good job of bringing people to account for them. That is why Democrats are suddenly attacking the Independent Counsel.

At this point, there are two obvious questions that everyone is asking:

First, what impact do these convictions have on the President and Mrs. Clinton?

Second, where does the Independent Counsel go from here?

Let me shed a little light on these questions.

What impact do these convictions have on the President and Mrs. Clinton?

President Clinton was not on trial in this particular case. But he was never far away from it either.

David Hale testified that then-Governor Clinton pressured him to make the illegal loan of $300,000 to Susan McDougal.

Documents presented during the trial showed that part of that money went to pay debts of the Whitewater Development Corp. Bill and Hillary Clinton were partners in Whitewater, so they directly benefited from this loan.

The defense believed President Clinton's testimony during the trial would be a knockout punch for the defendants. It wasn't. The President's testimony apparently did little to cast doubts on the prosecution's case. Mr. and Mrs. McDougal were convicted on 22 of 23 counts.

The Castle Grande real estate deal was at the heart of this case. As an attorney at the Rose Law Firm, Hillary drew up legal papers for some of the key transactions. Throughout the trial, documentary evidence showed that this deal was a series of sham transactions that helped bring about the downfall of Madison Guarantee Savings and Loan.

This raises a very serious question: How much did Hillary Clinton know about the true nature of the Castle Grande deal?

For 4 years, Mrs. Clinton has been telling the public that she did very little legal work on the Castle Grande project. She made this statement in a sworn statement to Federal banking investigators.

However, the Rose Law Firm billing records that mysteriously turned up at the White House in January disputed that statement. Even though they had been under subpoena for 2 years, the records weren't given to the Independent Counsel until they were ''discovered'' in January.

It was quickly discovered that the billing records had Mrs. Clinton's fingerprints on them. More importantly, these records for the first time provided documentation that Mrs. Clinton had drafted legal documents for Castle Grande.

The questions that this raises are numerous:

First. Did Mrs. Clinton mislead Federal investigators about her involvement in Castle Grande?

Second. Did she or anyone at the White House obstruct justice by hiding these records for 2 years.

Third. Did Mrs. Clinton understand the nature of the sham transactions for which she was drawing up option agreements?

Where does the Independent Counsel go from here?

There are many other facets of the Whitewater scandal that merit continued investigation:

First, the Whitewater deal itself; second, potentially illegal contributions to Bill Clinton's campaigns; and third, the death of Vincent Foster.

One important area that I hope the Independent Counsel is exploring is the Arkansas Development Finance Authority—or ADFA.

ADFA was created by Governor Clinton in 1985 to provide economic development loans in Arkansas.

In December of 1988, ADFA deposited $50 million in a Japanese bank in the Cayman Islands. I have a copy of the contract that I will enter into the record. I have also delivered a copy of this document to the Independent Counsel's office.

Why would an economic development agency in Arkansas deposit $50 million in a bank in the Cayman Islands? The Cayman Islands are a well-known center of money laundering for drug dealers. The State Department's international narcotics control report described the Caymans as ''a haven for money laundering.''

In addition, public documents show that ADFA was steering bond underwriting business to a firm owned by Dan Lasater. Mr. Lasater's story by now is well-known. He was a financial supporter of Bill Clinton's campaigns. He flew Bill and Hillary Clinton around on his private plane. He hired Bill Clinton's brother and paid off an $8,000 drug debt he owed. Mr. Lasater also pled guilty to Federal charges of cocaine distribution.

Why was ADFA steering business to someone like Dan Lasater, who was well-known in Arkansas for drug use and wild parties at which drugs were freely distributed?

Why was ADFA putting millions of dollars in foreign banks in a money-laundering haven like the Cayman Islands?

Was then-Governor Clinton aware of what was going on at the agency that he created?

All of these questions need to be resolved. The Independent Counsel should not quit—and I am confident that he will not quit—until these questions are completely answered to the public's satisfaction.

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The questions that this raises are numerous: Did Mrs. Clinton mislead the Federal investigators about her involvement in Casa Grande? Did she or anyone else in the White House obstruct justice by hiding these records for 2 years? Did Mrs. Clinton understand the nature of the sham transactions for which she was drawing up option agreements.?

Second, where does the independent counsel go from here? There are many other facets of the Whitewater scandal that merit continued investigation: the Whitewater deal itself, potentially illegal contributions to Bill Clinton's campaigns, the death of Vince Foster. One important area that I hope the independent counsel is exploring is the Arkansas Development Financial Authority.

The ADFA was created by Governor Clinton in 1985 to provide economic development loans in Arkansas. In December of 1988 the Arkansas Development Financial Authority deposited, and get this, $50 million in a Japanese bank in the Cayman Islands. I have a copy of the contract that I will enter into the RECORD. Tomorrow night, since I am out of time now, Mr. Speaker, I will go into more detail on this $50 million that was Arkansas money that was transferred to the Cayman Islands, a major transit point for drug trafficking in this hemisphere.

WE MUST NOT TAKE YESTERDAY'S HEADLINES AND MAKE THEM TODAY'S CONCLUSIONS

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I was compelled, in listening to my good friend on the other side of the aisle, to simply rise and ask for truth in speaking, only because I think that we do a disservice to make yesterday's headlines today's congressional debate.

A jury rendered a verdict yesterday. Some of those individuals are friends of those who are in government here in Washington, DC. The comment that I heard at this point is that the he wished his friends well. The comments that I heard of their lawyers is that the process is not over, and, in fact, they have the right to appeal. The real question becomes, now, for us in this Congress, to allow the process to move forward.

There is a Whitewater investigator committee in the Senate that has a June 14 deadline. To date, they have found nothing and determined nothing. There was a report secured by the RTC just about 2 years ago from a law firm in California, an independent assessment that found no wrongdoing on the part of the President and First Lady. But we are here only to encourage the fairness and openness to this process.

I hope we do not take to the House floor to cause statements to be made that would suggest that we have concluded and we have all the answers. It is appropriate, as I have said, for this process to be followed through. We might listen mindfully to the foreman of the jury, who spoke very eloquently yesterday evening and indicated that it was not a question of the integrity or credibility of the President of the United States. They made independent judgments on the data and documentation submitted.

But I do believe that we have the responsibility to the American public to be forthright. There is no reason to hide the ball, but we also have the responsibility to be responsible; to allow those authorities that have the jurisdiction, the courts of law, the investigative committee in the Senate, to do their job. We add nothing to bring to the floor accusations on the President and First Lady when there are processes going forward to ensure that the job is done.

I believe that American people would like us to proceed accordingly, and I hope we give respect to all of those involved in this process, including those who have been now judged, who have the right as Americans to appeal their case to the highest court of the land.

TRUTH IN SPEAKING

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

Mr. DORNAN. Mr. Speaker, there are so many subjects racing through my mind right now for a 5-minute special order. I was going to talk about an Army hero who was killed in Bosnia trying to, to use his own words from a few hours before his death, clear these stinking minefields for the children of Bosnia, but the last gentlewoman began her remarks by saying it is time for truth in speaking.

Let me tell the gentlewoman, as somebody who started investigating Little Rock in 1992, before the Clintons were in the White house, I think Little Rock, just Little Rock, in an otherwise great State, and only in the field of politics with some businesspeople, was a stinking hole of corruption; with not this current Governor, but the prior Governor, a stinking hole of corruption. And that like Hamlet's line about

murder, though it hath no tongue, will by most miraculous organ out, all of this financial corruption will by most miraculous organ out by, using her very words, truth in speaking.

Mr. BURTON of Indiana. Mr. Speaker, will the gentleman yield?

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

Mr. BURTON of Indiana. Mr. Speaker, what I did in my special order was ask a number of questions that were still unanswered. One of the questions that I think is very, very important is why did the Arkansas Development Financial Authority send $50 million of Arkansas money to the Cayman Islands to deposit in a bank in the Cayman Islands, which is a major drug transit point acknowledged by almost every DEA agent in the world? Why would they send $50 million of Arkansas money down there? That is a question that needs to be answered.

I have the electronic bank transfer statements in my office. I am going to put them in the CONGRESSIONAL RECORD. There is no doubt the money was wired to the Cayman Islands. The question needs to be asked, why was it wired? Why would the Governor of Arkansas allow that? Why would the Arkansas Development Financial Authority, a State-run agency, send their money out of the country to a drug haven? I hope that the independent counsel will explore that. We are going to ask other questions as well.

Mr. DORNAN. Mr. Speaker, no one other than the gentleman has investigated the Vince Foster thing or analyzed it. And the line of Vince Foster's that comes back to us from the grave about the whole Whitewater mess and the IRS problems was, these are Vince Foster's words, ''This is a can of worms we do not want to open.'' The can of worms was opened in front of that jury and they got 24 felony convictions.

Mr. Speaker, I yield to the gentlewoman from Texas, the Portia from the other side of the aisle.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I do not know if I will accept that. I am the gentlewoman from Texas. I appreciate the gentleman from California in his sincerity, and also my friend who is down at the well, the gentleman from Indiana [Mr. BURTON].

But might I just suggest to both of my colleagues, first of all, the gentleman from California [Mr. DORNAN] speaks highly of those who have offered themselves for a military career. Governor Jim Guy Tucker is a former Marine war correspondent, a graduate from Harvard, or undergraduate, and University of Arkansas Law School, I believe. I do not think he engaged in the business of public service to find himself where he is today.

My point being made on the floor is that we have various entities that are engaged in investigating these circumstances, including the special prosecutor and, in fact, the Senate Whitewater committee. I believe they have spent to date some $12.4 million and have yet to find or determine anything related to any consequences relevant to the White House.

My only point, made to both gentlemen, is that I think we would do well to allow those who have been designated to investigate it, and if the gentleman from Indiana [Mr. BURTON] is involved in the investigation, so be it; but the point is we do not add to the resolution by false accusations or loose accusations where we do not have the proof to answer the questions.

The gentleman from Indiana has every right to ask a question. I hope the gentleman's question is answered. But I do not find it meritorious to engage in this kind of debate.

Mr. DORNAN. I agree. Just to clear the record, for those who were not forced to take 4 years of Shakespeare in school, that Portia, because I well know the gentlewoman's distinguished name, means a lady lawyer of exceeding skill, as in Portia from the Merchant of Venice, who gave us the great soliloquy:

> The quality of mercy is not strain'd,
> It droppeth as the gentle rain from heaven
> Upon the place beneath. It is twice bless'd:
> It blesseth him that gives and him that takes.

I just wanted that on the record.

Ms. JACKSON-LEE of Texas. Mr. Speaker, if the gentleman will yield further, Shakespeare also said:

> The first thing we do is kill all the lawyers.

Mr. DORNAN. That was in Henry VI. The barber said that. I do not want any part of that.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I appreciate very much the gentleman's compliment. I want it to be acknowledged I am just a humble servant from the 18th Congressional District of Texas. But I appreciate the kindness of the gentleman from California [Mr. DORNAN] and the gentleman from Indiana [Mr. BURTON]. But I do think it is appropriate that we not take yesterday's headlines and be able to determine truth or fact here in the House when we do not have all the facts.

Mr. DORNAN. Mr. Speaker, in closing, they are taking bets in our cloakroom that AL GORE will run one heck of a race in October of this very year for President of the United States.

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

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

MEDICARE

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

Mr. GUTKNECHT. Mr. Speaker, why is it that Washington is unable to address and solve a political problem until it becomes a crisis? Why is it that Washington's answer to any problem is to take more in taxes and waste more in spending?

Well, they are doing it again, but this time it's serious. This time it's about Medicare. The President and the bureaucrats in Washington say there is no problem. I do not agree. The President wants everyone to ignore the financial problems surrounding Medicare, but I will not be silent. We have a moral imperative to fight back. And America needs to fight back as well.

What would you think of your Federal Government if it knew Medicare was in trouble, yet did nothing to save it? What would you think of the politicians in Washington if they had the figures in their hands and knew the truth, yet chose to do nothing? What would you think of your Member of Congress if he or she allowed Medicare to go bankrupt when they could have saved it? You would be pretty angry. Right? You would never forgive them. You would vote against them next November.

Well, guess what? That is exactly what the President has done. He knows the numbers. He knows what his own Medicare trustees have found. The trustees have admitted that Medicare is hemorrhaging money at a frightening rate. They have admitted that the program will soon be bankrupt. That is right. Bankrupt. That is not a joke. That is not some political claim. That is a fact.

President Clinton knows it. But he has tried to hide this fact because the elections are coming up. We have a President who will say and do anything to get reelected—and that includes playing politics with Medicare.

Sure, Republicans could have played along. We could have remained silent and done what politicians have done for decades—tell our voters that everything is fine until the crisis hits. But we did not come here to engage in politics-as-usual, and I did not come here to sell out my constituents just for the sake of the next election. Medicare is a matter of principle, and I would rather be sent home for telling the truth than remain here by telling lies.

Medicare has to be strengthened financially—there is no choice—and we have to stop the mismanagement once and for all. This may not be what some want to hear, but they have to hear it anyway. It may be common in Washington to hide the truth, but I cannot. And I will not. It is your money and your children's money. You have a right to know the truth.

I have seen the numbers issued by the Medicare trustees, and if we do not act soon, it will soon be too late. If we do not strengthen Medicare financially, we will continue to spend millions more than we take in, and it will go bankrupt. But it is not just a question of spending more money—and we Republicans want to spend 7 percent more per year, every year, on Medicare. It is

a question of spending the money smarter.

But strengthening Medicare financially is not enough. Washington has a way of making everything it touches more expensive, more complicated, and more difficult for Americans to understand. That too must change. The Medicare paperwork is overwhelming. We need to simplify the Medicare system so that seniors can read the bills and interact effectively with their doctors and hospitals. We have to end Washington mismanagement, and end it now.

But even that is still not enough. Too many seniors have told me that their Medicare coverage is inadequate. It does not cover prescription drugs or eyeglasses. Seniors should be in charge, not the Washington bureaucracy. Seniors should have the right to choose the health care plan that suits them best, and no Washington bureaucrat should have the ability to deny them that choice. Remember, every dollar that is spent on the Washington bureaucracy is a dollar that cannot go to health care for seniors.

And that also means an end to all the abuse, fraud, and waste in the Medicare system. Under the Republican plan, doctors and hospitals that abuse the Medicare system will not get a slap on the wrist. They will be punished—legally and financially. Washington may not have been serious about fighting abuse, fraud and waste, but Republicans are.

It is our responsibility to strengthen Medicare financially so that it does not go bankrupt now or in the future. It is our responsibility to simplify Medicare so that every recipient will understand and be able to use the system easily. It is our responsibility to fight the waste, fraud and abuse in the Medicare system. In short, it our responsibility to find a solution for Medicare for the next generation, not just the next election.

I will fight for the right of every senior citizen in every district across America to get the facts. I will demand that the Medicare trustees and the White House make available to every American the exact financial details about Medicare. The President may not like it, but I believe the people who pay the bills have a right to know exactly what I know. You have a right to know the facts about Medicare. After all, it is your money.

□ 2015

CRISIS IN MEDICARE

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

Mr. TAUZIN. Mr. Speaker, I am pleased to follow my friend from Minnesota, Mr. GUTKNECHT, to talk about the Medicare crisis in America. It is a crisis. It is upon us. The Medicare system is not about to go bankrupt, it will not soon go bankrupt, it is already falling into bankruptcy.

The first quarter of this year, unexpectedly the Medicare system began slipping into bankruptcy. What does that mean? It means that the money coming into the system from your and my taxes is not enough to cover the money going out of the system, going out to pay the bills of seniors who need Medicare coverage.

Why is there not enough money in the system? Is it because we are not paying enough taxes? No, it is because Medicare costs are running at three times the rate of inflation. The waste, fraud, and abuse is about to ruin a system critical to American seniors, my mother included.

Mom just got out of the hospital in January, again from another serious problem. She has survived cancer twice. Last month she played in the Senior Olympics at home and won 5 medals—3 silver and two gold—one in javelin and one in shot put. She is a miracle.

But Medicare has saved my mother, and it has saved countless of other mothers, fathers, grandparents of Members of this House and of citizens all over this country. Can we afford to let Medicare go bankrupt? I say no.

Is it fair for anyone to scare seniors into resisting changes to reform Medicare to make it work? Is it fair to seniors to keep scaring them with Medicare cut language? The truth is if somebody does not fix Medicare soon, we will face three choices very soon.

First, we will have to choose between not taking care of our seniors anymore—and we will not make that choice, we will always take care of our seniors in America. Or, second, we will have to choose to tax the dickens out of the younger generation, to double their payroll taxes to put more money in this bucket that has got a hole in it. Or, third, we are going to have to borrow and borrow and borrow on future generations to cover the bankruptcy that is upon us in Medicare.

The biggest enemy of seniors in America is not those of us who are trying to fix Medicare, who are trying to give seniors more choices, who are trying to cut the waste, the fraud, the bureaucratic abuse, the mess we have in this system. The biggest enemy to Medicare and to seniors is not the Republican Party and those of us who have offered a plan to fix it.

The biggest enemy of our seniors, the biggest enemy of Medicare is anyone who will try to scare seniors into doing nothing, because to do nothing means we face one of those three awful choices: to borrow our whole country into bankruptcy, to tax the dickens out of future generations, or to give up caring for our seniors, none of which are good options.

We want to continue a sound and strong Medicare system for America's seniors, but to do so will take some courage around this place. It will take someone willing to say it is time to fix a problem before it goes bankrupt. It will take someone willing, literally in the White House, to address this issue instead of trying to scare seniors into believing that everybody is trying to cut their benefits or cut their program. Nothing could be further from the truth.

The truth is Medicare is already going bankrupt as we speak tonight. If we do not show some courage around this place and fix that system for our seniors, if someone in the White House does not join us instead of trying to scare seniors across America, Medicare will indeed fail the seniors who depend upon it, my mother included.

If all of you love your parents and your grandparents, as I know you must, as much as I love mine, then can we not join together and fix this problem while there is still a chance to fix it? Do we have to resort to partisan tactics and scare tactics just to resist each other politically? Or can we look beyond these political boundaries and fix the Medicare system for the seniors of our country, and preserve our children's opportunities to earn a decent living for themselves without getting taxed into oblivion?

Those are the hard choices we face, but I came here to make hard choices. I came here to tell the truth and to face the difficult problems we have. This is one of the most difficult ones we have.

Anybody who will scare seniors instead of facing this tough and difficult problem and curing the Medicare problems, taking care of the waste, fraud, and abuse that is ripping this system apart, anyone who is willing to scare seniors instead of doing that does not deserve to be reelected to any office in this land. Anyone who is willing to work for seniors, to repair the Medicare system, indeed deserves their trust and their confidence. It comes down to that.

Do we have faith enough in each other, in our purpose here in Washington, to serve this Nation and to do the right thing for those who sent us here, to put partisan attacks and scare tactics behind us? I think we can and I think we should, but it will take someone in the White House to show a little more courage and a little less partisanship.

THE TAX TRAP

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

Mr. KINGSTON. Mr. Speaker, as I travel around the first district of Georgia I meet a lot of people—in Savannah, Brunswick, Statesboro and also in the smaller towns like Odum, Reidsville, Glennville—and basically wherever I am having town meetings, they are always asking the same questions; Why are so many families across America struggling to keep their heads above water? Why are Americans working harder and harder and having less

to show for it? Why is it that many people, many families, have to have two jobs just to make ends meet?

I think we can summarize everything in two words: the tax trap. It is simple to explain. It is simply this: the harder you work, the more taxes Washington makes you pay. The more taxes you pay, the longer and harder you have to work. You end up working harder and longer, and Washington ends up with more but you end up with less.

It is like the old doodle bugs we used to catch when we were kids, Mr. Speaker. The doodle bug builds a cylindrical trap. Ants come walking by and they fall into the cylindrical trap, and then they try to dig themselves out. The harder the ant digs, the more dirt falls on the ant. Then that doodle bug is just sitting there with his pinchers ready and his mouth wide open, and when that ant is exhausted, the doodle bug comes up, grabs him, and sucks him on down.

That is what is happening to middle-class America right now. We are just working harder and harder, trying to get out of this big trap set by the Washington bureaucracy, and Washington, just like the doodle bug, is winning.

When I was a child, Mr. Speaker, the biggest investment a family made was the family home, but today it is taxes. We send more money to the tax collector than we spend on food, clothing, and shelter combined.

My parents grew up in an America that promised that if they worked hard and saved and did the right thing, you too could enjoy the American dream. But today children in my generation and the many generations coming after me are afraid they are not going to be able to share in that American dream.

The Washington bureaucracy, though, has enjoyed it. They have enjoyed this fruits of our labor. Today the bureaucracy in Washington has grown to an all-time high. Our Government alone costs us $1.6 trillion a year, Mr. Speaker. It is way out of control. It has 160 different Federal job training programs, 240 different Federal education programs, 300 economic development programs, and 500 urban aid programs. How much is enough, Mr. Speaker? The fact is all these programs are probably well-intended, but they take money off the table of middle-class America.

Look at the President of the United States. He ran under a promise of a middle-class tax cut and instead passed the largest tax increase in the history of the country. Today, because of President Clinton's policy, the typical family pays $2,600 more in taxes than they did on election day 1992—and think about the insecurity the middle-class Americans have.

I think about Karen Goddard. Karen and I worked together for about 10 years. Karen and Ian had 2 incomes and they had 4 kids. Despite the fact that they worked hard, it was very difficult to get those kids' college education paid for. even though they had done everything right, Mr. Speaker, it still did not matter.

I think about people like Charles Sieler and Tracy Smith, who are going to be getting married in July. Once they get married, Mr. Speaker, their tax burden will become higher than it is individually because of their horrible marriage tax penalty where we actually tax people more once they are married than they were as single people before them.

I think about people of my dad's generation and—now I am getting up there, I am 41 years old; my dad and his friends, my old teachers, my Sunday school teacher, the people who used to drive me to Little League, and the people who used to drive me to the Dairy Queen on hot Sunday afternoons—elder senior Americans that I have known all my life. Now it is their turn to retire and enjoy the fruits of their labor, but they are not sure that Medicare is going to be there tomorrow and all of them are on Medicare, Mr. Speaker.

We have got to have fundamental changes in Washington, because our policies affect real people with real problems. This tax trap, Mr. Speaker, is really sucking us all in. We have got to break free of it. I believe we have to have fundamental reform in Washington. We have to change our education system, to put more local autonomy in the program. We need to have legal reform. We need to change the Washington bureaucracy. We need to have a health care plan that is more affordable and more accessible.

Mr. Speaker, these are the policies this Congress is moving toward. We need to continue these reforms. I am proud to work on them.

SYSTEM IN NEED OF CHANGE

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

Mr. NEY. Mr. Speaker, today down in Bellaire, OH, a town in my district, something was said to me at Rogers Barber Shop that is said virtually every single day in my district as I go about talking to people. That was from a constituent who said, ''You've got to balance the Nation's budget, you've got to do it for the children, we've got to do it now.''

Then that gentleman proceeded to talk about how in fact he had opportunity when he was being raised down in the Ohio valley. I stop to think about it, and hardly a day goes by that I do not have a young couple that comes up to me and tells me that they wonder about their future and the future of their children.

Mr. Speaker, I would have to ask a few questions. Why are so many families struggling to keep their heads above water? Why has it become so difficult for families in this country to make it? I believe that we can summarize it in the 3 words that has been said best by my colleague from Georgia, the tax trap. It is the tax trap on working American men and women. It is a cycle. It is a vicious cycle. It is never ending on people in this country, Mr. Speaker.

Some people believe that the answer lies in Washington DC. It does not. For decades Washington, DC has told the American people that everything is okay while it continued to spend the inheritance of children and undermine their very future.

As I went around my district and did a lot of Memorial Day events with our fine veterans, I saw a lot of young people, Mr. Speaker. I looked at my own children, Bobby and Kayla, wondering what opportunity they are going to have, wondering what opportunity other young people are going to have in this country. I wonder if they are going to have the same kind of opportunity I had when I was raised 41 years ago, when a debt was not hung upon my neck to pay, unlike today. A child born today in this country is going to owe $187,000 over their working lifetime to pay for the past spending habits of this room.

That is not right, it is not fair, and it is not morally correct to do that to young people, Mr. Speaker.

Every day working families who have been so hard hit in the 18th Congressional District of Ohio as they have across this country, especially in the industrialized areas that were ravaged by the bureaucrats in this Government and by the overspending of Washington, every single day those working people have to sit down at their dinner table and they have to balance their budget, and Washington did not. That is the problem, Mr. Speaker. Past tax-and-spend policies are not the way to provide opportunity for working people.

And people have insecurity these days. I can only think of the married couple that wants to buy that piece of the American dream, the home. I can only think of the thirtysomethings who are accumulating debt that they cannot pay. I can only think about the couples in their forties and fifties who are desperately trying to do the right thing and save for their future, and I think of America's seniors, America's seniors who paid their dues and who deserve the best and deserve for Medicare to be their for them.

Those are the Americans that I can think of. Those are the real people. Not inside the Beltway in Washington, Mr. Speaker, but the real people that every single day have to go out and earn a living and have to provide opportunity for their families.

It is not right what has been done in Washington. Enough is enough. It is time to draw the line in the sand. It is time to give people back their ability to control their destiny.

Mr. Speaker, corporate America also needs to produce a healthy environment and healthy bottom line for working Americans. Corporate America needs to be involved in job training,

employee education, and involved in the community. That does not mean that we need to rip down the corporations, but we need to be able to create a job and people need to be able to have a job. Corporate America has got to help with that take-home power. Corporate America has got to be a player in this system, Mr. Speaker. It has got to be sensitive to the working people, as Congress needs to be sensitive to the working people of this country.

We also need legal reform. The country has come into a sense of lawsuit madness and that in itself also has to end.

□ 2030

With all due respect, the trial lawyers are totally out of control in this country. We need to make fundamental changes in Washington, DC, to have a better, brighter, cleaner, safer future for our children.

It is about the wallet, Mr. Speaker, the money that the working people of this country put into the wallet and the money this Government takes out. And under our plan, and we want to join together with the other side of the aisle, working Americans are going to have more of their own hard earned money to spend for their futures.

WASHINGTON'S SPENDING HAS UNDERMINED OUR FUTURE

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

Mr. FOX of Pennsylvania. Mr. Speaker, the answer for too many people lies in Washington as a solution for all problems. For decades Washington has told America that everything is OK, while it spent our children's and grandchildren's inheritance and undermined their future. For too long Washington has spent more than it takes in, spent your hard earned tax dollars unwisely just to pay for a growing bureaucracy, a bureaucracy that includes 160 different job training programs, 240 educational programs, 300 economic development programs, and 500 urban aid programs.

How has Washington afforded these programs? By raising your taxes through the roof. Just ask Bill Clinton. He was not in office 100 days before attempting to take even more of your hard earned dollars. By comparison, Republicans spent our first 100 days trying to cut taxes.

The fact is virtually every year you send more of your hard earned dollars to Washington and that leaves less for you and your family. Do you ever wonder why the President and the Democrats are asking you to sacrifice a little more so Washington could spend a little more? Should not we demand Washington spend less so that you can keep more? After all, it is your money.

It should not surprise anyone that more and more American families find it difficult to make ends meet; that more and more Americans are forced to live from paycheck to paycheck; that too many Americans want to put something away for the future but cannot; that almost everybody feels the squeeze from rising prices and higher taxes.

The Republican majority is making a difference by making sure we have a line item veto, which passed; a balanced budget. We have regulatory reform and unfunded mandate reform. All of these have led to a stronger economy and less of your tax dollars going out the window.

Against unanimous Republican opposition, the President imposed the largest tax hike in American history in 1993. The cost of the President's policies for a typical family in higher taxes and lower earnings is $2,600, and all of us have felt the crunch. The tax trap costs a lot of money, and higher taxes means less savings and a more uncertain future. The Republican policies that we have put forward and have been adopted by this House, will put our course and our financial security back on track and are making a difference every day.

What we are trying to do here is part of the revolution of change that is positive and good for all Americans. Stay tuned further.

THE TAX TRAP

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

Mr. HAYWORTH. Mr. Speaker, this evening we have heard my colleagues talk about the tax trap, the tax trap which has enmeshed so many Americans who fall victim to this simple observation which history and simple mathematics would bear out: The harder you work and the more you succeed, the more Washington and the Washington bureaucracy takes from you.

I realize this is deadly serious business, Mr. Speaker, because we are talking about real people with real concerns and the genuine future of this Nation at stake. And not to make light of this, but to bear it out in one of its forms, I am reminded of the Walt Disney production, ''The Parent Trap,'' because the tax trap for our citizens is all too often a parent trap. This is what I mean.

So often now, across the width and breadth of this country parents, both parents, in a household are working oft-times not because of choice but because of trying to move their family beyond this tax trap. Quite often a spouse goes to work simply to try and satisfy the tax bite; simply to try to lift the family out of this hole created by more and more taxation, and the incessant need of this bureaucracy to ask for more and more money from average Americans.

My colleague from Pennsylvania articulated it, talked about the largest tax increase in American history given to this Nation by people who used to sit in the majority in this very room along with a President who said on the campaign trail that middle-class America needed tax relief, and yet turned around not 100 days into his term and gave us the largest tax increase in American history.

Now, Mr. Speaker, we have heard a lot of playground taunts, we have heard a lot of name calling. The word extreme has been bandied about, and dare I say in extreme fashion. Well, Mr. Speaker, it is fair to ask this question. For those who would throw out the word extreme with such ease, what is so wrong about asking Washington to live within its means? What is so wrong about demanding that Washington not spend so extravagantly as to sacrifice our children's future? And is it fair, Mr. Speaker, to punish working families who are playing by the rules and trying to provide for their family's future?

The good news is that this new majority in Congress, working with a lot of folks, quite candidly, on the other side of the aisle who are willing to own up to these problems, trying to move past partisan bickering, together we have fashioned a constructive way to deal with these problems, to balance our Federal budget, to roll back the tax bite and try to eliminate the tax trap; to try to save health care and Medicare for future generations without bankrupting the generations who must pay for it.

That is the mission we face, and, again, we would ask the President of the United States to join with us in a constructive program for the future.

It is a tragedy, Mr. Speaker, that our President and his term of office thus far has been defined not by accomplishments. Indeed, now, Mr. Speaker, the question is not what can the President accomplish, but, said, Mr. Speaker, the question has become, especially in the wake of recent revelations, how can this President explain it away this time? What rhetorical device, what language can he use, what verbal contortions can be brought to bear to avoid the problem and escape the responsibility?

Mr. Speaker, the American people deserve us to act responsibly, to save this Nation for today's seniors and for our children.

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

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

REFORM OF THE FOOD AND DRUG ADMINISTRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of May

12, 1995, the gentleman from Pennsylvania [Mr. GREENWOOD] is recognized for 60 minutes as the designee of the majority leader.

Mr. GREENWOOD. Mr. Speaker, a number of my colleagues and I this evening have taken it upon ourselves to engage in a 1-hour special order on a very special package of bills we intend to move from the Committee on Commerce, on which we all serve, through the House of Representatives. We expect that the Senate will move its package and that we will put this package on the President's desk and that he will sign it.

The issue is reform of the Federal Food and Drug Administration.

GENERAL LEAVE

Mr. GREENWOOD. Mr. Speaker, before we proceed, I would like to ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this special order.

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

There was no objection.

Mr. GREENWOOD. Mr. Speaker, the Food and Drug Administration was created by this Congress at the turn of the century, about 90 years ago, and the Food and Drug Administration has a very important task. Americans from all walks of life, as parents, as sons and daughters, as spouses, rely on the Food and Drug Administration to make sure that the drugs that are prescribed to us, that the food that we consume, that the medical devices that are utilized in our care and hospitals are safe and are effective.

And we are blessed because in this country we have the greatest pharmaceutical industry in the world, we have the greatest medical device industry in the world, and our people enjoy safety and the best health care in the world as a result of the work of the Food and Drug Administration. It does a very good job of making sure that the products that reach us in the marketplace, that our doctors prescribe to us, that we encounter in our hospitals are, in fact, safe and, in fact, are effective; that they do what the makers say they will do for us.

That is the good news. But there is another side of the FDA, and the problem with the FDA is the time it has taken to move these products from the research laboratory through the Federal bureaucracy of the FDA, some 10,000 employees, to those Americans who are waiting for miracle cures, for new drugs, for the latest heart transplant devices, mechanical hearts. That time is too long. It is taking 12 years, on average, to move a product, a pharmaceutical product, through the Food and Drug Administration. It costs about $350 million for a company to do it.

And I think that probably most Americans watching tonight would be surprised to learn that two-thirds of all of the drugs that are actually developed in the Untied States by our pharmaceutical companies are first available to patients overseas, not in our country at all.

So our task has been with this legislation to see if we cannot reengineer the FDA, the Food and Drug Administration; to redesign it, reform it, update it, modernize it, make it better so that as we move into the next century, the FDA can still be the gold standard for safety and efficacy but also will begin to be able to bring these miracle products and miracle cures to our people much more quickly, because patients die in America today waiting for the bureaucracy within the FDA to act.

We appreciate the FDA needs to act with caution, but we think that we can reform the FDA so that it will act much more efficiently and much more in the patient's interest.

Now, as many Americans have noticed, getting things done in this Congress is not easy. It is a partisan place. It is a place of 535 individual Members of Congress. And in a Presidential election year, an election year for most of the Congress, it is difficult to come to an accord, and particularly on an issue as important and critical as reform of the FDA.

So my colleagues who we will hear from tonight, Mr. BARTON from Texas, Mr. KLUG from Wisconsin, Mr. BURR from North Carolina, and Mr. FOX from my own State of Pennsylvania, have done something that is a little unusual lately in the Congress, and that is we have reached out from the beginning in a bipartisan fashion. We have said to our colleagues on the other side of the aisle, this issue is about life and death. This issue is about saving the lives of our children and our parents and our husbands and our wives, and we need to put partisan politics aside.

□ 2045

We need to get the job done. We need to cooperate. We need to work together. And our success to date has been, I think, miraculous. We have gathered 159 cosponsors onto our bills, Republicans and Democrats across the political spectrum.

We have reached out to the patient groups. We have talked to our fellow Americans who suffer from AIDS or who are HIV-positive. We have talked to cancer patients. We have talked to the practitioners treating those patients and talked to patients who suffer from multiple sclerosis and Lou Gehrig's disease, kids who suffer from diabetes, and Americans who suffer from coronary artery diseases and a long, long list of diseases that is extensive.

We asked them what they think we need to do to make sure that these miraculous products being developed in our universities and our laboratories are brought to those who are literally dying, to receive them more quickly; and the result has been legislation that we think is exciting, we think is innovative, and we think actually will be signed into law in 1996.

We would like to share the details of this information with America this evening. To that end, I would first like to recognize my good friend and colleague from Texas, Mr. BARTON, who is the primary sponsor and the lead on the medical devices bill. He will tell us about medical devices and what we hope to do there.

Mr. BARTON of Texas. Mr. Speaker, I thank my friend from Pennsylvania, Mr. GREENWOOD, for organizing this special order. I am pleased to be on the House floor this evening with the gentleman from Pennsylvania [Mr. GREENWOOD], the gentleman from North Carolina [Mr. BURR], the gentleman from Wisconsin [Mr. KLUG], the gentleman from Florida [Mr. BILIRAKIS], and the gentleman from Pennsylvania [Mr. FOX], as we talk about a very important issue.

Mr. Speaker, if you went out to the American people and asked them, what does FDA stand for, I doubt very seriously that very many people could say that it stand for Food and Drug Administration. I joked earlier in the year in a television interview that it stands for ''foot dragging and alibis,'' because it takes about 12 years and $350 million to get a drug and medical device through the entire gauntlet of approval steps at the FDA that are currently in place.

The people that are participating in this special order this evening, colleagues that have cosponsored the bills in a bipartisan effort, we want FDA to stand for fair decisions for all.

We have the best medical devices in the world; we have the best pharmacological drugs in the world; we have the safest food supply in the world. But more and more, our medical device companies, our pharmaceutical, innovative, companies are going overseas because the approvals do not take as long and the regulatory jungle is not as complex as it is here in this country.

To put a personal face on it, Mr. Speaker, my father is in his early 70's. He is a veteran and served his country in World War II. He was a navigator for the B–24 Liberator. Is now a diabetic and has been diagnosed within the last several months to have a slow-growing form of prostate cancer.

There are drugs in the marketplace today and procedures in the marketplace today in other countries that, were he a citizen of Great Britain or France or Germany, he would have access to those drugs and devices. Because he is a citizen of the United States, he does not.

It is very difficult for me to go to Waco, Texas, where my father lives, and say, Dad, I would like to help you, but under the current law we cannot let you use that noninvasive glucose sensor, so you do not have to prick your finger two or three times a day. Or, Dad, there is a new drug that has been approved for prostate cancer overseas, but it has not yet been approved by the FDA. If you live another 10 years, maybe it will be approved.

I cannot say that.

But I can say, Dad, in the next 3 months, I hope to be a part of a coalition of Republicans and Democrats in both the House and the Senate that passes an FDA reform package that makes those drugs and makes those devices accessible to you, not 10 years from now but next year, and maybe even in the next 5 or 6 months.

In the medical device bill that I am the chief sponsor of we have four basic principles. We do want a responsible method for third-party review where a medical device applicant can either go outside the system to an accredited third-party reviewer or can go within the system within the FDA currently to have their application reviewed.

We want a dispute resolution which is obvious in any complex situation. There are going to be disagreements. We think there needs to be some mechanism where if the applicant and the FDA have a disagreement about the application, you can get a fair resolution of that disagreement. We do not want it to be a trivial disagreement; we want it to be a substantive policy disagreement or a time disagreement. But let there be a internal dispute resolution that is actually workable.

Most Americans do not realize, but there is a cutoff date for medical device qualifications in this country. If your device was in existence before 1976, it is reviewed under a certain set of circumstances and if it came into existence after 1976, it has to go through a much more complex set of regulatory findings. We want to do away with this artificial 1976 bright line and we want all devices to be reapproved and, as they are, given an original classification and not automatically put into the most complex classification of Class III.

I think you would be surprised, Mr. Speaker, to realize that a simple piece of plastic called a breast sensor paid, which is two pieces of plastic with a silicone gel between it, about 6 inches in diameter, it took the FDA 10 years to approve the breast sensor device and then only with the use of prescription under the care of a physician, because under current law the breast sensor pad has to be classified as Class III, which would be like a heart implant.

Under our legislation, if approved and put into law, the breast sensor pad would be given a reclassification and almost certainly be put into Class I or Class II, where it would be available over the counter so that millions of American women could obtain it at a nominal fee and would be able to self-examine their breast in the privacy of their home.

The last thing that we want to insist on in the medical device bill is that all new devices be given a fair evaluation within a time certain of when they are presented. And that may again be third-party or may be within the FDA.

Mr. Speaker, I am pleased to participate in this special order. I commend Mr. GREENWOOD and, again, all the other chief sponsors that are here this evening: Mr. KLUG, Mr. BURR, the chairman of our subcommittee, Mr. BILIRAKIS of Florida, and of course Mr. FOX of Pennsylvania.

This is a bipartisan effort. It has got overwhelming support among the American people, 70 to 80 percent approval in the various polls, and we hope that before we adjourn to go home that we can have a bill on the President's desk and we think President Clinton will sign it.

I yield back to the distinguished gentleman from Pennsylvania.

Mr. GREENWOOD. Before the gentleman leaves, I want to recall the gentleman who came to our first press conference who suffered from a coronary problem where he had an artery that was closing down, and he needed a stint. Is that the right term? A stint that could be implanted in this artery to keep it open and keep the blood flowing.

He was told that his time was limited, he did not have long to live. There was a device that had been invented; I have it in my hand. I do not know that the camera can pick it up. It looks like a spring you might take out of a ball point pen. This is implanted in the artery and holds it open.

Mr. BARTON of Texas. I believe that device is available in Italy, but not in the United States.

Mr. GREENWOOD. Finish the story. He did go to Italy.

Mr. BARTON of Texas. It wasn't on the approved list in the United States it was approved in Europe. And so the gentleman went to Italy and his surgeons, I believe, flew to Italy with him, and they had the operation, and it was a success and he went mountain climbing within 6 months after the operation.

Had he stayed in the United States and waited for the FDA for approval, it is arguable that the gentleman would be dead today. He would not only not be mountain climbing, but he would not be breathing today. But because he did go overseas and was fortunate enough to have the money to go overseas, he is alive to tell the story today.

Mr. GREENWOOD. That story tells what needs to be told and what we are trying to accomplish here, and that is save lives. He was fortunate. He could afford to go to Italy and have the surgery and pay for it, but most Americans do not have that luxury.

Let me share one final point with the gentleman. We have something else in common. My dad is a B–24 liberator pilot as well.

Mr. Speaker, I would like to now yield to my colleague, the gentleman from Wisconsin [Mr. KLUG], who is the prime sponsor of the second of our three-bill package and that is the bill that would reform FDA with regard to its responsibilities for approving food products.

Mr. KLUG. Mr. Speaker, I thank the gentleman from Pennsylvania, Mr. GREENWOOD, for the time and also thank him and Chairman BLILEY and Chairman BILIRAKIS for their leadership on this proposal, as well as my colleagues from Texas and North Carolina.

Mr. Speaker, I want to go back, because I do not think we can stress this often enough, to what is at stake in FDA reform, period. Because you managed, Mr. GREENWOOD, at the end of your conversation with Mr. BARTON, I think, to put a very human face on what happens with FDA reform.

I can remember standing about 6 weeks ago in a press conference in Madison with the family of a young boy, Cody Young, who lives in Baraboo about an hour from Madison, the place where the Ringling Brothers Circus was founded. And he has a severe case of epilepsy. And the tragedy of this story, as you will hear over and over tonight, is that the original medication developed for Cody Young's severe case of epilepsy was first conceived at a United States research facility. It was tested in the United States, and it now sits essentially at the FDA's desk, ready to be approved, while the drug is already available in Switzerland. And here is Cody Young's family saying, I do not get it. Developed in the United States, first tested in the United States, ready to be marketed in the United States; and the FDA has it tangled up in bureaucratic redtape while it is available to citizens in Europe.

That is unfortunately not only the story of what happens to individual families, but also the story of individual companies. Frightening statistics say that a majority of United States medical device manufacturing companies, such as Lunar, which makes devices to check bone density, important in diagnosing osteoporosis in elderly women or, for example, a large anesthesia equipment manufacturing operation based in Madison, have considered in their recent past moving some of their operations offshore. Not only is it easier to get pharmaceutical products approved quicker overseas, but also approval of medical devices overseas, in addition, because of the liability problems we have in the United States. And we tried in this Chamber this year to fix the whole tort system and its attendant problems and dramatic costs.

The bottom line is, those companies' items, conceived in the United States, increasingly are being manufactured overseas and United States citizens will not be given access to them.

It is easy to understand why you need to care about pharmaceutical products, when they are available, and medical devices that cannot get approved, such as a child with juvenile diabetes who does not have access to noninvasive glucose testing. I talked to a little girl in Madison, 7 years old, whose fingertips are covered with scars because she has to prick them several times a day to do blood testing, where the testing machinery in Canada measures it in the sweat and you never have to prick your fingers.

Mr. Speaker, I have the middle part which is food. The Food and Drug Administration has grown so dramatically in recent years, it now covers a quarter of the Nation's economy and the first part is food. The second part is drugs, but the first part is food.

Over the years, the FDA has grown so cumbersome it has made it extraordinarily difficult for normal manufacturing operations to go on and normal farming practicing to evolve. What does that mean to you sitting in the Chamber or what does it mean if you are watching this at home? It means that it is more expensive to get food products to your shelves.

And the situation in the droughts affecting the Southwest in particular and the threat we see with wheat crops in Nebraska, it may be more difficult, for example, to help those crops spring back up. If they are hurt in the drought, they are more susceptible to disease and more susceptible to problems with insects and other calamities; and we want to make it more available, make it easier for the American farmer to grow crops and make it easier to get the products to grocery stores at a price that still is reasonable for you as a consumer.

Mr. Speaker, let me tell you a couple of issues. There are four major companies in the United States which sell food gift packages, catalogs that you get at Christmas. Three are based in Wisconsin with two in my districts. No jokes about cheeses tonight.

□ 2100

Wisconsin Cheese is located in Sun Prairie, and another one of them is located in Monroe, WI. Swiss Colony is in fact the largest gift package company in the United States. Now, when you buy something from Swiss Colony, you will notice you get those kinds of little packages of cheese or sausage or crackers, whatever the case may be. Under the Nutritional Labeling and Education Act that was passed several years ago, we have to describe in some detail the ingredients in that packaging.

They were scared to death because imagine if you have a company that manufactures millions of pounds of cheese and sausage and you have got to come up with individual labels that fit on this little 1-by-1-inch square. We worked out an agreement with the FDA at that point that says when you buy a gift box, we will have a loose-leaf sheet in it. We worked that deal out. But now the problem is all across the country.

Suddenly, municipalities and States are developing their own labeling requirements. So now for somebody like Swiss Colony, you look down the road and see that not only do you have to have federal labeling, you now have to have 50 different labels for every State that wants its own set of nutritional information. It may be that municipalities and communities and cities pass their own labeling standards as well, so you have got 50 States and thousands of communities and cities and towns. You cannot do business that way.

Folks say, wait a minute, are not Republicans for shifting power back to States? You want welfare back there, Medicaid back there. Why suddenly are you arguing about nutritional labeling? Because one of the things we are supposed to do in the Committee on Commerce is to take care of interstate commerce. We want to make sure it is easy for things to get shipped across State lines. That is why you do not have toll booths when goods move from Illinois to Wisconsin or from Pennsylvania to New York. It is one of the founding principles in our Constitution.

So, Mr. Speaker, one of the things we are trying to do in this bill is develop national nutritional labeling standards, one size fits all. You can do one label that works in California and in Florida, and one label that works in New York and Wisconsin and Washington State.

Now, a very parallel case several years ago was something called the Town of Casey decision, also involving pesticides. The question in the Town of Casey decision is that the Town of Casey decided they were going to do their own standards for putting pesticide applications on farm fields around the Town of Casey. That was the community's right to do that, until you step back for a minute and try to think of that. What if every community in the United States developed its own standards for pesticide application and pesticide labeling? And some communities said you had to call 24 hours in advance, and some said 48 hours in advance, and some said you had written notice 7 days in advance and 14 days in advance, and 7 days afterwards, and 3 days afterwards with a phone call. It would be crazy. It would make it impossible to farm in the United States.

Mr. Speaker, that was actually a Supreme Court decision, and the Town of Casey went against the town. They said we are going to have one national standard for pesticide application and for labeling and for warning. That is what we are really trying to get at. I think it is a terrific idea that today consumers can pick up any product, whether it is a chunk of cheese or whether it is a piece of chicken or a candy bar and cereal, and look at the back and understand exactly what it is you are eating: what the ingredients are, what the fat content is, what the nutritional value is.

I think we all agree. This Chamber passed that several years ago. The President signed it into law. That is terrific. But one national nutritional labeling standard only is necessary. If you do not like what is listed, then you come here to Congress and you come to the FDA to change it.

Mr. Speaker, the second point I want to make for my colleague in Pennsylvania and other people in the Chamber and folks watching at home tonight is something called the Delaney clause. Now, this is real inside baseball, so stick with me for a minute. But the Delaney clause was passed in the late 1950's to guarantee we would not have cancer in our food chain, or I should say not have products that cause cancer in our food chain.

Now, what has happened over the last 45 years is that our testing equipment has gotten extraordinarily better, and the food chain is safer than it ever was before. But Delaney says you cannot have anything in food products which might even marginally be tied to cancer, one in a billion case. In fact, the testing equipment has now gotten so good. And a story that everybody in my home State of Wisconsin strangely seems to understand is that, if you throw a glass of beer into the Great Lakes, you can detect it with today's testing equipment.

That is the kind of standard you are looking at with an individual piece of food. The food is safer than it ever was before, but the testing equipment is so much better.

Now, what happens from a practical standpoint? The honest answer is nobody enforces Delaney. We make no differentiation whatsoever between a product that causes serious cancer risk or a product that has negligible cancer risk. We simply want to bring this into today's scientific standards.

Now wait a minute; this is not some kind of crazy radical idea. You know who wanted to do this back in 1982? AL GORE. AL GORE, when he was in the U.S. Senate, decided to try to change the Delaney clause to bring it up to today's standards.

In fact, what we do in this piece of legislation is say: Wait a minute, we are not even sure we are smart enough to know how to do it. We are going to ask the Food and Drug Administration to do it. We say to them you bring it up to today's standards. We do not want to do it because it will then be seen as political or be seen as not being tough enough.

The bottom line is everybody knows Delaney does not work, and the Food and Drug Administration has got to fix it. Again, keep in mind the two fundamental points. The idea is to make farming more practicable and safer.

Second, the easier it is to farm, the easier it is to get things to the supermarket, the better selection you will have as a consumer, and the cheaper prices that you will have in front of you.

So the bottom line again in all this FDA reform, what we are really trying to accomplish tonight is to make the Food and Drug Administration more responsible to changes in science and to make the Food and Drug Administration more responsible to changes in the marketplace. It is to tell the Food and Drug Administration your first priority should be to make sure that pharmaceutical products and medical

devices and food manufacturing in the United States is extraordinarily safe. But when it takes 12 years, as my colleague, the gentleman from Pennsylvania [Mr. GREENWOOD] said and $390 million and 400,000 pages of documents in order to get a new prescription drug approved, it has gotten out of control.

Mr. Speaker, that is what this special order is about tonight, which is to take the Food and Drug Administration, which has done a terrific job over the years, and give it the tools and strip away some of the undergrowth and cut back some of the bureaucracy so it can do its job even better and simpler and less costly and less bureaucratic in 1996.

Mr. GREENWOOD. Mr. Speaker, I thank the gentleman. I think it is fair to say that, in both of the central issues of the food bill, what we are really trying to do is leave the authority in the FDA in terms of the uniformity. I represent the State of Pennsylvania, and we have Hershey Foods. As you talked, I tried to imagine a Hershey bar that might have to have one label in Minnesota and a different label in Houston, TX, and yet a third label in some community in New York, et cetera. It would be virtually impossible for the company to comply with all of that crazy patchwork quilt of labels.

All we are saying is the FDA does a good job at this. Let them be the experts. Let them determine what should be on the label, and leave it there because of the interstate commerce.

Mr. KLUG. Mr. Speaker, the gentleman is exactly right. If we think this through rationally, essentially what will happen is, if we end up with this crazy local, State, national patchwork of requirements for labeling standards, eventually companies will say well, we will do that for California, because California has got so many people in it, it is worth the investment. But it might not be in North Dakota, or it might not be in Delaware.

So essentially you will see a situation where companies and consumers will be deprived of the opportunity to buy things off the shelves simply because of labeling standards that add very little value to the amount of information that a consumer already has in front of him or in front of her. Again, we all agree on the committee that you want nutritional labeling standards in place, but one set of labels nationally. And if you are unhappy with an individual provision, get it changed once for California and Delaware and Wisconsin and Pennsylvania and not for every single community.

Mr. GREENWOOD. Mr. Speaker, then on the Delaney clause, all we are saying, again, is we want the FDA to decide what the standard should be for products that might be remotely tested in animals to have some carcinogenic quality.

It is the old story, you hear these stories, well, if you ate 500,000 pounds of grapes every day for the next 500,000 years, you might have a one-in-a-million chance of having cancer. That is sort of an absurd level of micromanagement. What we really want the FDA to do is tell us what is safe for our kids to eat, what is safe for us to eat, what will not increase our chances of cancer. And you tell us, you have got the experts, and we will make it apply nationwide.

Mr. KLUG. Mr. Speaker, it gets back to what I was talking about earlier with medical devices. It is part of that culture of fear. It is a fear within the FDA itself that they cannot say yes. If they say yes, it is that on-in-a-million chance that something will go wrong. But when you look at pharmaceutical products, what you forget is that 999,000 cases where something goes right; and that has really been the problem.

Again on the Delaney clause, what you have to remember is this is a very centrist idea. AL GORE suggested it. Dr. Kessler at the head of the Food and Drug Administration, when he was a staffer in the U.S. Senate, spent years trying to fix the Delaney clause. So this is not any radical idea. If you can get AL GORE and David Kessler and JOE BARTON and SCOTT KLUG and JIM GREENWOOD to all agree on the same issues, I would suggest everybody, including everybody at the FDA, understands Delaney does not work and that it has to get fixed.

Mr. GREENWOOD. Mr. Speaker, I thank the gentleman for his very good work on this legislation and look forward to its passage.

We are very privileged to have with us the gentleman from Florida [Mr. BILIRAKIS], the chairman of the Subcommittee on Health and Environment of the Committee on Commerce, who has provided the leadership for this effort, who has given us the green light to move this important package of legislation through his committee and who will now share his thoughts as our leader on this issue.

I yield such time as the gentleman from Florida may consume.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. GREENWOOD].

Mr. Speaker, tough acts to follow, certainly as we are all here this evening to talk about improving and saving people's lives. That is really what it is all about. We all want to ensure the health and safety of our citizens, and streamlining the approval process at the FDA will help to do just that.

Simply stated, the FDA must be reformed. Simply stated, it has to be reformed. Consumers must have quicker access to safe and effective new drugs, medical devices, and foods. Countless numbers of individuals and groups have contacted Congress to ask for help, and many of us have received this message loud and clear. The message is that FDA approvals, as so many of us have already said, of drugs, medical devices, and foods take too long.

Mr. Speaker, I would like everyone here today to know that this message has not fallen on deaf ears. I will not say that the message which we all have received time and again over these many past years has fallen on deaf ears prior to this Congress, but the fact of the matter is nothing was done by the Congress. Since this effort was started this year, some approvals all of a sudden, I might add, have been expedited. I am sure that is just a coincidence. Anyhow, Mr. Speaker, as chairman of the Health and Environment Subcommittee, I am really proud to be part of the FDA reform team created by the gentleman from Virginia, Chairman BLILEY, and spearheaded by the gentleman from Pennsylvania, Mr. GREENWOOD.

The team has come forward with several bipartisan proposals for reform that will speed up the approval process for drugs, medical devices, and foods so that consumers will have increased access to these products while still being assured of their health and safety. I want to underline that, as others have, while still being assured of their health and safety. This goal has guided our team in this effort.

As we have heard, the approval process takes much too long. Today, it takes something like 12 years and $350 million to get the average new drug from the laboratory to American patients who need it. To make things even worse, as others have said, the majority of the new drugs approved by the FDA in the last 5 years were already approved and in use in other countries.

The FDA approval process actually interferes with the essential need to approve vital research in products that fight serious illness. This legislation changes that. In the medical device area, I know it has been very thoroughly discussed. The average time it takes for the FDA to approve a medical device has increased from 415 days in 1990 to 773 days in 1995, all while the FDA is required by law to take no longer than 180 days to approve new medical devices. The legislation introduced in the House addresses these concerns.

Mr. Speaker, let me stress that streamlining and improving the FDA does not weaken our resolve for the safety or effectiveness of products. Once again, I would like to thank Chairman BLILEY for his leadership on this issue and especially JIM GREENWOOD, who has directed our FDA reform effort. Together with JOE BARTON, RICHARD BURR, and SCOTT KLUG, we have developed a balanced, bipartisan approach to approving the FDA's approval process. I am proud of you guys. You have done good, as we say in the South.

As I have said before, in closing, Mr. Speaker, the safety and health of our Nation's citizens is my and our concern. This FDA reform legislation is a balanced, bipartisan approach that will streamline the approval process to allow safe and effective drugs, devices and foods to reach patients, consumers

more quickly and efficiently without sacrificing safety. So I urge my colleagues to carefully consider this legislation which would streamline and improve the approval process to allow our Nation's citizens better access to safe and effective drugs, medical devices, and foods.

Mr. Speaker, I thank the gentleman from Pennsylvania for his wonderful work.

Mr. GREENWOOD. Mr. Speaker, I thank the chairman very much. Let me say that the gentleman from Florida [Mr. BILIRAKIS] has served long and with great distinction on the Health and Environment Subcommittee, and this is his first term as the chairman of that committee. I think that working together in bipartisan fashion, we will be able to accomplish something that we will be able to say that on your watch, we passed legislation, the President signed it, and we talked about life and death issues. This will save lives. Children will survive rare diseases. Cures for horrible plagues, like AIDS and cancer will come to patients, relieve their suffering much more quickly for years and years to come. That will be just a part of your legacy as chairman of this subcommittee, and we are very pleased for your leadership.

Mr. Speaker, I would now like to yield time to my colleague, the gentleman from North Carolina [Mr. BURR]. Mr. BURR is the prime sponsor of the pharmaceutical bill, deals with pharmaceutical products and biologic products, all that new science that deals with fighting disease at the molecular level. It is where we are, I think, on the dawn of a new age in medicine where we will have cures for diseases that we cannot even image right now.

Mr. Speaker, Mr. BURR is a new Member. He is a freshman, but he has done just an extraordinary job on this project. He has, I would say, far more than anyone else in the House been responsible for the large number of cosponsors on this bill. He has been working with Members from around the country, from both sides of the aisle, preaching the good word of FDA reform and has converted a lot of folks to this cause.

With that, I would like to yield such time as he may consume to the gentleman from North Carolina [Mr. BURR].

□ 2115

Mr. BURR. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. GREENWOOD] and thank him for his leadership, as I do the gentleman from Florida [Mr. BILIRAKIS] and the gentleman from Virginia [Mr. BLILEY], and I think the gentleman raises a good question.

It is 9:15 at night. Why are we here? We are here tonight, and we have put months of work into hearings and into meetings with patient coalitions and with hospitals and with doctors about the horror stories at FDA, and I am here tonight to say that we also heard some successes with FDA.

We have an agency in the Food and Drug Administration that needs to be here. It has a purpose. But we have also seen the instances where the Food and Drug Administration has no human face, and what we have seen is, in fact, the human faces.

I never will forget, JIM, when I got to Washington just a year and a half ago; it seems like eternity now. In one of the first hearings I ran into a product called the censor pad, and I am sorry JOE BARTON is not here because JOE usually talks about it; I am the one that carries it around. And the reason I carry it around with me:

It probably was the best example since I have been here about the failure of bureaucracy, the fact that bureaucracy cannot make decisions that apply common sense to something. This product was designed to aid women with the examination of a breast for possible cancer. It increases the sensitivity over soap and water because it is plastic with some silicon in the middle, and it allows a woman at any time of the day to apply this pad and to begin an exam.

If this pad were to find breast cancer in 1 woman, then I feel that it is our responsibility to have it on the market because it is nonintrusive, it cannot hurt a person, it is not there to replace a mammogram or any other exam that is done in a medical office. It is there to encourage a woman any time of the day or night to check herself. This is the type of common sense thing that I think we ought to make sure is approved by the FDA.

Now this was classified as a medical device under the same category as a pacemaker because there was no prior product like it, and the reality is that this has been at the Food and Drug Administration now for 11 years. The person who invented this product won the inventor of the year award in medical devices, and the year after that the FDA sued him. It is an incredible story about the abuses that happen in bureaucracy.

But we are here to talk about positives tonight, we are here to talk about what we can do by this Congress taking a responsible look at the problems that we have at the Food and Drug Administration using the talents and creativity of people there that are the best in the country, and then, looking at the private sector in America where we have more talented people and saying how can we plug them into this process. How can we do it while assuring safety and efficacy to all the American people for the drugs and pharmaceuticals and medical devices that they have become so accustomed to that safety?

The gentleman from Texas [Mr. BARTON] talked about tonight third party review. Think of the teaching hospitals that we have in this country who do clinical trials today, who do drug research, who come up with new compounds that might be the breakthrough for cancer or for diabetes; they are at our disposal to try to use them not only in the clinical process, but in the overall overseeing of the clinical trial and maybe with the applications. There is an option that we look at. It is not that we have to do it. It is that we have a responsibility to explore any option that exists that might make it better because in fact what we hope is that we can reach new efficiencies while maintaining safety and efficacy.

As a matter of fact, the first thing, JIM, we changed, I think, was the mission statement. The mission statement was changed to say that the FDA should promote and protect, to promote, to move forward, to advance and to protect the integrity of the safety system that Americans had come to know. In fact, what we want to do is we want to open up the communication of what has been a very closed agency, one that communicates freely with the applicants of pharmaceuticals and devices, one that shares with the companies where they are in the process, one that solicits information from companies that companies are willing to supply because it is their intent to speed up the process.

I think we alluded to the fact earlier tonight that right now it takes 14.8 years to approve a new pharmaceutical in this country. In fact, in the 1960's, in 1963, it was 8.1 years. Today it is $350 million. Then it was about $70 million. If Americans wonder why drugs that hit the marketplace that are new are so expensive, all they have to do is look at the investment that pharmaceutical companies have to make in research and development and the approval time to realize why a new prescription is a hundred dollars. Well, nobody wants to make it $30 worse than we do, and if we can reach that through new efficiencies, we have a responsibility, as Members of Congress, to try to explore how in fact we can do that with the help of the FDA.

In fact, one of the single most important things of the FDA reform legislation is that we require the Food and Drug Administration to do an annual report to Congress, tell us how many drugs have we had applications for, how many have we approved. Is it unreasonable to believe that the American people deserve some type of accountability for the approval process? I think it is very much within the responsibility of Congress, as we represent people all across this country, to say to every agency in the Federal Government you have accountability to the people through us.

In fact, one of the most contentious parts of the bill deals with the dissemination of information. 70 percent of all the cancer treatment today is the off-label use of an approved drug. Doctors find that there is a drug that is already on the marketplace that works well for a certain disease, and they choose to use that drug to treat that particular problem. But in fact pharmaceutical companies cannot take their experience, their successes where they might

write about them in professional medical journals and duplicate those and send them to other doctors. They can only make a copy and send it to a doctor when a doctor requests that information.

Well, 70 percent of my district is rural. My doctors are doing everything they can to provide primary care to their population. They do not have time to read medical journals. This would be such a tremendous aid to them, to have the ability for peer review articles to be replicated and sent to them. Think of the valuable information that one can find in peer review articles.

Mr. GREENWOOD. Mr. Speaker, if the gentleman will yield on that point, just to make this crystal clear to everyone because I think Americans will be surprised to understand this.

In your district, rural North Carolina; in my district in Bucks and Montgomery Counties of Pennsylvania, we can have a physician treating a child for a disease and frustrated because he cannot cure that disease, and somewhere in another part of the country a physician may have treated a thousand children with this disease with a pharmaceutical product that was not originally designed for that purpose, but it works, and it is saving these children. And today under the law, if the maker of that drug wanted to send an article that the doctor who treated the thousand kids wrote in a medical journal, wanted to mail it to the doctor, your physician in your district or my district, and say, ''You might want to see what this doctor over here has done; he's curing these kids,'' it is against the law.

Mr. BURR. It is not only against the law, but to do it he would have to rely, we would have to rely, on our doctor who might not have read it to request it. What an insane way to go through the process.

And I think the thing that is scary and should be scary for the American people is that as this off-label use is tried more frequently, a doctor might determine that the dosage is very crucial, and if other doctors are going to use that off-label use or that pharmaceutical for an off-label use, should they not have the latest information about the dosage to use and the frequency of usage, where today again that is information that pharmaceutical companies can only disseminate when a physician requests it, not when there is a peer review article that states this new information that might have been found.

So in fact there are many areas, many parts of this legislation, that are crucial to the health of the American people. America has the best health care system in the world. It is unconscionable for Americans to have anything less than superior access to lifesaving drugs. I believe that by safely streamlining the drug approval process it will not only help families by lowering drug prices and keeping high paying jobs here in America, but give terminally ill patients access to lifesaving treatments.

FDA reform is not radical, it is responsible. It is not senseless, it is safe. America's health industry and patients are chained to an FDA process that provides no flexibility, has no common sense and has no human face. The FDA reform legislation will remove these chains and ensure safety in a process structured to more effectively and efficiently approve drugs.

In fact, as people have told stories tonight, JIM, about patients in their own districts, I have got several, too, several patients who are now being treated by alternative methods. Why are they doing that? Because it is their choice. They have determined that that choice that exists is the best choice for them, and right now we are slowly moving to a situation, if we are not there already, where the Government will tell us no, you cannot do that.

Well, when these people have a choice between nothing and nothing, do we not have a moral responsibility as Members of Congress to present them with an option? I think we do, and that is why I am proud to be here tonight. I am proud to be a sponsor of 3199, I am proud to say that this is a bill JON FOX started legislation long before I did, and this has incorporated much of JON's it has incorporated the thoughts of hundreds of people around this country and in this town, but more importantly, it is a bill that we can all stand here tonight and say that we are proud that it has bipartisan support, that Democrats and Republicans believe very strongly in the changes that we propose to make.

Why? Because we have put politics aside and we tried to put human health in the forefront. Well, we will succeed to do that. We will succeed by marking up this legislation in a bipartisan way, coming to this very House floor and debating with our critics the importance of it, and we will win because we are right.

□ 2130

Mr. GREENWOOD. Mr. Speaker, I thank the gentleman for his remarks, and also for his stellar work throughout this process. Just to follow up, on a bipartisan note, I spend 2½ to 3 hours today in my office, and I am a Republican, with a Republican staff member, an attorney, a Democratic staff member, and we worked through the bills line by line, Republicans and Democrats, just using our common sense, just using the knowledge that each of us brings to the subject.

It has been a joy for me, in contrast to so much of what the House of Representatives has done since I have been in Congress that has been so partisan and had such a biting edge to it, to do it together, Democrats and Republicans, because we know that lives hand in the balance.

Mr. Speaker, I yield to my colleague, the gentleman from Pennsylvania [Mr. FOX], who represents the district immediately to the west of mine. Mr. FOX and I served in the Pennsylvania legislature, and he has been a leader in FDA reform and introduced his own legislation. I would like him to share his thoughts with us.

Mr. FOX of Pennsylvania. Mr. Speaker, I thank the gentleman from Pennsylvania and the gentleman from North Carolina [Mr. BURR] for his leadership in this movement. I know that he in the Pennsylvania legislature and the Pennsylvania Senate was particularly a leader into his own right when it came to health care reform and to making sure medical devices and pharmaceuticals were covered in the legislature, to the extent they could get them to those patients.

So I am very happy that the gentleman from Virginia, Mr. BLILEY, chairman of the Committee on Commerce, appointed you as the point person, the task force chairman for FDA reform, to bring together people like the gentleman from North Carolina, Mr. BURR, who has fashioned legislation which, I appreciate the acknowledgement of our initial efforts, but your bill, working with Mr. GREENWOOD and the gentleman from Virginia, Mr. BLILEY, and the gentleman from Florida, Mr. BILIRAKIS, the gentleman from Texas, Mr. BARTON, and the gentleman from Wisconsin, Mr. KLUG, together you have the package here that I think is the most important legislation in the second session of the 104th Congress.

We may have set the tone on reforming Congress in the first session and getting our fiscal house in order, but what could be more important for our constituents than making sure that health care opportunities to live longer and better can in fact be a reality?

What you two gentlemen, the gentleman from Pennsylvania [Mr. GREENWOOD] and the gentleman from North Carolina [Mr. BURR] have done here tonight I think is to bring out to our colleagues and to others exactly what can be done by the passage of this reform legislation. So I am very appreciative of your leadership and looking forward to having the bill passed.

I did want to mention that from my perspective and that of the American public, this legislation will speed up the lifesaving life-extending drugs and medical devices while people are awaiting a cure or a vaccine. Very important. What is amazing to me is that American patients have been denied, even though they have already been approved overseas, many important drugs. If the FDA had approved the drug Interleukin 2 in the United States as soon as it was approved in Europe, the lives of 3,500 kidney cancer patients might have been saved. On Alzheimer's disease, the drug THA was delayed for 7 years after it was available in Europe. I had a hearing in my country seat of Montgomery County in Norristown just last year with patients who had cancer, ALS, AIDS, epilepsy. One

individual with epilepsy explained that they had to go to England to get a drug which really was not as good as the American drug, but the American drug was not approved by FDA yet.

So the fact is this legislation that Mr. GREENWOOD Mr. BURR are here tonight talking about will streamline product approval, allow for third party review, establish a fast track standard for filings and applications, have a collaborative approach to clinical research, promote harmonization; and by that we mean the discoveries overseas and in other countries which are clinically correct, we will allow their studies to be used and implemented here in the United States without the delay of further time.

Those annual reports by the FDA to Congress will certainly let us know how we are doing on speeding up the process. If we do not pass this legislation, but I am sure we will, the discoveries and jobs that they bring will go overseas. We just have to look to a 1995 study by the American Electronics Association that found 40 percent of medical device firms reduced their number of U.S. employees because of FDA delays. Twenty-nine percent boosted investment in foreign operations. Twenty-two percent moved U.S. jobs out of the country.

With the legislation that the gentleman from Pennsylvania [Mr. GREENWOOD] and the gentleman from North Carolina [Mr. BURR] are discussing tonight with their colleagues from the Committee on Commerce, we will stop that. The jobs will return, the discoveries will be made earlier, and our patients will be the beneficiaries.

So by working together with Commissioner Kessler, Republicans and Democrats together, House and Senate Members together, working with the White House, we will have FDA reform this year in the 104th Congress, and then we will be able to go back to our districts and say that we really passed important, bipartisan legislation that will improve the health care of every American.

I thank the gentlemen for their leadership, and for allowing me to join them in this important special order.

Mr. GREENWOOD. Mr. Speaker, I thank the gentleman. What I would like those Americans who are listening to us and watching us on C-Span tonight to think about is to imagine that their mother or father, their elderly parent, lies in a bed in a hospital, with a condition that is fatal, and the doctor takes you outside the room and says, ''It does not look good for your mom or your dad. It does not look like he or she is going to make it,'' and why.

And you say, ''Isn't there anything that you can do?'' And the doctor says, ''Well, there is a device that has been developed in our country, it has been tested in Europe, and it seems to be working in cases just like this, in France and in England and in Italy. And if I had that, if it was legal for me to use that, I would take your mom or your dad to surgery right away, we would implant that device, and I think the prognosis would be excellent. But it has not been approved by the Food and Drug Administration, it has been sitting there for years, and until I can get it, there is nothing I can do.''

Or imagine your little child, boy or girl, the same situation, in a hospital, suffering, and as a parent you want to relieve that suffering. And the doctor tells you that there is a drug, there is a medicine, it is a wonderful medicine that has fixed these kids up elsewhere in the world, but we cannot get it through the FDA. It is still bogged down there. ''If I could only get that, I could relieve your child's suffering or save his life.''

I think if Americans picture themselves in that situation as sons and daughters of their elderly parents, or thinking about their husband or their wife in that situation, or in the worst case of all, a small child, they would say, somebody has to take care of this.

That is what we are doing. That is what we are trying to do. We are trying to say that the U.S. Congress needs to take an agency that has been around for 90 years, doing some very good work, and bring it into the next century, so that the spectacular and wonderful drugs that are being developed by the brightest and most dedicated people in our country, who want nothing other than to save those lives, to relieve that suffering, to get that product through the Food and Drug Administration, make sure that it is safe, make sure that it works, and get it to those patients as quickly as possible.

If we do that, and we do that because we put politics aside and say that Republicans and Democrats will work together, we will hold hands on this, we will get it done and we will all go over to the White House, Republicans and Democrats, for the bill signing ceremony, that will have made my stay in this Congress worthwhile.

Mr. BURR. Mr. Speaker, if the gentleman will continue to yield, I think the interesting thing here is that we are convicted to make sure that this legislation passes and gets a Presidential signature. Why? It is because we have seen the human face that we need to apply to the problem. Bureaucracy never tends to see the human face. I think for many people who listen tonight, they may wonder, you are Members of Congress. What do you know about reforming the FDA?

The number of hearings in oversight and investigation, and I would say to my colleague, JIM you were there, the number of hours that we spent once we had the first draft of this legislation, I believe 17 hours in 2 days, where we brought people in from all over the country who could lend their expertise to the language and to the intent, and to assure the efficacy and the safety, it all exists in this one package. For once, we have seen the process work exactly like it is supposed to.

But to an agency that I continue to hear the same remarks that I hear from other agencies, ''We are making changes. Let it work. Let it happen. It will fix itself,'' it only reminds me of a statement that a gentleman made several years ago, that a fool is one that believes you can continue to do the same thing and expect a different result. In fact, we have to change culturally and fundamentally what we do if we want to expect a different result.

I carry in my voting card wallet a statement that I think is very appropriate, that is printed at the Jefferson Memorial. I will read it just very briefly. It is Jefferson's words: ''I am not an advocate of frequent change in laws and constitutions, but laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths discovered and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times.''

Mr. Speaker, tonight we are keeping pace with the times.

Mr. GREENWOOD. Mr. Speaker, I thank the gentlemen who have participated in the special order. I think we are going to make this a textbook example of how the Congress of the United States can put politics aside completely and utterly, work with Democrats and Republicans evenhandedly, put a bill into law that will save thousands of lives, and I look forward to the bill signing ceremony.

Mr. TOWNS. Mr. Speaker, I am pleased to participate in this evening's special order on FDA reform. On March 29, three ''FDA reform'' bills were introduced to amend the Food, Drug and Cosmetics Act with respect to the regulation of drugs and biological products, foods and animal drugs and medical devices.

I believe that three bills offer an earnest and responsible approach to the reform of FDA regulations and procedures which govern a variety of very different and distinct products and industries. These legislative reforms recognize the need to streamline the operations of the Food and Drug Administration while giving the agency ultimate authority to protect the public's health.

Under the reform approach now before the Commerce Committee, the FDA would also be responsible for getting new products on the market through a prompt, efficient review and approval process. This effort responds to the agency's critics who argue that the current product approval process slows down the availability of safe and effective products. It is an approach which I believe will still protect the public health but it will also enhance American companies' ability to be more competitive in the internatonal marketplace.

That is why I am supporting these legislative reforms and also why I am the principal cosponsor of H.R. 3200, introduced by the gentleman from Wisconsin [Mr.KLUG], to address needed changes in the food and animal drug areas.

H.R. 3200 proposed changes to the labeling of Foods and the approval process for animal

drugs. The current standard which subjects health claims to the same scrutiny that is applied to drugs is simply not warranted. In addition, the food additive petition process, which has allowed 200 petitions to languish, is in dire need of revision. Last year, an investigative report by the Subcommittee on Human Resources and Intergovernmental Relations found that reviewers requested too much data that was not even used to determine the safety of a food additive. Irrelevant data only adds unnecessary cost and depresses investments in new food ingredients and technologies. This ''zero risk'' management approach could be directly attributed to the influence of the Delaney clause which almost everyone agrees is no longer reflective to today's best scientific measurements. The findings, in this report, support the proposed change in H.R. 3200 from zero risk to a ''negligible risk'' standard.

H.R. 3200 also incorporates the provisions of H.R. 2508, to modernize the requirements for the regulation of animal drugs. The time frame for approval is shortened from 180 days to 90 days. In addition to these provisions, the bill provides for the regulation of certain drugs through a ''veterinary feed directive'' regulation for medicated feeds to be issued by a veterinarian.

Mr. Speaker, it is my hope that the three reform bills currently under consideration will retain FDA as a strong and viable agency that has the necessary resources to ensure product quality. It is also my expectation, however, that these reforms will make FDA a strong partner, rather than an impediment, in making useful technology and products to market.

WHAT MAKES AMERICA GREAT?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. ROHRABACHER] is recognized for 60 minutes.

Mr. ROHRABACHER. Mr. Speaker, today I would like to begin my talk here with a question of why do we think that America is a great country. I would like people who are listening and the people who are perhaps reading this in the CONGRESSIONAL RECORD to ask themselves why they think that America is such a great country.

Is it because we have a powerful military? No, that could not be the answer, could it, because there are a lot of great countries? There are a lot of countries in the world that have strong militaries, powerful militaries. Yet, they are not great countries. They are not countries that we would wish to identify with.

Is it because we have a lot of big companies, a lot of industrial companies in the United States? No. They have a lot of big firms and big companies in other parts of the world that are pretty despicable parts of the world. In fact, there are big companies at different places in the world that no American would want to live?

Perhaps it is because we have a beautiful flag, and we have the red, white, and blue, that is sitting behind the podium there. A beautiful flag does not make a great country, nor does a big military or a powerful military make a great country.

Certainly one of the factors that make a society a great country is the fact that people have a certain degree of freedom, and that was one of the guiding principles that led to the formation of the United States 200 years ago, when our Founding Fathers struggled for liberty and for independence.

But America is not just a free country. America is a prosperous country as well, but it is not just a prosperous country for a few people. It has a prosperity that has impacted on the lives of the common man and woman. Yes, in this country we have freedom. Everyone, every individual, has the right to vote, to speak, to pray; basically, to control his or her own destiny. These things are important to what is great about America.

Even our poor people, however, which is another factor, live a decent life. In America, a working person, an average working person, if he or she is willing to work and to try and to live an honest life, they can live a decent life economically. This, too, is part of the American dream, because what we have in America, what essentially makes America great, is our freedom and the opportunity of our people, the opportunity to live in a certain degree of prosperity. And our people have, indeed, lived more abundant lives than anyone else in the history of the world. Here, wealth is abundant enough so that the average person lives a good life.

Home ownership in this country is more widespread than in almost any society in the world. People own their own cars. Some of these things are considered miraculous in other parts of the world, where only a chosen elite, a very few people, get to participate in this, the blessings of America. In this country, our people select their own job, even. That is not the case in many other countries.

□ 2145

In our country, what we see is even the most arduous physical labor is assisted by machines, and this is part of the history of our country. Many people say, well, the reason America has done so well is because our people work so hard and they have always been hardworking people. Well, that is not really true. There are hardworking people all over the world. Yet very few societies have prospered and have enjoyed the freedom that we have here in the United States.

No, what we have done in the United States is ensure that our working people are assisted by machines and that the work that they do is multiplied, the product of their labor is multiplied by technology. Basically ours is a history of technology being brought to play to help save the backbreaking pain of our working people.

I recently came across a story of one of the early patents in the United States. It is not really all that early of a patent. It was issued March 20 of 1883. It was a patent that was issued to Jan Matzeliger and two investors who had invested in his project.

What was his project? What was his patent all about? It was a machine that revolutionized the manufacturing of shoes. Most people just take shoes for granted, but before this machine was invented, many people of the United States never wore shoes. In fact, the price of shoes was out of reach. Most people owned shoes, maybe one pair of shoes for their entire life.

But within a few years of Mr. Matzeliger's invention being brought to play, the price of shoes in our country dropped by 50 percent. Ordinary people were able to afford shoes for their feet. We just take this for granted today.

We also take for granted machines like Eli Whitney's reaper or the electric light bulb, or how about Robert Fulton's steam engine? By the way, Robert Fulton never invented the steam engine. If you look back at Robert Fulton, not only did he not invent the steam engine, he also was not the first one to ever put a steam engine onto a ship.

Robert Fulton put a steam engine on a ship and they called him a great inventor. Well, the fact is that the Germans had put a steam engine on a ship long before, but it had never been brought to play in their economy because special interest groups in the German economy refused to permit that steam engine on that ship from being used because it would displace people from work.

In the United States we saw it as a means of ending the terrible labor, the painful labor of pushing ships with sticks through the water. Our society welcomed technology and the German society did not.

In fact, even the Germans were not the first ones to invent the steam engine. The steam engine was invented by the Greeks in ancient times. Maybe you will remember seeing a picture of a steam engine, an early steam engine which revolved like this over a fire. That was invented by the Greeks, but in the Greek marketplace, relieving the pressure of work and the burden of work on so many people like the steam engine would have done was not something that was thought to be a worthy goal.

So the steam engines were passed up by the Greeks and by the German boatmen. But it was Robert Fulton that revolutionized the world and created steamboats which changed the world.

Thomas Jefferson, Ben Franklin, so many of our Founding Fathers were technologists because they believed in freedom and technology, they believed that technology would change the world just as democracy would change the world. In fact, creating a patent office was written into our Constitution. Can you imagine that? Over 200 years ago, our Founding Fathers wrote that there would be an office to patent new technologies and that was mandated in the basic law of the land, the Constitution.

That is because our Founding Fathers saw ours as a society that would be unlike any other society ever in the history of mankind. They saw that America would be a land of liberty, where the rights of all would be protected, and they believed that prosperity would follow because it would be not just the prosperity of the few but the prosperity of the many.

Well, how could that be possible? If they thought they were going to create a free society, how could they think that a free society and a free people could ever compete with slave labor? In fact, we had slave labor in a large portion of our country, so how could freedom work?

Well, how freedom could work and compete, and how we could convince ourselves to get rid of the evil of slavery in the United States, was that free people can compete with slave labor. Free people can compete with repressed citizens of other parts of the world, as in China today, if the free people have the technology they need to do the job. The technology was the key to freedom and prosperity. They saw that.

Interestingly enough, Mr. Matzeliger, whom I just mentioned, Jan Matzeliger, was a black American, and he invented a machine, as I said, that changed the life of all Americans. He invented a machine that made it possible for Americans to have decent lives because they were able to afford shoes.

And at a time when the rights of other black Americans and all black Americans were actually being tread upon, were being attacked, his right as an American to own his patent was not abridged. His patent rights were protected, even though he was a black American and many of the rights of black Americans of those days were not being recognized and not being protected. That is how strongly the United States felt about technology and about our rights to own the technology that we develop, because it is so important for new technologies to be developed and for that incentive to be into the system.

It was America's ingenuity as our Founding Fathers foresaw and as we can see ourselves in retrospect, it was America's ingenuity that has proven our most valuable asset.

Well, in the middle of the last century, Americans were given a guaranteed patent term of 17 years. That patent by that great black American who invented this machine that provided shoes for all of us, once his patent was issued, he received a guarantee, he and his investors, that that patent would be recognized for 17 years and he would be able to benefit from it. Mr. Matzeliger had lived a life of deprivation before he invented that machine, and he lived a decent life after that in Philadelphia. He lived a life not of luxury, not of opulence but a decent life and he was a gentleman and recognized so by his community and he left a sizable estate to the church when he died, because he had been able to receive the benefits of his invention and this was thought to be so important for all Americans. This was a right. It was a right, a guaranteed right of 17 years to benefit from anything that you invented. It was a right just like any other economic right or just like any other political right or social right. This 17-year guaranteed patent term served us well for over a century. Americans, in fact, have had traditionally the strongest patent protection of any nation of the world. That is why we prospered. That is why the American people have lived well when huge numbers of people in other countries have been living in poverty and living lives of desperation.

If we did not have a strong patent system, if we were not the ones developing the shoe machines, our people also would have lived in poverty, would have lived in repression. I am here tonight to warn the American people that the technology laws that have been so vital to our Nation's prosperity and to our standard of living, to the standard of living of all of our people, is being fundamentally changed, it is being changed in a way that they are not aware of and will have repercussions on their standard of living and it is happening as we speak. Patent rights enjoyed by Americans for over a century are being eliminated. The idea of a guaranteed patent term which has been the right of Americans is being eliminated. Americans will find that rights that they have taken for granted, prosperity that they have taken for granted, is changing, that something is being diminished and they just cannot figure out what it is that is happening to their country. Were we not always the leader in technology? What has happened? In the years ahead, Americans will never know what the change was because it is happening today very quietly. And it will have serious and sorrowful consequences upon the people, future generations of Americans and perhaps on this generation of young Americans.

It started only a short time ago, right after Mr. Clinton was elected, he sent the head of our patent office, Bruce Lehman, to Japan. There Mr. Lehman signed an agreement, to, quote, harmonize our patent laws with those of Japan. Here you have an unelected official who agreed to change our laws in a way which dramatically diminished our rights, rights that had been Americans for over 100 years, a guaranteed patent term, a right to guaranteed patent term of 17 years.

By the way, the Japanese did not have that, of course. That is why we had to change this patent term. We had to eliminate this guaranteed patent term that Americans had, because that is not what the Japanese system is like. The Japanese system is different. So the Agreement that Mr. Lehman signed was an agreement to harmonize our patent laws and instead of bringing their system up to our standard of protection for the individual, Mr. Lehman agreed to bring down the protection enjoyed by Americans to the much lower level of the Japanese.

If you might remember, the Japanese are not well known for their many inventions. I remember reading about Admiral Perry landing in Japan. Admiral Perry landed in Japan and brought a little train with him. Do you remember that? He brought a little piece of American technology of the day and the Japanese proceeded to copy it, because the Japanese are known to copy but they are not know to invent. Where we have something like 100 Nobel laureates for scientific achievements, they have 5. That is because in Japan, the system they have established, their patent system, their system of dealing with ingenuity and new ideas was a system that was set up for the, quote, collective good, which, of course, means the big guys who run the system are running it for themselves and they run roughshod over the common people of Japan. That is what we have done. We have harmonized our system to be like that. Is that not wonderful? Does that not make everybody think that is it not a great thing now that we going to have a system like Japan's? Forget it.

If we had harmonized our political rights with another country and brought the level of legal protection of our rights down, there would have been a revolt. What would have happened, for example, if we signed an agreement with Singapore saying, well, let us harmonize our laws here and what we are going to do is we will become more like Singapore and that means that we will have certain restrictions on freedom of religion and the press and rights to speak and that will make us like Singapore.

Americans would never accept that. They would say, ''That's too important. You can't diminish our rights that way.''

However, what is happening right now very quietly is the diminishing of basically intellectual property rights, the guaranteed patent term, which will have a much more dramatic impact on the life of the American people than what I just described as a harmonization with Singapore. And what will happen is we will turn around and we will never know what hit us.

This change is more insidious than anything I have ever seen during my 8 years in the House and during my 7 years before that in the White House, and during my 10 years before that in and out of journalism.

The first blow of this underhanded maneuver to quote, harmonize our laws, that protect the patent rights of our people so they will be like Japan came 2 years ago when a seemingly innocuous change about patent term was snuck into the GATT implementation legislation. I say snuck, because there was nothing in GATT that required us to change the length of our patent

term the way it was presented. What they did is put something into the GATT implementation legislation that was not required by GATT.

Many American people do not understand and say, ''Well, what does that have to do with anything?'' What it has to do with it is the Members of this Congress voted for a thing called fast track.

□ 2200

I voted for fast track. I voted for fast track because I believed that setting up a world trading system was important and that if part of what that would do is that would say that when the President came back to us with an agreement, with his international trading agreement, we would then just vote on that agreement and it would be all or nothing. We could not amend it. Thus it is called fast track. We could not amend and would have to vote up or down on the bill. But part of the agreement that we thought we had by giving the President fast track was that nothing would be put in the GATT implementation legislation on that vote that was not absolutely required by GATT.

So in order to achieve this change in the patent law here, which was not required by GATT, they snuck it into the implementation legislation so that in order for us to defeat it, this body would have to vote against the entire world trading system. Well, does that sound like a Democratic maneuver? This was the most underhanded maneuver that I had ever seen, especially for a change that will have long-term implications for the well-being of our country.

The change, as I say, seemed innocent enough. In fact, the change in the GATT implementation legislation sounded like it was expanding the length of our patent term. Traditionally, as I have said, when someone applies for a patent, no matter how long it takes them to get that patent, it will be 17 years of protection that they have to recoup their investment and to profit from their invention after the patent is issued. So after that patent is issued, they will have 17 years.

That is what we have had for over a century. That is the incentive people have had to invest in new technologies. That is what incentive people have had, like this black gentleman who invented the shoemaking machine, who lived years in deprivation in order to invent the machine, because he knew he would benefit for 17 years of ownership after that machine was put on to the market and he was issued his patent.

Well, they changed that. They changed. They eliminated that guaranteed patent term, and, in exchange, what do we have? We were given a patent term that is 20 years from filing. Now, does that sound like they are extending your patent term? Well, no; in fact, what is happening is that the 20-year-from-filing term means that once you have filed for your patent, 20 years later, no matter how long it takes you to be issued your patent, you have no patent rights left.

So that means if it takes 10 to 15 years, as many breakthrough technologies have taken, a long time to get their patent issued, because sometimes in these modern technologies they are hard to understand; 20 years from filing means that if it takes them 15 years to get their patent issued, they have only got 5 years left of protection. Five years left of protection.

That means that every inventor, then, like in Japan, is totally vulnerable to the bureaucracy and totally vulnerable to big interest groups that might try to interfere with the process; might try to stop the patent from being issued in one way or another.

No, what we did in the GATT implementation legislation to the patent term was the most dramatic attack on patent rights, on fundamental right of Americans that I have seen in my lifetime. But because no one could understand it, it just slipped right on by. And as I say, I supported the fast track, and I never felt more betrayed than when I realized what had been put into that GATT implementation legislation when it was not even required by those negotiations.

Well, when I began to complain about it, I was promised by the House leadership, by the Republican leadership of the House, that there would be a chance to correct this problem and that we would have a chance to vote on restoring the guaranteed patent term. That was the promise made to me. So I put together a piece of legislation, H.R. 359, that restores the guaranteed patent term, the right of a guaranteed patent term of 17 years to the American people. It has 202 cosponsors. That piece of legislation was bottled up in a subcommittee for almost a year and a half; not permitted to move to the floor for a vote. And it took a lot of hell raising on the part of a certain Member of Congress to make sure that system started to move, because during that year and a half an expensive public relations campaign was launched.

Huge multinational corporations and foreign corporations, as well as giant American corporations, have moved into Washington, DC, and started an attack on H.R. 359. This bill, they say, is not in their interest. And many Members of this body have been, actually they have been contacted by huge companies saying, well, Congressman ROHRABACHER does not know what he is talking about; this will be in our benefit.

Well, what appears to have happened is that corporate America, giant corporate America, that has ties with multinational corporations and loyalties all over the world, and as we know those loyalties often do not extend to their own American people, they would sell out the jobs of American people in an instant in order to get a 10 percent higher profit margin by investing in a dictatorship like China, well these giant corporate American interests signed off on the idea of diminishing American patent rights. In exchange for what? In exchange for a promise that there would be an international system now which will recognize somewhat and somewhat enforce America's ownership of certain technologies and of patents. Sort of a recognition of patents.

Well, what is happening now would be very equivalent of when Japan began signing agreements 20 years ago to open their markets to the United States; that if instead of waiting to see if Japan would actually open their markets, instead of just signing pieces of paper, that we went right ahead and gave economic concessions to the Japanese that changed America's ability to compete with Japan. It is absolute nonsense.

And corporate America is not, is not, I repeat not, the best group in this country to decide what the rights, economic rights of our people should be. Not to say they do not do a good job, and oftentimes they are, yes, profit-making companies of world scope, but, quite often they have absolutely no commitment to the freedom and ideals that our forefathers talked about. They are looking at the bottom line. In this particular case their bottom line is very, very shortsighted, and really, in the end, has diminished the rights of the American people in a way that will dramatically hurt our prosperity.

Well, the second shoe during this year and a half when my bill was bottled up, the second shoe has fallen. A bill has been introduced, H.R. 3460, which finishes the harmonization, completes the harmonization that we, that our government, that this unelected official, Mr. Layman, has agreed to do, the harmonization of our patent laws.

What does H.R. 3460 do? This bill is so transparent I do not understand how any Member of Congress could vote for it. I call it the Steal American Technologies Act. And I hope that Members of Congress are contacted by their constituents about this bill, 3460, the Steal American Technologies Act, because when they hear what this bill does, common sense will tell them what is going on; that we are in the process of seeing one of the greatest acts of thievery from the United States of America in the history of our country.

This patent bill, this supposed patent bill, H.R. 3460, says this: that if our inventors apply for a patent, 18 months later, whether or not the patent has been issued to the applicant, all of the details of that patent application, every blueprint, every last piece of information, will be published for the world to see. Now, do you understand what I am saying? This law is an open invitation to the thieves of the world to steal American technology from American inventors even before our inventors have been issued their patent.

This is the same mentality at the patent office, which recently led our

patent office to give its entire database to the Red Chinese. And what was the excuse when we were asked, well, why did you do that? They said, well, then they will know what technology not to steal.

This is beyond imagination, but it should be understandable to the common sense of the American people. I would hope that they know that in this Democratic process they can talk to their Congressmen, who will be voting on 3460 and voting on my bill as a substitute, H.R. 359, because common sense tells you that before you issue a patent to someone you do not disclose all of his secrets.

Ironically, when this bill was going through the subcommittee, I was sitting in my office with a manufacturer of solar technology. And I asked him, and this is at the same moment that the subcommittee was passing H.R. 3460 out, I said what will happen if this bill actually goes into law and when you file for a patent after 18 months, whether you have been issued the patent or not, that it gets published for the whole world? And his face reddened and his fist balled up and he said, Congressman, if that happens, that means that my technology, that we have spent so much time to develop and our investors here in the United States have invested in, that means my competitors overseas, the Chinese and the Japanese, or anybody else, will be in production of my technology, making a profit from it, before I am issued my patent and before I can go into production. Which means, if I try to fight them later, they will be using the profits from my technology to defeat me and probably put me out of business.

Talk about an outrage. It does not take a rocket scientist to figure out what is going on here. American technology is being put in jeopardy. For what? To harmonize our laws with Japan. And in Japan, of course, when a young inventor invents something, or a poor inventor or a small businessman invents something, in Japan over these years, the big companies have run roughshod over those average people and stolen their wealth and stolen their technology, and they know not to raise their head up and to protest.

By the way, there are other parts of this H.R. 3460, the Steal American Technologies Act. Know what the other parts are? They are not only going to attacks the rights of American citizens to a guaranteed patent term, they are not only going to take an inventor's rights away from him to have his invention secret until he is issued a patent, but they are going to change the system, the government system itself.

They are going to take the patent office and they are going to, what they call corporatize it. Now, I am a conservative Republican. I am all in favor of privatization. Now, you would think, oh, here is an idea where you take something done by the government and take it over to the private sector. Well, I was Ronald Reagan's speech writer. I talked about privatization all the time. You would think I would be in favor of it.

□ 2215

Well, it is just like the foolishness of changing the patent term to 20 years. That did not help us either. What it was was 20 years that ends up with 5 or 6 years of protection for breakthrough technologies.

No, this type of corporatization they have in mind would take our patent office, which has been part of our Government since the founding of our Constitution and corporatize it. What does that mean? That means that the patent examiners, the men and women who make judicial decisions as to what our rights are to new properties of technology, they are defining what your property rights are for the new technologies that are being created. Those patent examiners are going to lose their civil service protection.

So after all of these years, after 100 years of protection for our patent examiners, they will now be put in a situation where outside pressures will be brought on them because they do not have their civil service protection. This is an invitation to corruption. We have seen an invitation to steal our technology and now we see an invitation to corruption by opening our system up to pressures that it has never been opened up to before.

In one fell swoop, our international competitors will have destroyed the edge that we had on the world, the edge that ensured that America would be not only a land of freedom, but a land of prosperity for the common person. This is not just happening on its own. There are powerful forces at work that are behind H.R. 3460, the Steal American Technology Act, and are trying to fundamentally change the patent system.

Now, why is this? Why would they want to do that? They would want to do that because overseas they too understand that the development of new technology has been America's greatest leverage in our competition with the rest of the world.

What made us competitive? what made our people be able to keep their jobs and have decent standards of living in the past was because we had machines that permitted us to do things that could not be done overseas cheaper with slave labor. And that is ever more true as we enter into a new age where technology is even more important.

America is being neutered of the patent protection and the patent system that has kept our people free and prosperous, and future generations, maybe even our own children, will say, well, did we not always used to be the ones that came up with all the new ideas? Weren't we the ones that were ahead of the game because we were on the cutting edge of technology?

But that will be a distant memory because we will have changed the fundamental laws that made that so with America, because our edge was not because we were of any particular race or religion or culture. It was because our laws developed around the spirit of individualism and creativity and freedom that were consistent with a prosperous society. And now we are, or at least our leaders are, trying to harmonize our laws with those of Japan. That is not the way that we are going to have a better life for our people.

This is a desperate fight. Those who are opposing the Steal American Technologies Act, H.R. 3460, do not have the resources of these big corporations who see themselves as players in the international arena, rather than people who are concerned basically about the well-being of American people.

We do not have the resources to fight them. H.R. 359, my bill that would restore the guaranteed patent term, we have got very few resources behind us.

And even though we have had 202 cosponsors, we have not been able to move it through the system. I would hope that the American people know that democracy still flourishes here because they can get involved. It is not just the people in this body. It is not just Members of Congress who will make the decision.

If people actually talk to their Congressman, if people actually go and ask their Congressman, Hey, how are you going to vote on this Steal American Technologies Act, H.R. 3460? They will find that their Congressman is also listening to them.

And I would hope that we can prove that our democracy still functions and it is not just powerful interests in Washington, DC who want to harmonize our laws with Japan that can guide the future of our country.

I have every faith in this country. With technology, we will continue to be the land of liberty that our fathers foresaw. We will continue to be that hope of the world, that shining city on the hill where even the average people live decent lives if they work hard and are honest.

But this will not happen if in this new age of technology that we have changed the fundamental laws and protections that have assured American progress in the past.

This is a desperate fight and it is a fight not that many Americans understand. Patent law seems such a boring subject. In fact, I cannot get on talk radio programs. People, ask you about this and they say patent law? Are you crazy? Patent law, it is a very difficult issue to understand because it takes longer than 10 seconds to describe it.

But tonight I am telling you that we are in the midst of a battle that will make all the difference. If this scheme to harmonize our technology laws with those of Japan succeeds, our people will pay the consequences.

Now, what is the excuse the other side uses? Obviously, people honestly disagree. Not everybody on the other side is for bringing America down.

Most of the Congressmen on the other side of this issue have been told, well, the reason we have to change this law is because there is something called a submarine patent. That this is a big problem.

What a submarine patent is that if somebody invents something and instead of trying to get their patent, like almost everybody wants to get their patent as soon as possible, 99 percent of all inventors are struggling, please give me my patent as soon as possible. They want their patent, but some, maybe a few, maybe 1 percent, I do not know, are trying to elongate this. They are actually playing the system so that the patent is not issued right away and so that when it is issued and they have that 17 years, it is actually a much longer period, maybe 20 years or maybe 25 years.

This is a very small problem numerically. Only a very few people want this, because most inventors know that technological change is happening so quickly, they have to get the patent issued so quickly because otherwise they will lose out, because new technology will be developed.

But we are told that this problem is so important. I would say that I believe this is a small problem and can be dealt with. I have told everyone in this debate, I will support any effort to deal with the submarine patent problem that does not eliminate the guaranteed patent term. And I have been willing to compromise for 1½ years on this, but yet it is funny. Those proponents of H.R. 3460 were never able to come back to me with what I asked.

I said, anything except eliminating the guaranteed patent term we can put into a bill and then that will work on these people who are trying to elongate the process. I, in fact, even put something into my bill that said if someone is elongating the process and not trying to get their patent issued, that after 60 months it will be published whether or not the patent has been issued.

And so, I said, okay, if someone is intentionally trying to get their patent so it is not issued, let us clamp down on that. But no one would ever come up with these suggestions. All they would suggest is we have got to eliminate the guaranteed patent term. That is all. That is all we can do. There is no other alternative but eliminate that guaranteed patent term.

It is very similar to saying I have got a toe that really hurts me, and so what I am going to do is cut my foot off in order to make sure my toe does not hurt me anymore. And that is the answer I have been getting back.

But some people, and many people in this body will never look at this issue with any depth because they are involved with many other issues. The issue we just heard about, the FDA, some Congressmen have spent enormous time and effort to try to get reforms in the FDA. They probably do not know about this patent issue, and they may accept the arguments of these big companies, these multinational corporations saying that in order to stop this submarine patent we have actually got to make this change or we have got to have a harmonization with Japan.

Well, we need to make sure that the American people and the American workers speak up. It should be evident to everyone that we are not going to have a better system by eliminating the civil service protection of our patent examiners by opening that up to outside pressures and corruption. That is not going to help anything.

We are not going to have a better system if our inventors do not have that guaranteed system because what will happen, if indeed their patents are held up as compared to past patents? For example, you know, we know that no matter how long it takes the bureaucracy to work in the past, they have had 17 years of protection. If they end up with 5 years of protection because it has been held up 15 years and there is only 5 years left, who is benefiting by that?

Well, look very closely. That 5 years, instead of 17 years worth of protection, that 5 years is going to result in very few royalties as compared to the 17 years of protection. Those hundreds of millions of dollars of royalties, even billions of dollars of royalties that would have been coming to the United States now are going to be in the bank accounts of huge foreign corporations that will not have to pay the royalty, even if they do not steal American technology and they just pay for it via a royalty.

So they, themselves, if they operate totally legally within the new system, will find that the wealth that should be coming here for our ideas and creativity will be staying right in those foreign bank accounts.

This is not the way to make it better for the United States, and it certainly will not make it better if every time our people come up with a great new idea—I know some people who have developed a new system that will dramatically bring down the pollution coming out of automobile engines, dramatically reduce this. They have been frightened to death because they are afraid that before they can actually go in the market with their invention, that what will happen is the word will leak out and all over the world, people will be stealing their technology and what they have a right to receive the benefit from developing this, that they will lose the profit from their own invention and never be able to recoup it.

Well, under the system that they are talking about, the Steal American Technology Act would say to my friends, You cannot file for a patent unless you are willing after 18 months to let everybody in the world know about every single detail of your invention.

Is this going to spur innovation and creativity and wealth creation in the United States? Our people are going to pull back. Investors not going to invest in American technologies. That is not going to make things better.

The shortening or eliminating the guaranteed patent term will hurt our major universities. One of the biggest supporters of my legislation, H.R. 359 are American universities, MIT, Harvard, all of these universities that have patents and know that they need a guaranteed patent term for them to have an asset.

Also the small business community is dramatically behind H.R. 359, and opposed to the H.R. 3460, the Steal American Technologies Act.

We have the little guy versus the big guy. That is what is going on in a very quiet but crucial struggle in Washington, DC, today. The little guy versus the big guy.

I believe in the United States of America. I believe the little guy can still win. I believe the small inventor who comes up with a new idea has been the main spring of the progress and the prosperity that we have had in the United States of America. And I know that if the American people can understand what the essence of this issue is all about, that they will insist that their Congressman not support the Steal American Technologies Act, H.R. 3460, but instead, will demand that the guaranteed patent term that we have enjoyed as a right of Americans for over a century be restored to the American people.

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This, as I say, is a fight that probably will not even be noticed in the history books; especially if we win, it will not be noticed. People will never know about this fight if we win. The American standard of living and American competitiveness will be what it is.

Mr. Speaker, this is something that people have learned to take for granted. We have taken it for granted that young people have great opportunities in their lives. We have taken for granted that they wear shoes, that there are shoe for everybody in our society. We take that for granted. That has not been the history of the rest of the world. If we harmonize our laws and we downgrade our rights so that they are the same as every other country in the world, America will not be America.

So tonight, I hope that this battle will not be remembered because, if we win, people will just go right on and take this for granted. But if we lose, someday someone may read this CONGRESSIONAL RECORD and say this was a crucial turning point and no one ever noticed because the concept of patent law and intellectual property rights was just too esoteric for regular people to understand. This is at a time when we are going into a global marketplace, into a new era of technology, when as never before the standard of living of the American people will be tied to innovation and tied to creativity and tied to the new technologies of the coming age.

Mr. Speaker, I hope that those future Americans will not have to look back in the CONGRESSIONAL RECORD and see this speech and say it is too bad they did not recognize what was going on and complaining about the system. Instead, I hope that they never read that because the freedom and progress that we have is taken for granted and will be the same freedom and progress 100 years from now and 20 years from now that it was when our forefathers, Benjamin Franklin, that great technologist, Thomas Jefferson, these great champions of human liberties, not just for Americans but for all people, when they founded our country 225 years ago.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. ROUKEMA (at the request of Mr. ARMEY) for today and on May 30 on account of illness in the family.

Ms. MOLINARI (at the request of Mr. ARMEY) for today and the balance of the week on account of maternity leave.

Mr. POMEROY (at the request of Mr. GEPHARDT) for today on account of personal business.

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. NADLER, for 5 minutes, today.

(The following Members (at the request of Mr. HAYWORTH) to revise and extend their remarks and include extraneous material:)

Mr. MCINTOSH, for 5 minutes, on May 30.

Mr. JONES, for 5 minutes each day on May 30 and June 4.

Mr. RIGGS, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes each day, today, and on May 30 and 31.

Mr. DORNAN, for 5 minutes, today.

Mr. DIAZ-BALART, for 5 minutes, on May 30.

Mr. HOEKSTRA, for 5 minutes each day, today, and on May 30.

Mr. MILLER of Florida, for 5 minutes, on May 30.

Mr. GUTKNECHT, for 5 minutes, today.

Mr. TAUZIN, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. NEY, for 5 minutes, today.

Mr. LUCAS, for 5 minutes, on May 30.

Mr. FOX of Pennsylvania, for 5 minutes, today.

Mr. HAYWORTH, for 5 minutes, today.

Mr. HOKE, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) and to include extraneous matter:)

Mr. WARD.

Mr. WYNN.

Mr. LEVIN.

Mr. FRAZER, in two instances.

Mr. STARK.

Mr. MORAN.

Mr. SCHUMER, in two instances.

Mr. SKELTON.

Ms. WOOLSEY.

Mr. RAHALL.

Mr. OBERSTAR.

Ms. KAPTUR, in two instances.

Mr. FILNER.

Mr. KILDEE.

Mr. ACKERMAN.

Mr. ORTIZ.

Mr. GORDON.

Ms. PELOSI.

Mr. PAYNE of New Jersey, in two instances.

(The following Members (at the request of Mr. HAYWORTH) and to include extraneous matter:)

Mr. HOKE, in three instances.

Mr. SHUSTER.

Mrs. ROUKEMA.

Mr. SCHIFF.

Mr. KLUG.

Mr. KNOLLENBERG, in four instances.

Mr. HAYWORTH.

Mr. LEACH.

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 title:

May 22, 1996:

H.R. 2066. An act to amend the National School Lunch Act to provide greater flexibility to schools to meet the Dietary Guidelines for Americans under the school lunch and school breakfast programs.

May 23, 1996:

H.R. 1965. An act to reauthorize the Coastal Zone Management Act of 1972, and for other purposes.

ADJOURNMENT

Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 32 minutes p.m.) the House adjourned until Thursday, May 30, 1996,at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3179. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Vegetables; Import Regulations; Modification of Regulatory Time Periods for Imported Onions (Docket No. FV95–980–1FR) received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3180. A letter from the Administrator, Cooperative State Research, Education, and Extension Service, transmitting the Service's final rule—Rangland Research Grants Program; Administrative Provisions (Workplan Number: 95–006) received May 24, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3181. A letter from the Acting Administrator, Farm Service Agency, transmitting the Agency's final rule—Wetlands Reserve Program (RIN: 0560–AE83) received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3182. A letter from the General Sales Manager, Foreign Agricultural Service, transmitting the Service's final rule—Regulations Governing the Commercial Sales of Agricultural Commodities (RIN: 0551–AA43) received May 24, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3183. A letter from the Administrator, Foreign Agricultural Service, transmitting the Service's final rule—7 CFR Part 6—Import Quotas and Fees; Final Rule to Eliminate Certain Obsolete Subparts (RIN: 0551–AA46) received May 24, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3184. A letter from the Director, Financial Crimes Enforcement Network; transmitting the Network's final rule—Amendment to the Bank Secrecy Act Regulations Relating to Orders for Transmittal of Funds by Financial Institutions (31 CFR Part 103) (RIN: 1506–AA17) received May 28, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3185. A letter from the Acting Director, Office of Thrift Supervision, transmitting the Office's 1995 annual report to Congress on implementation of the Community Reinvestment Act, pursuant to 12 U.S.C. 2904; to the Committee on Banking and Financial Services.

3186. A letter from the Assistant Secretary, Department of Education, transmitting Final Priority—Training Personnel for the Education of Individuals with Disabilities Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Economic and Educational Opportunities.

3187. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the final priorities contained in the notice inviting applications for new awards for fiscal year [FY] 1996—Foreign Language Assistance Grants (State educational agencies) received May 28, 1996, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

3188. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the final priorities contained in the notice inviting applications for new awards for fiscal year [FY] 1996—Foreign Language Assistance Grants (Local educational agencies) received May 28, 1996, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

3189. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the final funding priority for Training Personnel for the Education of Individuals with Disabilities Program—received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

3190. A letter from the General Counsel, Department of Energy, transmitting the Department's final rule—Acquisition Regulation; Technical Amendments (RIN: 1991–AB27) received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3191. A letter from the Director, Regulations Policy Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Chlorofluorocarbon Propellants in Self-Pressurized Containers; Addition to List of Essential Uses (Docket No. 95P–0088) received May 28, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3192. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of defense articles or defense services sold commercially to Japan (Transmittal No. DTC–24–96), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3193. A communication from the President of the United States, transmitting notification that the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs emergency is to continue in effect beyond May 30, 1996, pursuant to 50 U.S.C. 1622(d) (H. Doc. No. 104–222); to the Committee on International Relations and ordered to be printed.

3194. A letter from the Executive Director, Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List (61 F.R. 10733, 11811, and 14088) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

3195. A letter from the Program Management Officer, National Marine Fisheries Service, transmitting the Service's final rule—Foreign and Domestic Fishing; Scientific Research Activity and Exempted Fishing [Docket No. 960222043–6131–01; I.D. 111595B] received May 28, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3196. A letter from the Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service, transmitting the Service's final rule—Ocean Salmon Fisheries Off the Coasts of Washington, Oregon, and California; Cape Arago, OR, to Oregon-California Border [Docket No. 960126016–6121–04; I.D. 051796A] received May 28, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3197. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Nationality Procedures (Bureau of Consular Affairs) (22 CFR Part 50 Subpart B and C) received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3198. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (34)—Amendment No. 1728 (RIN: 2120–AA65) (1996–0011) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3199. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (38)—Amendment No. 1727 (RIN: 2120–AA65) (1996–0010) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3200. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (18)—Amendment No. 1726 (RIN: 2120–AA65) (1996–0009) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3201. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (4)—Amendment No. 1731 (RIN: 2120–AA65) (1996–0012) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3202. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (35)—Amendment No. 1730 (RIN: 2120–AA65) (1996–0014) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3203. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (38)—Amendment No. 1729 (RIN: 2120–AA65) (1996–0013) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3204. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revocation of Restricted Area R–5202, Gardiner's Island, NY (RIN: 2120–AA66) (1996–0022) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3205. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class D and Class E Airspace; New England Region; Correction—Docket No. 95–ANE–60 (RIN: 2120–AA66) (1996–0026) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3206. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Temporary Prohibition of Oxygen Generators as Cargo in Passenger Aircraft (RIN: 2137–AC89) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3207. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Regulated Navigation Area: Boston Harbor, Long Island Bridge, Boston, MA (RIN: 2115–AE84) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3208. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulation: Revision to special local regulations [CGD01–96–016] (RIN: 2115–AE46) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3209. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulation: Swim the Bay, Narragansett Bay, Narragansett, RI [CGD01–95–170] (RIN: 2115–AE46) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3210. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulation: Quonset Open House, North Kingstown, RI [CGD01–96–017] (RIN: 2115–AE46) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3211. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Petroleum and Special Programs Administration (49 CFR Part 195) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3212. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Restructuring of Cylinder Specifications Requirements (RIN: 2137–AC81) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3213. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Jetstream Aircraft Limited HP137 MK1, Jetstream Models 3101 and 3201 Airplanes (Docket No. 95–CE–18–AD) (RIN: 2120–AA64) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3214. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Jetstream Aircraft Limited HP137 MK1, Jetstream Series 200, and Jetstream Model 3101 Airplanes (Docket No. 95–CE–79–AD) (RIN: 2120–AA64) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3215. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The New Piper Aircraft, Inc. Models PA–28–140, PA–28–150, PA–28–160, and PA–28–180 Airplanes (Docket No. 95–CE–51–AD) (RIN: 2120–AA64) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3216. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 and A300–600 Series Airplanes (Docket No. 94–NM–245) (RIN: 2120–AA64) (1996–0034) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3217. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–200, –300, and –400 Series Airplanes Equipped with General Electric Model CF6–80C2 PMC and CF6–80C2 FADEC Engines, and Pratt & Whitney Model PW4000 Engines (Docket No. 95–NM–162–AD) (RIN: 2120–AA64) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3218. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9 and Model DC–9–80 Series Airplanes, Model MD–88 Airplanes, and C–9 (Military) Series Airplanes (Docket No. 95–NM–185–AD) (RIN: 2120–AA64) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3219. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Learjet Model 31 and 35A Airplanes (Docket No. 95–NM–197–AD) (RIN: 2120–AA64) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3220. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; de Havilland Model DHC–7 Series

Airplanes (Docket No. 95–NM–110–AD) (RIN: 2120–AA64) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3221. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Industrie Model A300, A300–600, and A310 Series Airplanes (Docket No. 95–NM–85–AD) (RIN: 2120–AA64) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3222. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax Relief for Those Affected by Operation Joint Endeavor (Revenue Ruling 96–34) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3223. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Taxpayer Identifying Numbers (TINs) (RIN: 1545–AS83) received May 23, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. CANADY: Committee on the Judiciary. H.R. 3235. A bill to amend the Ethics in Government Act of 1978, to extend the authorization of appropriations for the Office of Government Ethics for 3 years, and for other purposes (Rept. 104–595 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1036. A bill to amend the Metropolitan Washington Airports Act of 1986 to direct the President to appoint additional members to the board of directors of the Metropolitan Washington Airports Authority, to replace the Board of Review of the Airports Authority with a Federal Advisory Commission, and for other purposes; with an amendment (Rept. 104–596). Referred to the Committee of the Whole House of the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 2977. A bill to reauthorize alternative means of dispute resolution in the Federal administrative process, and for other purposes (Rept. 104–597). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLINGER: Committee on Government Reform and Oversight. Proceedings Against John M. Quinn, David Watkins, and Matthew Moore (Rept. 104–598). Referred to the House Calendar.

Mr. QUILLEN: Committee on Rules. House Resolution 442. Resolution providing for consideration of the bill (H.R. 3517) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes (Rept. 104–599). Referred to the House Calendar.

Mr. CALLAHAN: Committee on Appropriations. H.R. 3540. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1997, and for other purposes (Rept. 104–600). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Government Reform and Oversight discharged from further consideration. H.R. 3235 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 3235. Referral to the Committee on Government Reform and Oversight extended for a period ending not later than May 29, 1996.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DUNCAN (for himself, Mr. SHUSTER, Mr. OBERSTAR, Mr. LIPINSKI, and Mr. HEINEMAN):

H.R. 3536. A bill to amend title 49, United States Code, to require an air carrier to request and receive certain records before allowing an individual to begin service as a pilot, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SAXTON:

H.R. 3537. A bill to improve coordination of Federal Oceanographic programs; to the Committee on Resources, and in addition to the Committee on National Security, and Science, 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. FILNER:

H.R. 3538. A bill to amend title 38, United States Code, to clarify the conditions under which an action may be brought against a State to enforce veterans' reemployment rights, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SHUSTER (for himself, Mr. DUNCAN, Mr. OBERSTAR, and Mr. LIPINSKI):

H.R. 3539. A bill to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and Rules, 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. CALLAHAN:

H.R. 3540. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1997, and for other purposes.

By Mr. ALLARD:

H.R. 3541. A bill to provide for an exchange of lands with the city of Greeley, CO, and the Water Supply and Storage Co. to eliminate private inholdings in wilderness areas, to cause instream flows to be created above a wild and scenic river, to eliminate potential development on private inholdings within the forest boundary, to reduce the need for future water reservoirs, to reduce the number of Federal land uses authorizations, and to improve the security of the water supply of the city and the company, and for other purposes; to the Committee on Resources.

By Mr. BAKER of Louisiana:

H.R. 3542. A bill to amend title 38, United States Code, to allow dependency and indemnity compensation to be paid under certain circumstances to former spouses of veterans dying from service-connected disabilities; to the Committee on Veterans' Affairs.

By Ms. DUNN of Washington (for herself, Mr. ISTOOK, Mr. JACOBS, and Mr. ENGLISH of Pennsylvania):

H.R. 3543. A bill to provide for congressional election campaign accountability, and for other purposes; to the Committee on House Oversight, and in addition to the Committees on Government Reform and Oversight, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FATTAH (for himself, Mr. DOYLE, Mr. HASTINGS of Florida, Mr. LAUGHLIN, Ms. NORTON, Mr. TOWNS, and Mr. GREEN of Texas):

H.R. 3544. A bill to provide for transition for new Members of the House of Representatives; to the Committee on House Oversight.

By Mr. FORBES:

H.R. 3545. A bill for the relief of the survivors of the late Secretary of Commerce Ronald H. Brown and the survivors of each Federal employee killed in the plane crash with him; to the Committee on the Judiciary.

By Mr. GRAHAM:

H.R. 3546. A bill to direct the Secretary of the Interior to convey the Walhalla National Fish Hatchery to the State of South Carolina; to the Committee on Resources.

By Mr. HAYWORTH:

H.R. 3547. A bill to provide for the conveyance of a parcel of real property in the Apache National Forest in the State of Arizona to the Alpine Elementary School District 7 to be used for the construction of school facilities and related playing fields; to the Committee on Resources.

By Mr. KLUG (for himself, Mr. CONDIT, Mr. PETERSON of Minnesota, and Mr. TAUZIN):

H.R. 3549. A bill to amend title 23, United States Code, to eliminate penalties for noncompliance by States with requirements relating to the national minimum drinking age; to the Committee on Transportation and Infrastructure.

By Mr. LONGLEY (for himself, Mr. BALDACCI, and Mr. ZELIFF):

H.R. 3549. A bill to amend title 23, United States Code, to allow trucks weighing between 80,000 and 100,000 pounds to operate on that portion of the Maine Turnpike which is now limited to 80,000 pounds; to the Committee on Transportation and Infrastructure.

By Mr. MCDADE:

H.R. 3550. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income the gain realized from the sale or exchange of a capital asset used to generate self-employment income if the entire amount of such gain is deposited in an individual retirement account; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. PALLONE, Mr. FOLEY, Mr. CASTLE, Mr. ANDREWS, and Mr. CUNNINGHAM):

H.R. 3551. A bill to amend the act entitled ''An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property'' to confirm and clarify the authority and responsibility of the Secretary of the Army, acting through the Chief of Engineers, to promote and carry out shore protection projects, including beach nourishment projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. QUILLEN:

H. Res. 442. Resolution providing for consideration of the bill (H.R. 3517) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the

fiscal year ending September 30, 1997, and for other purposes; House Calendar No. 232, House Report No. 104–599.

By Mr. CONDIT (for himself, Mr. POMBO, Mr. BREWSTER, Mr. CALVERT, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. DOOLEY, Mr. DOOLITTLE, Mr. FAZIO of California, Mr. FOLEY, Mr. PETE GEREN of Texas, Mr. HAYES, Mr. HERGER, Mrs. LINCOLN, Mr. ORTEN, Mr. PAYNE of Virginia, Mr. PETERSON of Minnesota, Mr. RADANOVICH, Mr. RIGGS, Mr. SISISKY, and Mr. STENHOLM):

H. Res. 443. Resolution providing for consideration of the bill (H.R. 1627) to amend the Federal Insecticide, Fungicide and Rodenticide Act and the Federal Food, Drug, and Cosmetic Act, and for other purposes; to the Committee on Rules.

By Mr. FORBES:

H. Res. 444. Resolution urging the detention and extradition to the United States by the appropriate foreign governments of Mohammed Abbas for the murder of Leon Klinghoffer; to the Committee on International Relations.

MEMORIALS

Under clause 4 of rule XXII,

220. The SPEAKER presented a memorial of the Senate of the State of New Jersey, relative to Senate Resolution No. 20 memorializing the Congress of the United States to enact legislation which will facilitate the development and approval of new drugs, biological products, and medical devices; to the Committee on Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. BAKER of Louisiana introduced a bill H.R. 3552 for the relief of Alayne Mae Watson; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolution as follows:

H.R. 40: Mr. TATE.
H.R. 57: Mr. HERGER.
H.R. 324: Mr. POMEROY.
H.R. 621: Mr. ALLARD.
H.R. 738: Mr. KING.
H.R. 1023: Mr. CONDIT.
H.R. 1046: Mr. SKEEN and Mr. HILLIARD.
H.R. 1076: Mr. BARR, Mr. HORN, Mr. STUPAK, Mr. DEUTSCH, and Mr. EVANS.
H.R. 1226: Mr. CASTLE.
H.R. 1484: Mr. MARTINI.
H.R. 1499: Mr. TATE.
H.R. 1713: Mr. LAUGHLIN, Mr. WHITFIELD, and Mr. MARTINEZ.
H.R. 1776: Mr. HASTINGS of Washington, Mr. WISE, Mr. CUMMINGS, Mr. ANDREWS, Mr. COSTELLO, Mr. DICKS, Mr. FIELDS of Louisiana, Mr. MENENDEZ, Mr. MILLER of California, Mr. MORAN, Mr. ORTIZ, Mr. PALLONE, Mr. PASTOR, Mr. POSHARD, Mr. ROEMER, Mr. ROSE, Mr. SKAGGS, Mr. VOLKMER, Mr. WILLIAMS, Ms. MILLENDER-MCDONALD, Ms. HARMAN, Mr. MCHALE, Mr. DOYLE, Mr. ARCHER, Mr. TAYLOR of Mississippi, Mr. RADAVOVICH, Mr. STOCKMAN, and Mr. MCNULTY.
H.R. 2026: Mr. GILMAN, Ms. PRYCE, Mr. YATES, Mr. BILIRAKIS, Mr. STARK, and Mr. DELAY.
H.R. 2167: Mr. SCHIFF and Mr. COYNE.
H.R. 2182: Mrs. MEYERS of Kansas.
H.R. 2240: Mr. FRELINGHUYSEN and Mr. CANADY.
H.R. 2244: Mr. SAM JOHNSON.
H.R. 2246: Mr. BROWN of California.
H.R. 2270: Mrs. CUBIN.
H.R. 2341: Mr. NORWOOD.
H.R. 2416: Mr. MORAN.
H.R. 2450: Mr. MCKEON.
H.R. 2536: Mr. MEEHAN, Mr. SCHIFF, Mr. HORN, and Mr. RAMSTAD.
H.R. 2580: Mr. CONDIT.
H.R. 2587: Mr. THORNBERRY, Mr. ORTIZ, Mr. MCHALE, and Mr. HOSTETTLER.
H.R. 2932: Mr. LAUGHLIN.
H.R. 2976: Mr. BARRETT of Wisconsin, Mr. CLINGER, Mr. CONDIT, Mr. FLAKE, Mr. KANJORSKI, Mr. KILDEE, and Mr. RAHALL.
H.R. 3022: Mr. HASTINGS of Florida, Mr. WATT of North Carolina, Mr. BOEHLERT, and Ms. SLAUGHTER.
H.R. 3038: Mr. MINGE and Mr. DOOLEY.
H.R. 3083: Mr. CAMPBELL.
H.R. 3155: Mr. DEUTSCH and Mr. HASTINGS of Florida.
H.R. 3173: Mr. BERMAN and Mr. NEAL of Massachusetts.
H.R. 3181: Mr. FILNER, Mr. WATT of North Carolina, Mr. SPRATT, Mr. EVANS, and Mrs. CLAYTON.
H.R. 3183: Mr. BALLENGER.
H.R. 3189: Mr. MASCARA and Mr. HUNTER.
H.R. 3195: Mr. SCARBOROUGH.
H.R. 3199: Mr. CALLAHAN, Mr. HAYWORTH, Mr. CHAPMAN, Mr. ROYCE, and Mr. CASTLE.
H.R. 3211: Mr. FUNDERBURK, Mr. DICKEY, Mr. BACHUS, Mr. SOUDER, Mr. CHAMBLISS, Mr. NORWOOD, Mr. MONTGOMERY, Mr. CANADY, Mr. WELDON of Florida, Mr. HAYWORTH, and Mr. PAXON.
H.R. 3226: Mr. LEACH, Ms. JACKSON-LEE, Mr. BACERRA, and Mr. GEJDENSON.
H.R. 3280: Mr. YATES and Mr. MCDERMOTT.
H.R. 3294: Ms. JACKSON-LEE and Mr. DORNAN.
H.R. 3303: Mr. ROSE.
H.R. 3307: Mr. FLANAGAN, Mr. ENGLISH of Pennsylvania, Mr. BUNNING of Kentucky, Mr. CANADY, and Mr. LIVINGSTON.
H.R. 3311: Mr. BONIOR and Mr. MASCARA.
H.R. 3332: Mr. CUMMINGS, Ms. VELAZQUEZ, Ms. JACKSON-LEE, Ms. LOFGREN, and Mrs. MINK of Hawaii.
H.R. 3337: Mr. OBERSTAR.
H.R. 3338: Mr. PASTOR, Mr. SALMON, Mr. PETERSON of Minnesota, and Mr. ROHRABACHER.
H.R. 3348: Mr. SANDERS.
H.R. 3354: Mr. WATTS of Oklahoma.
H.R. 3385: Mr. BONILLA, Mr. KOLBE, Mr. FIELDS of Texas, Mr. HALL of Texas, and Mr. STUMP.
H.R. 3401: Mr. FIELDS of Louisiana, Mrs. MEEK of Florida, Mrs. COLLINS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BROWN of Florida, Mr. GONZALEZ, Mr. FRANKS of New Jersey, Ms. JACKSON-LEE, Ms. FURSE, and Mrs. KENNELLY.
H.R. 3449: Mr. SMITH of Texas and Mr. ORTIZ.
H.R. 3450: Mr. HOLDEN and Mr. GOODLING.
H.R. 3462: Mr. FROST, Mr. DAVIS, Mr. WYNN, Mr. EVANS, Mr. LEWIS of Georgia, Mr. WISE, Mr. STARK, Mr. BENTSEN, Mr. RAHALL, Mr. YATES, Mr. FRAZER, and Mr. EHLERS.
H.R. 3463: Mr. DELLUMS, Mr. HILLIARD, Mr. BARRETT of Wisconsin, Mr. NADLER, Mr. FRANK of Massachusetts, and Ms. NORTON.
H.R. 3465: Ms. ROYBAL-ALLARD, Mr. HORN Mr. DURBIN, Mr. FROST, Mr. VENTO, Mr. BARRETT of Wisconsin, Mr. MORAN, Ms. NORTON, and Mr. FAZIO of California.
H.R. 3498: Ms. WOOLSEY, Mr. WAXMAN, Mr. FROST, Ms. NORTON, Ms. PELOSI, Mr. NEAL of Massachusetts, and Ms. LOFGREN.
H.R. 3505: Mr. DOYLE, Ms. NORTON, Mr. WILSON, Mr. KENNEDY of Massachusetts, Mr. NEAL of Massachusetts, Mr. HEFNER, Mr. MASCARA, and Ms. MILLENDER-MCDONALD.
H.R. 3508: Ms. NORTON and Mr. ZIMMER.
H.R. 3520: Mr. LANTOS, Mr. HILLIARD, and Mr. MARTINEZ.
H. Res. 172: Mr. GUTIERREZ, Mr. GREEN of Texas, Mrs. COLLINS of Illinois, Mr. LIPINSKI, Mr. DELLUMS, Mr. LAHOOD, Mr. MANTON, Mr. FROST, Mr. FARR, and Mr. FILNER.
H. Res. 439: Ms. LOFGREN and Mr. WOLF.

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. 1462: Mr. SMITH of New Jersey.
H.R. 1972: Mr. STOCKMAN.
H.R. 2723: Mr. STOCKMAN.

AMENDMENTS

Under clause 6 of rule XXII, proposed amendments were submitted as follows:

H.R. 3322

OFFERED BY: MR. ROEMER

AMENDMENT NO. 25: Page , 25, line 12, strike ''$1,840,200,000'' and insert in lieu thereof ''$1,765,200,000''.

H.R. 3322

OFFERED BY: MR. WAMP

AMENDMENT NO. 26: Page 83, line 1, strike ''$445,668,000'' and insert in lieu thereof ''$450,668,000''.

Page 83, line 10, strike ''$64,991,000'' and insert in lieu thereof ''$86,984,000''.

Page 85, line 10, insert ''of which up to $116,483,000 may be available for fiscal year 1997,'' after ''available until expended,''.

Page 88, line 18, strike ''$308,473,000'' and insert in lieu thereof ''$287,997,000''.

Page 89, line 22, strike ''$39,500,000'' and insert in lieu thereof ''$19,024,000''.

H.R. 3517

OFFERED BY: MS. FURSE

AMENDMENT NO. 1: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used for renovation, repair, or other military construction project in connection with Spinelli Barracks or Taylor Barracks, Mannheim, Germany.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for ''MILITARY CONSTRUCTION, ARMY'' is hereby reduced by $17,400,000.