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No. 82

## House of Representatives

The House met at 10 a.m.

The Reverend Travis Barrick, Koinonia Christian Fellowship, El Cajon, CA, offered the following prayer:

Dear Heavenly Father, there are many in this room who pray for illumination, that they might answer the sacred trust bestowed upon them. May You grant them the mercy of Your wisdom.

Dear Lord, we pray for this wonderful class of pages on their last day here, who have so faithfully served in the Halls of a government that is by, of, and for the people.

Dear God, answer the weakness of our covenant with You, that we may make the whole Earth a little more like heaven in our day, and to protect it from the hell that would be brought upon us by the adversary.

Earnestly we pray, Thy kingdom come, Thy will be done. Amen.

### THE JOURNAL

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

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

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas [Mr. DOGGETT] come forward and lead the House in the Pledge of Allegiance.

Mr. DOGGETT led the Pledge of Allegiance as follows:

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

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, an-

nounced that the Senate had passed a bill and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1406. An act to authorize the Secretary of the Army to convey to the city of Eufaula, Oklahoma, a parcel of land located at the Eufaula Lake project, and for other purposes; and

S. Con. Res. 63. Concurrent resolution to express the sense of Congress that the Secretary of Agriculture should dispose of all remaining commodities in the disaster reserve maintained under the Agricultural Act of 1970 to relieve the distress of livestock producers whose ability to maintain livestock is adversely affected by disaster conditions existing in certain areas of the United States, such as prolonged drought or flooding, and for other purposes.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain ten 1-minute on each side.

### TRIBUTE TO THE GEORGIA SCHOOL FOR THE DEAF

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

Mr. BARR of Georgia. Mr. Speaker, the Georgia School for the Deaf in Cave Spring, GA, this year celebrates a 150-year heritage of service and education to deaf and hard-of-hearing children from all across Georgia. This exceptional school serves children aged 3 through 21, and strives to meet the needs of deaf students through an atmosphere that reflects their self-worth, their integrity, and their ability to communicate.

The teachers and staff at Georgia School for the Deaf are among the most dedicated and caring people you will find anywhere; in any community; in any State. You only have to talk with them for a minute to feel the love they have for these young people. We

must do everything we can to foster and preserve the environment they and their predecessors have built and nurtured at this fine facility in Cave Spring, GA.

It is an honor for me to represent this community, this school, and these people, in this Congress. I salute Georgia School for the Deaf on 150 years of service to our children, and wish them well in the coming years.

To 16-year-old Erickson Young, who daily focuses his attention on this assembly, my hope is that you will stand before this body someday, supported by a solid foundation of education and encouragement found at the Georgia School for the Deaf, in Cave Spring, GA.

### CHINESE-AMERICAN RELATIONS

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

Mr. TRAFICANT. Mr. Speaker, China arrested American businessman William Chen. Chinese spokesmen said, "We suspect this American of illegal imports and his actions were not honorable."

Honorable, Mr. Speaker? China steals American products, China violates every trade law we have. China illegally ships guns to this country for our streets and they talk about honor?

Beam me up, Mr. Speaker. Is it any wonder we have a \$40 billion trade deficit with China? What is our program? When it comes to trade, China puts Americans in jail and the White House rewards China with most-favored-nation trade status. If this is the way to run a country, someone tell me what the secret plan is.

### DAY 53

(Mr. BALLENGER asked and was given permission to address the House

□ 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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for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, small business continues to get the cold shoulder from the Clinton administration.

Recently, I introduced the Small Business OSHA Relief Act. Seventy-five of my colleagues have cosponsored the bill. The bill is entirely made up of provisions that the Clinton administration at one point or another claimed to support. And it would give some needed relief to small business from an agency which is too often unnecessarily adversarial and lacking in common sense.

I wrote the Secretary of Labor on April 15 asking for his comments on the bill. I hoped that he would support it, since it is entirely taken from his and the President's statements of relief they claimed to support for small business.

Well, here we are on June 5 and we still have not even received a response from the Secretary of Labor. I realize that relief for small business from OSHA's excesses does not rank very high on the priority list of the Secretary of Labor. In fact, I don't think that small business concerns are on his priority list at all.

But I guess I shouldn't be surprised that the Secretary of Labor shows no interest and support for legislation to help small business. After all, this administration talks a good line, but does not back up its words with action.

#### INCREASED OUT-OF-POCKET LIABILITY FOR SENIORS

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

Mr. PALLONE. Mr. Speaker, I wanted to point out that the Republican Medicare plan would drastically increase out of pocket costs for seniors citizens. Basically, it is the same thing we had last year. Last year the Medicare bill the Republicans passed doubled the Medicare part B premium from \$46.10 in 1995 to about \$89 in 2002. It would have increased the Medicare premium by \$440 per couple per year. Well, that did not work so now the Republican leadership comes up with another proposal.

This year the new Republican proposal would allow doctors to overcharge seniors for standard medical procedures. According to the Physician Payment Review Commission, a non-partisan panel of experts that advises Congress, this could leave beneficiaries exposed to substantial out-of-pocket liability in the range of 40 percent of their Medicare bill.

Under the Republican plan, a senior needing major surgery, for example, could end up facing thousands of dollars in medical bills which neither Medicare nor Medigap policies would cover. So once again the Republicans are substantially increasing out-of-pocket expenses for seniors. That is what their Medicare plan is.

#### SAVE MEDICARE

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

Mr. DELAY. Mr. Speaker, Medicare needs to be rescued, yet the President and the Democrats prefer to save their own political futures. Millions of seniors will lose their health care benefits if the Medicare system goes bankrupt, yet Bill Clinton and the Democrats would rather scare seniors about plans to protect it.

The Medicare trustees have concluded that Medicare is going broke faster than previously thought, yet Bill Clinton has done nothing to save it. Medicare would not be around for the next generation, yet Bill Clinton runs millions of dollars of ads attacking the Republicans for trying to find ways to preserve it.

Mr. Speaker, who is being responsible when it comes to Medicare, and who is being irresponsible? The answer, to me, is obvious. The White House has taken demagoguery to a new level. They have scared seniors to secure their own political futures.

Mr. Speaker, that is wrong. I urge the White House to change their tactics and join with the Republicans in saving Medicare.

#### SAVE MEDICARE ONCE AGAIN

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

Mr. VOLKMER. Mr. Speaker, in answer to the gentleman from Texas, I would like to know why the radical Republicans under the Speakership of NEWT GINGRICH still are proposing to cut Medicare in order to give big tax breaks to the wealthy? Yes, they lost last year. The President vetoed the bill. Now they are trying again.

Look at their budget. We can see what NEWT GINGRICH says right here. He said it publicly, we are going to let it wither on the vine. We will not cut it this year, but in 7 years it is going to be gone.

Not only NEWT GINGRICH, but what about the Presidential nominee, BOB DOLE? BOB DOLE is very proud of the fact: I was there fighting the fight, voting against Medicare 1 out of 12 because we knew it would not work in 1965.

Yes, they want to get rid of Medicare. That is their whole proposal, and it is not just to get rid of it, it is to give tax breaks for the wealthy. That is where they will get their money.

I say to the American public and I say to the Members of this House, we are not going to do it this year either.

#### IT IS TIME FOR ACTION TO SAVE MEDICARE

(Mr. DOOLITTLE asked and was given permission to address the House

for 1 minute and to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, yesterday the Medicare Board of Trustees, made up entirely of Clinton administration appointees, reported that Medicare is going bankrupt sooner than expected, now projected to be by early in the year 2001.

Last year the Republicans led the fight to save this system with a Medicare Preservation Act. This act increased benefits, attacked waste and preserved Medicare for future generations, and it put the program in sound financial condition.

In that plan we proposed increasing per-person spending by over \$2,000 per year over the course of the next 7 years. But the President vetoed the plan.

Yesterday, Mr. Speaker, the trustees showed yet again it is time for action to save Medicare. Let us hope that the Congress and the President will act cooperatively to save Medicare while there is still time. As the trustees write in their own report, "prompt, effective and decisive action is necessary."

#### IMPACT OF MEDICARE AND MEDICAID CUTS ON HOSPITALS

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

Ms. SLAUGHTER. Mr. Speaker, I rise today to send a warning to my colleagues who believe that Medicare and Medicaid reductions will not reduce the availability of affordable quality health care for millions of low-income children, senior citizens and the disabled.

I would direct all of my colleagues to an article in the June 4 New York Times which illustrates the impact on private hospitals of Medicaid reductions and the explosion of managed care. The result is that many hospitals are in serious financial danger and will ultimately close.

My warning to other Members is to think about their own districts and States. If hospitals in New York can close even before the full implementation of a \$158 billion reduction in Medicare and a \$72 billion reduction in Medicaid, what are the implications for the other States? New York has always taken pride in the level of investment in health care. Can other States make the same claim?

I recognize the need to control Medicare and Medicaid spending, but the Republican budget proposal goes well beyond fiscal responsibility and will result in a reduction in health care services. We can help encourage greater efficiency in hospital operations, we can help encourage the lack of overutilization in hospitals and we can encourage savings, but New York hospitals closing should sound a warning bell to all Members of Congress.

## TOP 10

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

Mr. HEFLEY. Mr. Speaker, we have been desperately trying to find out what the Democrat plan to save Medicare was. I have it in my hands here. I have discovered it, the 10 top ways the Democrats plan to save Medicare.

First of all, No. 10: Blame it on the Republicans. No. 9: If at first you don't succeed, raise taxes. No. 8: Medicare and don't worry about the truth while you are doing it. No. 7: Don't ask, don't tell. No. 6: Blame Ken Starr. No. 5: Deny, deny, deny. No. 4: Check the fingerprints on the trustees' report. No. 3: Blame the rich. No. 2: Charge it. And the No. 1 solution of the Democrats to saving Medicare is: Let it go broke, no one will notice.

#### CUTS IN MEDICARE FOR TAX BREAK FOR THE WEALTHY

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

Mr. MILLER of California. Mr. Speaker, we have seen the Republicans do everything they can to divert the public's attention for what their plan would do to Medicare. In order to save Medicare, the Republicans tell us they have to take away senior citizens' choice of doctors; they have to force them into managed care, where they do not want to go, where they lose control of their health care for themselves and for their spouse. They want them to pay the overcharges for doctors who charge them too much for medical procedures. They want to take away their right to have a Medigap insurance policy so they will not have to pay out-of-pocket charges to those same doctors and hospitals, maybe now forcing them to pay as much as 40 percent in out-of-pocket charges.

And they want to do all that for simply one reason, and that is to gather up the resources of Medicare and give a tax break to the wealthy, not gathering up the resources of Medicare to shore up the system, to bolster the system, to make it solvent, but to take away these resources, to take away the money of the senior citizens, to charge them more, to simply transfer that to a tax cut.

□ 1015

There is another way. The other way is the way President Clinton proposed, which is to shore this system up for 10 years.

#### MEDICARE TRUSTEES REPORT

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

Mr. GOSS. Mr. Speaker, the Medicare trustees, including three Clinton Cab-

net officials, have released their annual report. It is 3 months late and the diagnosis is not good. The part A trust fund is going to be bankrupt in 2001, a full year earlier than was reported last year. Those are the facts. Interestingly enough, this report came just days after the Senate minority leader and a top Clinton Cabinet official accused Republicans of playing politics with Medicare.

It is serious, folks. We have a problem. Mr. Speaker, during my work on the Kerry commission I saw firsthand the consequences of failing to reform Medicare. I was also pleased to work in a bipartisan fashion with colleagues on both sides of the aisle trying to find a long-term solution for this problem. Responsible people did.

Last year Congress sent that responsible solution of real Medicare reform to the President, and the President vetoed it. I say that it is time for the President to stop the medicare, stop the medigogery, encourage the people in his party on that side of the aisle to stop doing it and get to responsible solutions. We have one. We need to identify it and we need it now.

#### DEGRADING ACCUSATION

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

Mr. FRANK of Massachusetts. Mr. Speaker, we should be discussing Medicare, but sometimes decency requires us to deal with unpleasantness. The unpleasantness in this case is an outrageous, inaccurate, degrading accusation by Speaker GINGRICH about the late Ron Brown. Speaker GINGRICH, in what is apparently an organized Republican effort to divert this campaign from discussing the real issues into the kind of negative attacks that maybe they think is the only way they can win, outrageously suggested to a Republican campaign gathering that the President and others delayed the announcement of Secretary Brown's death so that they could engage in some manipulations at his office. It is a lie. The Speaker, when asked, could provide no justification for it.

In fact, we are told in today's paper by the Speaker's press secretary that the justification is that there might be subsequent facts. That is a fairly outrageous standard. Make a terrible accusation and then look and hope for subsequent facts.

Mr. Speaker, I know it is a tough year for the Republican Party. But nothing justifies libeling the dead. Please apologize to the Ron Brown family.

#### MEDICARE TRUSTEES REPORT

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

Mr. BAKER of California. Mr. Speaker, in this fantasy land known as Washington, the truth is rarely heard. As

the little rabbit said in "Alice in Wonderland," things are not as they appear. So when the Medicare trustees, these well-known conservatives such as Labor Secretary Reich, Health Secretary Shalala and Treasury Secretary Rubin got up and said Medicare is going broke, an advanced copy went to the gentleman from Missouri [Mr. GEPHARDT]. He stood up and said, it is all the Republicans' fault. How could that be? How could that possibly be when we have not passed it?

One of the speakers earlier said today hospitals in my area are closing, in anticipation of our plan which has not even gotten out of the House and has not been signed by the President.

What does Medicare really need? This is the Medicare report from the trustees. One year ago they said it was going to go broke in 2002. The top line. Now they are saying it is going to go broke in 2000. Folks, by the year 2001, it will be \$85 billion under water. That is not because somebody has given somebody a tax break.

What does the Republican plan do? It allows doctors and hospitals to directly provide services. It allows HMO's to provide services, allows people to have a medical savings account. It eliminates waste, fraud, and abuse through tort reform and allows seniors to stay where it is. Let us pass reform. Let us stop blaming each other. Let us save Medicare.

#### ACCUSATIONS AGAINST THE LATE RON BROWN

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

Mr. BONIOR. Mr. Speaker, it was 2 months ago this week that Ron Brown and 34 others were killed in a tragic plane crash in Bosnia. For 2 awful days the world waited to hear the word of their fate. Most of us spent that time praying for a miracle. When word of the tragedy came, the outpouring of love and affection across this country was absolutely breathtaking.

But now the Speaker of the House has weighed in with words of venom. Where most people see tragedy, the Speaker sees only coverup. His press secretary backed his words up by calling for an investigation. During times of tragedy, we should respect each other, not tear each other apart. Only someone who loses the public debate would stoop to desperation tactics like this. This is beneath the dignity of the House and the dignity of this great country.

If NEWT GINGRICH has even a shred of decency left, he should apologize not only to the friends and family of those who were killed but to the American people.

#### MEDICARE IS GOING BROKE

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

Mr. SCARBOROUGH. Mr. Speaker, here we go again. Absolutely amazing. Medicare is going bankrupt, and the Democrats are doing absolutely nothing about it. They come up behind the podium just like they did last year, telling us that the Republicans are cutting Medicare when they know it is not the truth. The Washington Post spells it out. Last year during the demagoguery, the Washington Post accused the Democrats of shameless demagoguery to try to scare seniors because "they know that is where the votes are."

Then, Washington Post columnist Robert Samuelson took it a step forward and called the President of the United States and the Democrats liars on Medicare. Why? Because it is clear. Medicare is going bankrupt and the Democrats are doing nothing about it.

They do not care about my 93-year-old grandmother. They do not care about my parents. They do not care about the millions of seniors who will be without Medicare in 5 years if we do not do something about it today.

They do not care. John Lennon wrote a song called "How Do You Sleep at Night." I think it should be their theme song for the 1996 election.

#### LEGISLATION OF THE 104TH CONGRESS

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

Mr. DOGGETT. Mr. Speaker, this House Republican leadership has turned over the job of writing much of our legislation to special interest lobbyists. They gather here at the Capitol weekly to write the Nation's business. So, it is little wonder that now with the election approaching, they have begun a corruption search to cover their own misdeeds.

The latest chapter in this is this callous act of raising these accusations about the death of Ron Brown at the very time his family still grieves. The Speaker said yesterday, Reagan was teflon, Clinton is flypaper, this stuff is going to start to stick.

The only thing stuck around here is this Republican leadership. It is stuck in the gutter because of its own misdeeds and now these callous accusations.

#### WELFARE REFORM

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

Mr. CHABOT. Mr. Speaker, today, once again, we will try to take the President at his word on welfare reform. Only 3 weeks ago President Clinton endorsed the Wisconsin works plan which substitutes work and responsibility for dependence and despair. It was adopted by sweeping bipartisan majorities in the Wisconsin State Legislature. Yet Federal roadblocks still prevent that plan from going into effect.

President Clinton said he endorsed the plan just a couple of weeks ago. He said we should get it done. Now we get hemming and hawing from the administration. In fact, some administration officials signaled that the President did not mean what he said. But maybe they are not being fair to their boss.

The cynics point this out, after saying that he wanted to end welfare as we know it, remember that, the President vetoed welfare reform. Then he vetoed it again. The cynics say that we have to be a bit skeptical of the President's words. But heck with those cynics.

Mr. Speaker, let us give the President what he says he wants and what the people of Wisconsin really do want. To quote the President, "We should get it done."

Let us overhaul the terrible welfare system that we have in this country and let us do it in Wisconsin for the folks there who want to overhaul the welfare system.

#### COMMERCE SECRETARY RON BROWN

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

Ms. DELAURO. Mr. Speaker, once again House Speaker NEWT GINGRICH has gone too far. He is alleging that the Commerce Department workers might have shredded documents after Secretary Brown's fatal crash in Croatia and that the staff delayed reporting this airplane crash with 26 incredible Americans on board. According to Gingrich's staff, the Speaker is, and I quote, "Suggesting there might have been a coverup to get rid of Brown's papers after he died."

This is extreme. It is irresponsible. It is not the behavior of a congressional leader.

When questioned about it, the Speaker's office responded, and I again quote, "I think they are serious allegations, if subsequent facts support them, if subsequent facts support them, I think it is something other news outlets ought to look at and other agencies."

In other words, we are going to make an outrageous allegation and then we are going to hope that eventually someone comes up with the facts to support it.

Has not the family of Commerce Secretary Ron Brown suffered enough? Speaker GINGRICH, who did not even attend the funeral, owes the Brown family a public apology for making this irresponsible and fictional allegation.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The Chair admonishes Members not to refer to the President in terms personally offensive, as occurred during the remarks of the gentleman from Florida.

#### A BALANCED BUDGET

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

Mr. LINDER. Mr. Speaker, the last 20 minutes discussion on Medicare is only a symbol of what has been wrong in this town for 30 years. This body and the other has been voting benefits to America's citizens and said do not worry, you are not going to have to pay for them. We are going to pass this bill on to your grandchildren. That is why we must have a balanced budget and a balanced budget amendment and it makes sense.

But more than just common sense. It is a promise to our children and grandchildren that we will not continue runaway government spending at their expense. When my grandsons are old enough to ask me, I do not want to have to explain to them why they are paying \$3,500 every year in taxes just for interest on the national debt and why over their lifetime they will pay \$187,000 in taxes just to pay interest on the debt.

I refuse to say to them, your future is mortgaged and your country is bankrupt. That is why House Republicans have kept their promise to the American people and passed the balanced budget amendment. Now the Senate can do the same. All we need is for President Clinton to keep his word.

Governor Clinton supported a balanced budget, but last year President Clinton persuaded six Democrat Senators to change their vote and defeat the amendment. I hope the President will begin to get his actions in step with his words.

#### BASELESS ALLEGATIONS

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

Mr. LEWIS of Georgia. Mr. Speaker, I read with disbelief an article in the Washington Post this morning. It reported that the Speaker of this House has made baseless, unsubstantiated allegations about our late Secretary of Commerce, Ron Brown.

Ron Brown died in service to his country just 2 short months ago when his plane crashed during a trade mission to Bosnia. The Brown family is still in mourning, but for the Speaker of the House the death of this great man is something to be exploited for political gain.

Mr. Speaker, how low will you go? Is there a shred of decency left in your body? Is there anything you would not say for partisan political gain. You bring disrespect to yourself and to this institution by making such outrageous and baseless charges.

You owe us all an apology. You owe the Brown family an apology. You owe this Congress an apology and you owe this Nation an apology.

Mr. Speaker, you might not be the most unpopular public figure in history

if you started showing a little common decency and respect.

□ 1030

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

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

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

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Is there objection to the request of the gentleman from New York?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 3562, WISCONSIN WORKS WAIVER APPROVAL ACT

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 446 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 446

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3562) to authorize the State of Wisconsin to implement the demonstration project known as "Wisconsin Works". The amendment printed in section 2 of this resolution shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto final passage without intervening motion except: (1) one hour of debate on the bill, as amended, which shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means or their respective designees; (2) one motion to amend by Representative Kleczka of Wisconsin or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

SEC. 2. The amendment to the bill considered as adopted pursuant to the first section of this resolution is as follows:

In section 1(d) of the bill, strike "subsection (b)(2) exceeds the amount described in subsection (b)(1)" and insert in lieu thereof "subsection (b)(1) exceeds the amount described in subsection (b)(2)".

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for purposes of debate only, I yield 30 minutes to my good friend, the gentleman from Boston, MA [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

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

Mr. SOLOMON. Mr. Speaker, House Resolution 446 is a modified closed rule providing for consideration of H.R. 3562, the Wisconsin Works Waiver Approval Act. The rule provides 1 hour of debate, equally divided and controlled by the chairman and ranking member of the Committee on Ways and Means or their respective designees. The rule allows one amendment to be offered by the gentleman from Wisconsin [Mr. KLECZKA] and provides 1 hour of debate on the amendment, to be equally divided and controlled by the proponent and an opponent. The rule provides that an amendment contained in section 2 of the resolution shall be considered as adopted. This change to the bill is necessary to correct a technical drafting error which has been cleared with the minority.

Finally, this rule provides one motion to recommit, with or without instructions. The rule before the House is abundantly fair. It makes in order a minority substitute and provides adequate debate time. It was reported by the Committee on Rules yesterday by a voice vote, noncontroversial.

Mr. Speaker, the legislation before the House this morning is proceeding on an admittedly hurried timetable, out of sincere desire to accommodate the President of the United States. On May 19, 1996, President Clinton announced his support for Wisconsin's landmark welfare reform plan and suggested it be implemented immediately. He said, "The plan has the makings of a solid, bold welfare reform plan." He intoned that to his radio listeners. He said further, "We should get it done now."

Mr. Speaker, if someone who had not followed this issue had heard the President's radio address, they might easily come away with the impression that this is a man who supports real welfare reform. As with all things, he sounded perfectly convincing. The record, Mr. Speaker, is quite another story. The President has vetoed genuine and compassionate welfare reform on two separate occasions, once in the context of a bill to balance the budget in 7 years, a terribly important bill; another, the stand-alone welfare bill, he vetoed in the middle of the night, during a huge snowstorm here in Washington.

Mr. Speaker, the Wisconsin Works plan ironically contains many of the features of the two welfare reform bills that President Clinton has already vetoed. It requires, and this is so, so im-

portant, it requires work, contains a time limit on benefits, and it ends the auto pilot spending that has busted Federal and State budgets for the past two decades, and even more.

Mr. Speaker, over the next few hours, we will hear Members on the other side of the aisle suggest that we should let the waiver process work and allow for adequate time for Federal officials to study this. They are going to say that in just a few minutes. This is essentially, Mr. Speaker, a defense of the status quo, and that is not good enough. It is essentially a defense of the convoluted and failed national welfare system. We all know what that has done.

Mr. Speaker, the present waiver process, in which innovative Governors trudge to Washington to receive a blessing to implement new welfare reforms, is an absolute sham. Mr. Speaker, if the States received block grants of the sort envisioned in our welfare reform bills, rejected by the President, Governors would not need to make this embarrassing pilgrimage here to Washington.

Under the present system, after a State legislature and a Governor have approved a measure which requires Federal waivers, Federal bureaucrats then are free to change those requests, to stall them, to deny them completely, and they often do. These bureaucrats view the requests for waivers from Federal rules as a negotiation in which details could be changed.

Mr. Speaker, this is how the White House Deputy Chief of Staff, Harold Ickes, described the process just 3 days after the President endorsed the Wisconsin Works plan. Evidently, they were not working together or seeing eye to eye or something.

Members of the House yesterday in the Committee on Rules, we heard testimony that several States, including California, including the State of the gentleman from Florida [Mr. GOSS], have waivers pending for welfare reform before this President.

If Congress takes no action this year in the direction of welfare reform, my State of New York will be forced to present a lengthy list of waivers necessary in order to implement proposed welfare changes from Governor Pataki's budget, which is already busted and has to be fixed.

Mr. Speaker, the way to ensure that this is not necessary is to pass yet another comprehensive welfare reform bill, which we will do in just a few weeks, and for President Clinton to courageously sign it, not to veto it and talk different each time.

This waiver process for Wisconsin and the debate it has engendered is in itself an argument for our larger welfare reform bill. We have to get it out here and get it passed as soon as possible. If the President sees fit to approve these necessary and very compassionate policy decisions for one State in the country, why not sign a comprehensive national program of welfare reform?

The debate today will range to classic issues of federalism: How much control should the Federal Government have over local and State policies to assist the underprivileged in America? That is what this debate is going to be all about here today. The Congress has committed on two occasions to a policy of block grants for the States, to allow them to utilize their resources as they see fit to grapple with the problem of poverty, but the argument that we should reject this fast track approval of Wisconsin's welfare plan because we

need more time for Federal officials to study this program which has been going on for 40 years reflects a lack of compassion toward the families who are trapped in the current welfare system and its cycles of dependency. We have to stop that.

The way to do it is to test this pilot program in Wisconsin, which has already reduced under the first plan by Governor Tommy Thompson, has already reduced the caseload by 39 percent. If we can do that in New York State, my goodness, what that would

mean to the taxpayers that have to support county and local taxes by their property taxes? Let us get on with it. Let us pass this rule and pass this bill.

Mr. Speaker, I include for the RECORD a document entitled "The Amendment Process Under Special Rules Reported by the Rules Committee, 103rd Congress versus 104th Congress."

The information referred to is as follows:

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,<sup>1</sup> 103D CONGRESS V. 104TH CONGRESS

[As of June 5, 1996]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open <sup>2</sup> .....	46	44	71	59
Structured/Modified Closed <sup>3</sup> .....	49	47	32	27
Closed <sup>4</sup> .....	9	9	17	14
Total .....	104	100	120	100

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

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

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

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

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of June 5, 1996]

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

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

[As of June 5, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241-173 A: 375-39-1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304-118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344-66-1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth.	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231-194 A: 227-192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235-184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228-191 A: 235-185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237-190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241-181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216-210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220-200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 223-182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220-185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 229-176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239-181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223-183 A: 228-184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands	
H. Res. 309 (12/18/95)	C	H.Con. Res. 122	Budget Res. W/President	PQ: 230-188 A: 229-189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive	A: voice vote (12/20/95).
H. Res. 323 (12/21/95)	C	H.R. 2677	Natl. Parks & Wildlife Refuge	Tabled (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2854	Farm Bill	PQ: 228-182 A: 244-168 (2/28/96).
H. Res. 368 (2/28/96)	O	H.R. 994	Small Business Growth	
H. Res. 371 (3/6/96)	C	H.R. 3021	Debt Limit Increase	A: voice vote (3/7/96).
H. Res. 372 (3/6/96)	MC	H.R. 3019	Cont. Approps. FY 1996	PQ: voice vote A: 235-175 (3/7/96).
H. Res. 380 (3/12/96)	MC	H.R. 2703	Effective Death Penalty	A: 251-157 (3/13/96).
H. Res. 384 (3/14/96)	MC	H.R. 2202	Immigration	PQ: 233-152 A: voice vote (3/21/96).
H. Res. 386 (3/20/96)	C	H.J. Res. 165	Further Cont. Approps	PQ: 234-187 A: 237-183 (3/21/96).
H. Res. 388 (3/20/96)	C	H.R. 125	Gun Crime Enforcement	A: 244-166 (3/22/96).
H. Res. 391 (3/27/96)	C	H.R. 3136	Contract w/America Advancement	PQ: 232-180 A: 232-177, (3/28/96).
H. Res. 392 (3/27/96)	MC	H.R. 3103	Health Coverage Affordability	PQ: 229-186 A: Voice Vote (3/29/96).
H. Res. 395 (3/29/96)	MC	H.J. Res. 159	Tax Limitation Const. Amdmt.	PQ: 232-168 A: 234-162 (4/15/96).
H. Res. 396 (3/29/96)	O	H.R. 842	Truth in Budgeting Act	A: voice vote (4/17/96).
H. Res. 409 (4/23/96)	O	H.R. 2715	Paperwork Elimination Act	A: voice vote (4/24/96).
H. Res. 410 (4/23/96)	O	H.R. 1675	Natl. Wildlife Refuge	A: voice vote (4/24/96).
H. Res. 411 (4/23/96)	O	H.J. Res. 175	Further Cont. Approps. FY 1996	A: voice vote (4/24/96).
H. Res. 418 (4/30/96)	O	H.R. 2641	U.S. Marshals Service	PQ: 219-203 A: voice vote (5/1/96).
H. Res. 419 (4/30/96)	O	H.R. 2149	Ocean Shipping Reform	A: 422-0 (5/1/96).
H. Res. 421 (5/2/96)	O	H.R. 2974	Crimes Against Children & Elderly	A: voice vote (5/7/96).
H. Res. 422 (5/2/96)	O	H.R. 3120	Witness & Jury Tampering	A: voice vote (5/7/96).
H. Res. 426 (5/7/96)	O	H.R. 2406	U.S. Housing Act of 1996	PQ: 218-208 A: voice vote (5/8/96).
H. Res. 427 (5/7/96)	O	H.R. 3322	Omnibus Civilian Science Auth.	A: voice vote (5/9/96).
H. Res. 428 (5/7/96)	MC	H.R. 3286	Adoption Promotion & Stability	A: voice vote (5/9/96).
H. Res. 430 (5/9/96)	S H.R. 3230	DoD Auth. FY 1997	A: 235-149 (5/10/96).	
H. Res. 435 (5/15/96)	MC	H. Con. Res. 178	Con. Res. on the Budget, 1997	PQ: 227-196 A: voice vote (5/16/96).
H. Res. 436 (5/16/96)	C	H.R. 3415	Repeal \$43 cent fuel tax	PQ: 221-181 A: voice vote (5/21/96).
H. Res. 437 (5/16/96)	MO	H.R. 3259	Intell. Auth. FY 1997	A: voice vote (5/21/96).
H. Res. 438 (5/16/96)	MC	H.R. 3144	Defend America Act	
H. Res. 440 (5/21/96)	MC	H.R. 3448	Small Bus. Job Protection	A: 219-211 (5/22/96).
		H.R. 1227	Employee Commuting Flexibility.	
H. Res. 442 (5/29/96)	O	H.R. 3517	Mil. Const. Approps. FY 1997	A: voice vote (5/30/96).
H. Res. 445 (5/30/96)	O	H.R. 3540	For. Ops. Approps. FY 1997	A: voice vote (6/5/96).
H. Res. 446 (6/5/96)	MC	H.R. 3562	WI Works Waiver Approval	

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

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

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

Mr. Speaker, as four members of the Wisconsin delegation said yesterday in the Committee on Rules, these waivers have absolutely no business in the House of Representatives. Although I will not oppose this rule, I urge my colleagues to support the Obey substitute, which will allow the people of Wisconsin 30 days to comment on the waivers.

The substitute of the gentleman from Wisconsin [Mr. OBEY] says quite simply that if the Wisconsin welfare bill does what Governor Thompson says it will, then grant the waivers and let them get on with the business of helping people get off welfare and into jobs. If the bill does not do what the Governor says it will, then change it until it does.

Mr. Speaker, unfortunately, it is really not that simple. Unfortunately for the entire country, this issue, the issue of how the State of Wisconsin reforms its welfare system, has reached the level of Presidential politics, and heaven help Wisconsin. Now that the Presidential race has been swept up in

the issue of Wisconsin welfare, we will not hear the end of it for a while.

It is not enough, Mr. Speaker, that this welfare bill overwhelmingly passed the Wisconsin State legislature. It is not enough, Mr. Speaker, that Democrats and Republicans have supported it. It is not enough, Mr. Speaker, that President Clinton supported the goals of the plan in his radio address, despite its being offered by a Republican Governor. Now my Republican colleagues are smarting politically and they want revenge.

Mr. Speaker, the entire House of Representatives, all 434 or 435 Members who represent 50 States, have to vote on a 600-page waiver request for a bill which will affect only one State, and not, and I want to make this very clear, and not until October 1997. As far as I am concerned, Mr. Speaker, since 60 percent of this money to fund this program will come from the Federal taxpayers, it should have to go through the same approval system that all other waivers do; incidentally, the same approval system that has never denied a waiver from the State of Wisconsin, the same approval system that

has already approved waivers from 40 States.

As far as I am concerned, Mr. Speaker, it is politics. It should be reviewed and approved by the staff people at the Department of Health and Human Services, whose only job is to make sure that the Federal tax dollars are not spent in violation of Federal law. This department has already approved, as I said, waivers for 40 States. I expect there will be no problem with the Wisconsin waivers, especially since President Clinton says he supports the goals of the plan.

The Wisconsin plan, and I would like people to listen to this, this Wisconsin plan that we have before us today was submitted to the White House on May 29, 1996, 2 weeks ago. The Governor of Wisconsin at that time asked that the waivers be granted by August 1, 1996, which gives us plenty of time. We do not need legislation. The waivers will not go into effect again until October 1997.

I have no idea what this plan is doing here, Mr. Speaker, unless it is pure partisan politics. It should not be before the Congress when the White House as yet does not even have it for 3 weeks.

But my Republican colleagues, in order to help the Dole Presidential campaign, are going to shove these waivers down the throat of Congress, even when the Governor of Wisconsin himself has said he does not need them until October 1, 1996.

Mr. Speaker, I urge my colleagues, I am not going to oppose the rule, but I urge my colleagues to support the Obey substitute. Let us make sure that this plan does what it is supposed to do. Let us make sure that the American people are given their promised 30-day comment period. Let us not blindly waive 88 Federal laws just to help the Dole Presidential campaign.

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

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

Mr. Speaker, let me assure the members, we are not doing this to help the Dole campaign. I wish it were New York State applying for these waivers. We need it desperately in our State. Let us do it.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida, Mr. PORTER GOSS, a very valuable member of the Committee on Rules.

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

Mr. GOSS. Mr. Speaker, I commend my good friend, the gentleman from Glens Falls, NY [Mr. SOLOMON], the distinguished chairman of the Committee on Rules, for his very diligent work in seeking cooperation and receiving it from the minority in crafting this rule. In fact, Mr. Speaker, this is an extremely fair rule, providing the minority with a substitute, as was requested, along with a traditional motion to recommit, in effect giving those opposed to this measure two opportunities to propose changes. I think anybody would agree that is exceedingly fair.

Mr. Speaker, welfare reform is one of the most challenging and overdue matters pending before this Congress and this country. The welfare state, for all the social engineering and the trillions, in excess of \$5 trillion of taxpayers' dollars over the past 40 years, has failed to bring people out of poverty or to break the cycle of dependency that we all see and are upset about.

On the contrary, the policies of Big Brother government have indisputably contributed to the very problems they were originally built to solve. Even our President recognizes the need to fix this failure of big government. He made it a celebrated campaign issue 4 years ago.

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But unfortunately, his campaign rhetoric has yet to translate into concrete action at the White House, even though Congress has twice passed real welfare reform.

I say again, President Clinton, the man who, while in search of the White House 4 years ago, promised to end wel-

fare as we know it, has rebuffed workable welfare reform that we have passed. Now States such as my home State of Florida are anxiously left hanging, awaiting reform at the national level. The wages program in Florida that passed through both the Florida House and Senate without a single "no" vote is predicated on action by President Clinton, action that was promised and action that has never happened.

Florida's approach was designed to fit the unanimously passed National Governors' Association plan, which closely resembles our H.R. 4, which is the true reform plan that President Clinton vetoed.

The bill before us today focuses on the State of Wisconsin's Wisconsin Works Program, which has taken tremendous steps toward restoring the work ethic and emphasizing the American values of responsibility and opportunity.

What the people of Wisconsin have done by an overwhelming vote, and I congratulate them, is create a system that reinforces the importance of a job. A remarkable thing about the Wisconsin plan is that it will eliminate the cycle of dependency that our current system regrettably fosters.

By requiring recipients to work, whether in a transitional job, a community service job, or a minimum- or low-wage job, the system will help individuals become productive members of our society. This is a bipartisan program that has the endorsement of the President of the United States by his own publicly spoken words. Yet, despite this extraordinary accomplishment, Wisconsin finds itself stymied by the old entrenched Federal regulation and redtape that have bound so much in Washington, and that is why we are here today. This bill will cut away the Federal shackles and let Wisconsin Works work.

Wisconsin's experience and Florida's experience and those of many other States raise the question of why this process is necessary in the first place.

My Republican colleagues and I favor ending the centralized, Washington-knows-best system that requires States to get Federal blessing when they attempt to solve the real problems in their State or to end the status quo that is killing them. That is what our comprehensive welfare reform proposals are all about, sending decisionmaking power back home to the States, closer to home, closer to the people.

In the next few weeks, we will be sending President Clinton another welfare reform bill. This time America will be watching ever more closely to see if he honors his campaign promises and actually signs the bill. In the meantime, I urge support for this rule and this bill because at least it allows one of our great 50 States to get on with the job of reform.

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

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

Mr. MOAKLEY. Mr. Speaker, the gentleman alluded to the bureaucratic redtape. Will the gentleman yield that this proposal has only been before the White House less than 2 weeks?

Mr. GOSS. Mr. Speaker, reclaiming my time, I take the gentleman at his word. We are trying to expedite a good idea, and I have seen 2 weeks stretch into many years at the White House. Let us hope that we can preclude that.

Mr. MOAKLEY. Mr. Speaker, if the gentleman will yield further, would the gentleman also agree that every waiver that Wisconsin asked for has been granted in the past?

Mr. GOSS. I have no idea about that. I am sure we will hear it in the debate.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. BARRETT], who testified very well before the Committee on Rules.

Mr. BARRETT of Wisconsin. Mr. Speaker, welcome to Presidential politics, 1996, Wisconsin style. We are fortunate today to have the Presidential campaign brought to my home State and most particularly the district that I represent, because I represent the most people in this country that are going to be affected by this legislation. But I think it will be interesting just to give you a little history about how this came about, why this issue is here before us.

Wisconsin has been working on welfare reform for some time. They held many hearings, they passed a bill, and they asked the presumptive nominee, Senator DOLE, if he would attend the signing of this bill. They thought it would be a good opportunity to get his name in front of the American people on welfare reform.

Well, he did not show up, and they were frustrated, because he did not come to our State, the Governor asked him to come, and he was not there when they signed this bill into law.

A couple of weeks later, President Clinton announced that he was going to be attending a summit with Chancellor Kohl in the city of Milwaukee. It was going to happen on a Thursday. No doubt, the Dole campaign heard about this and thought, How can we upstage the President in Wisconsin? They said, I know what we will do, we will go to Wisconsin 2 days before the President is going to be there and we will blast him on welfare reform.

So they set up the entourage, and they were all set to blast the President on welfare reform. Well, the President, of course, got wind of this and thought, Why should I let him get in front of me on this issue when I support the welfare program and the welfare changes in Wisconsin as well? So in his Saturday evening address, he told the American people that he supports the aims and the goals of the Wisconsin welfare program.

Once again, the Dole campaign was just sputtering, they were so frustrated that the President of the United States supports an issue that they support,

that he is actually attempting to take an issue that they consider to be a Republican issue and take it as his issue. They just, their frustration, you could almost see it in their eyes, because now here is the President of the United States, the leader of the entire country, saying that he favors welfare reform.

Well, now, this is not an issue that came out of the blue, especially as it relates to President Clinton, and especially as it relates to the State of Wisconsin, because nine times the State of Wisconsin has come to President Clinton and asked him for a waiver. Has he turned them down? Not a single time. Every single time the State of Wisconsin has come to President Clinton and asked him for a waiver, he has granted it.

Never before have we had to have this expedited process on the floor of the House of Representatives to grant the waiver by Congress. Why have we not? Because we were not in the middle of a Presidential campaign then. Now, we are in the middle of a Presidential campaign. Now, the Republicans have to take this issue, which is essentially a bipartisan issue, and they go back to their room and they sit down and they say, all right, darn it, he has got us on this one. He is in favor of this plan in Wisconsin. How can we take this bipartisan issue and make it a partisan issue? How can we try to drive a wedge in this process? So the solution is, let us not let the American public comment on this waiver request at all. Let us shut them out entirely.

Now, you will hear from my colleagues on the other side that there were 18 months of hearings that the legislature acted on this, they acted on it on a bipartisan basis, and every one of those statements is true, that is exactly what happened.

But what happened next? Next, Governor Thompson took out his partial-veto pen. He has the largest partial-veto power of any Governor in this Nation, and 97 times he went through this document and used his partial-veto pen; 97 times he crossed out words or phrases or sections that affected 27 different topics. Since that date, since Governor Thompson exercised his item veto power 97 times, we have not had a single opportunity for public input on this measure.

So the measure that is before us is not exactly the measure that was before the Wisconsin Legislature where you had all of those hearings, no. What we have before us is a product that was molded by one person in this country, one person, the Governor of the State of Wisconsin.

So what do the Republicans decide to do? They say well, let us go and let us try to embarrass the President. Let us take the olive branch that he has extended to us, let us break it in half and shove it in his eye. Let us try to make this bipartisan issue a partisan issue.

How do they do it? For the first time in our Nation's history, this House of

Representatives is considering a stand-alone bill that will grant a waiver.

Now, you would think if this is the first time in our Nation's history that we are going to do this, that at least you would have some public hearings, at least it would be referred to a committee, but no, not on your life. This is the plan that Governor Thompson says is going to be a model for the Nation. You would think that they would want to have a lot of sunshine placed on this plan, that a lot of people would want to see what is in this great waiver request. Exactly the opposite of what is happening here.

Instead, Governor Thompson delivers it to the White House last Thursday, 1 week ago today. My office received its copy from the State of Wisconsin 2 days ago, 48 hours ago. I would bet there is not a single Member of this body who has read this waiver request, yet the House of Representatives today is going to be asked to approve this, 600 pages of waivers, without a single bit of public input.

Mr. Speaker, that is not the way we should be doing business in this Congress, that is not the way we should do doing business for the American people. The American people have a right to be heard.

At his press conference, Governor Thompson said, yes, there are going to be speed bumps along the way in this program. Well, Mr. Speaker, those speed bumps just happen to be real people in some instances, real people. Women with infants 4 months old. I do not refer to women with infants 4 months old as speed bumps, and I think that we have an obligation here to try to listen to the concerns that we hear from the American people and the people of the State of Wisconsin.

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

Mr. BARRETT of Wisconsin. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, is it true that Governor Thompson just asked that this be acted on by August 1, 1996, to take effect in October 1997?

Mr. BARRETT of Wisconsin. Mr. Speaker, that is correct. In his waiver request, Governor Thompson asks that the administration act on this by August 1.

Mr. MOAKLEY. All right. To take effect in October of 1997.

Mr. BARRETT of Wisconsin. To take effect in October of 1997, that is correct.

Mr. MOAKLEY. So there is no reason for expedited procedures at this time?

Mr. BARRETT of Wisconsin. Oh, no. There is a reason. Presidential politics, that is the only reason.

Mr. MOAKLEY. That is what it is. I am sorry. I overlooked that.

Mr. SOLOMON. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin [Mr. NEUMANN], who will be carrying this legislation.

Mr. NEUMANN. Mr. Speaker, I thank the chairman, and I certainly would like to commend the chairman on de-

veloping a rule here that recognizes the right of minority and respects the rights of the minority so all may be heard on this issue.

I am a new Member of this Congress, this is my first term, and one thing I have learned since coming to Washington is that once I get out in the city, things that seem so logical back home in Wisconsin get tipped right upside down. I thought partisan politics is when one side of the aisle develops something and, because they were in the majority, forced it on the other side.

Here we have a situation where a Democrat President came into the State of Wisconsin and said, I support this plan, let us get it done. You have a freshman Republican here on the floor of the House of Representatives presenting a bill that literally gives the President, that Democrat President, exactly what he asked for. This is not partisan politics; this is bipartisan politics.

In Wisconsin, when the Democrats and the Republicans work together to craft legislation and to get a job done, such as they have done in the Wisconsin Works Program under Gov. Tommy Thompson, when the Democrats and the Republicans get together for the same purpose to get a job done, we call that bipartisan, not partisan, and that is in fact what is going on here.

But this bill is not about Presidential politics. This bill is about giving the people in the State of Wisconsin the right to implement the program that they have debated for 18 months. Somebody out here just said that there was no debate on this. It has been debated for 18 months, by public input by the very people who are going to be affected by this program; 18 months of debate in the State of Wisconsin.

What came out of that 18 months of debate in the State of Wisconsin? Well, they passed it. They did not pass it with Republicans all voting one way and the Democrats all voting another way. They passed it with a two-thirds vote in their assembly and a three-quarter vote in their Senate. As a matter of fact, even the majority of the Democrats voted for this bill in the State of Wisconsin.

I do not see what we are all out here debating. We have a bill that has been debated for 18 months in the State of Wisconsin, received a two-thirds vote, more than a two-thirds vote in both Houses of the State. The President of the United States, who supports the bill, I do not see why in the world we would not just say to Wisconsin, go ahead and do it. That is what this is all about, it is about common sense.

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

Mr. NEUMANN. I yield to the gentleman from Wisconsin.

Mr. KLUG. Mr. Speaker, let me make a fundamental point in all of this, and that is the fact that even though Washington occasionally promises us that they are going to get waivers, they

wait. This is an indication that right now there are 28 welfare waivers involving 19 States, 5 of them involving Democratic Governors, where we are waiting for Washington to act.

That is why it is necessary to come to the floor today. And the sense that somehow this is a ginned-up Republican operation, the fact is that the President said he was in favor of the Wisconsin plan, and we are trying to expedite the process. In fact, we have some applications pending back to September 20, 1993, and that is the Democratic Governors of Maryland and Florida and Hawaii, who are simply waiting for Washington to act.

My colleague from Wisconsin is absolutely right, that we want to get these waivers done and we want to get them done as quickly as possible. If the promise is just turn them over to Labor-HHS and we will get them done, well, fine, we will be back here in 1998 asking where they are.

Mr. NEUMANN. Mr. Speaker, reclaiming my time, I would just like to point out that this is about more than that too. It is about the people in Wisconsin being asked to pass this legislation and then coming hat in hand and asking the bureaucrats in Washington, DC, 900 miles from the State of Wisconsin. I have to tell my colleagues, I have a lot of faith in the people of Wisconsin.

My colleague who just spoke in opposition to this from Wisconsin, I have to ask the gentleman, do you not have confidence in Representative Tim Carpenter, a Democrat from your district who voted for this bill, and Representative Dave Cullen, Democrat in your district who voted for this bill, Representative Jeanette Bell in your district, another Democrat?

□ 1100

The point here is that both the Democrats and the Republicans in the State of Wisconsin want this to happen. I see absolutely nothing that would lead me to believe that the people here in Washington, DC can Washingtonize this Wisconsin plan and make it better than the people in the State of Wisconsin. I believe the people in the State of Wisconsin have the knowledge, the wisdom, and the compassion to pass a good welfare reform plan for the State of Wisconsin.

Mr. MOAKLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, in response to the gentleman who asked me a question but did not give me time to respond, I have tremendous confidence in them. I have tremendous confidence in every elected official in the State of Wisconsin. That does not mean I have tremendous confidence in every elected official in the State.

Here we see this horrible chart about 28 waiver requests currently pending back to September 1993. There is not a single Wisconsin waiver request that is

more than a week old. So if this is your concern, then we should have a bill before us dealing with all those waiver requests. But, no, this is not about waiver requests. This is 100 percent about Presidential politics and sticking it to the President.

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

Mr. Speaker, much has been said about the President's statement here, how he is in favor of the Wisconsin plan, he is in favor of the makings of this plan, but let me read what he actually said. He says, "All in all, Wisconsin has the makings of a solid, bold welfare reform plan. We should get it done. I pledge that my administration will work with Wisconsin to make an effective transition to a new vision of welfare based on work that protects children and does right by working people and their families."

So he did not say he is going to rubber stamp anything that Wisconsin comes in with. That is why it is so important that HHS have this, to go over it and make sure that it is the proper thing.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Ms. WOOLSEY].

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, the goal of welfare reform is to move recipients into permanent jobs and make their families stronger. Will the Wisconsin plan do that? How can we know?

The Republicans are rushing through these waiver requests without giving the administration or Members of Congress time for review. Even worse, they are not giving the citizens of Wisconsin time to comment on the plan.

In the 1 week since the Governor of Wisconsin delivered the request for these waivers to the White House, the administration has received more than 300 letters commenting on the effects of the waivers, letters that will not be considered. I received a letter from the Wisconsin Conference of Churches. Their letter expressed strong opposition to any bill which bypasses the normal 30-day comment period.

Could it be that the Governor of Wisconsin and some of my colleagues on the other side of the aisle do not feel the Wisconsin plan will hold up under normal scrutiny? Do they share the concern of the Children's Defense Fund, the Wisconsin Conference of Churches and others that a timely review of the Wisconsin welfare plan will reveal that this plan will weaken the safety net for poor children?

I do not know the answer to this question. The truth is that no one does. There has not been enough time to review the waiver requests, to fully understand their effect on poor children in Wisconsin.

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

Ms. WOOLSEY. I yield to the gentleman from Wisconsin.

Mr. KLECZKA. Mr. Speaker, shortly the gentlewoman will be asked and 434 other Members of Congress will be asked to vote for and to approve 88 waivers for this welfare plan. Has she had an opportunity or has her office received a copy of these waivers?

Ms. WOOLSEY. No; we have not.

Mr. KLECZKA. Does the gentlewoman mean to tell me that she is going to be asked to vote on a major, major piece of legislation today and she has never read what she is voting on?

Ms. WOOLSEY. That is the case. That is not fair to the children of Wisconsin. Let us vote against this bill. Let us take time to shed light on the Wisconsin plan. Let us be sure that the children of Wisconsin have a chance to grow into healthy, responsible adults. Therefore, I urge my colleagues to support the Obey substitute.

Mr. MOAKLEY. Mr. Speaker, would you inform the gentleman from New York [Mr. SOLOMON] and myself about the remaining time?

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The gentleman from Massachusetts [Mr. MOAKLEY] has 14 minutes remaining and the gentleman from New York [Mr. SOLOMON] has 13½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 11 minutes to the gentleman from Wisconsin [Mr. KLECZKA] who presented a great case at the Rules Committee yesterday.

Mr. KLECZKA. I thank the ranking member of the Rules Committee for yielding me the time.

Mr. Speaker, what I would like to do is first of all talk about the rule, since we are on the rule, for a brief time, and then we will talk about some other things.

We were not accused, but it was noted at the Rules Committee yesterday that the Democrats who were there asking for a substitute amendment were very animated and there was pounding and clapping, and one of the Republican senior Members made note of that. My response was that for the Democrats to get an opportunity to offer a substitute amendment comes so infrequently and is so rare that we thought if we did a lot of animation, we would have a rule that would provide for a substitute amendment. I want to thank the gentleman because it worked.

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

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

Mr. SOLOMON. The gentleman knows that the minority, whether it be Republican in the past, Democrat now, they always get their substitute. We do everything we can to bend over backwards 90 percent of the time, and the gentleman knows that.

Mr. KLECZKA. Let me reclaim my time and indicate to the membership, who know better than I do, that substitute amendments to legislation coming before the House are rare this

session under Republican control. The best we can do is a motion to recommit, and there are not 3 people sitting out there watching C-Span who know what the heck that is, but it is good cover.

But as far as the rule goes, I do want to thank my good friend from New York, Mr. SOLOMON, for permitting a substitute amendment which we will offer in a short time before this body. But let us review and try to set straight what is at issue here. What are we doing?

Well, the Governor of the State of Wisconsin has asked the President and the administration to approve 88 separate and distinct waivers so Wisconsin can implement a welfare change, a change which I should add that I support for the most part. But the issue today, Mr. Speaker, is not welfare reform, and it is not welfare reform because we are going to have that debate within a couple of weeks on this floor.

There is a product being developed as I speak in the Committee on Ways and Means, where I serve, that will provide for a radical change in the welfare laws of this country. It is a redo of a product that has been vetoed, and as far as I am concerned, and as my Republican colleagues know, I supported the last welfare reform bill and I will probably be supporting this one.

So the issue before us is not whether or not we should reform welfare. That is not the issue today. Let us not make it the issue today. The issue today is nothing other than process.

The Governor a week ago has asked the administration to approve 88 distinct waivers. Normal process would be that there is a 30-day comment period. For what reason? So the public, who is paying the tab, can come forward and have their opinions noted.

If in fact we pass what the Republican majority has put before us today, what is going to happen in Congress, or the House of Representatives, will rubber stamp all 88 waivers. As I asked the gentlewoman from California a few minutes ago, has she read the waivers? She said no. The simple fact, Mr. Speaker, is there is not anyone in here except maybe four or five from Wisconsin who have read the waivers.

Let me show what has been passed out for today's debate. Here is a copy of the rule, a short one-paragraph. That provides for the consideration of the rule. Then here is the actual resolution, which is 2½ pages, which indicates that Congress knows all, we are going to rubberstamp this, we are going to deem this done, the rubber stamp this, we are going to deem this done, the public be damned. Then here is a resolution that accompanies the rule report, and that is it.

So for the Members from California, the one Member from Alaska, the good Members who represent the State of Florida, they do not know what we are doing. Oh, a copy has just been handed out right now to the gentleman from Wisconsin, but it is not made available

to the Members with the documentation that is available in the back room for all of us to decipher.

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

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

Mr. MOAKLEY. Does the gentleman know of any waiver from Wisconsin that was sent to the administration on welfare that was ever denied?

Mr. KLECZKA. No. In fact there have been, I believe, nine submitted for approval and all nine have been expedited. So the question before us is not whether or not these waivers are going to be granted or whether or not they are going to be expedited. The main issue before us today is to cut off any public comment like a letter I received from the Catholic bishops, who asked that they be heard on this issue. They will not be heard.

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

Mr. KLECZKA. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. For the gentleman's edification, a listing of the waivers that were requested by Governor Thompson appeared in the CONGRESSIONAL RECORD of June 4, 1996, at page E992. So every Member of the House of Representatives, and for that matter the public at large, by 9 a.m. yesterday morning had the list of the waivers that were requested. I am sorry that many of the Members, including the gentlewoman from California, decided not to look at them before making her speech.

Mr. KLECZKA. Reclaiming my time, let me indicate that usually the calendars are in the back of the hall here. I did not see any there. But to contend that the general public have all received a copy of the CONGRESSIONAL RECORD of yesterday is totally ludicrous.

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

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

Mr. MOAKLEY. In referring to the gentleman from Wisconsin who just took a seat, I think if he looks, and unless I am mistaken, the matter that appeared in the CONGRESSIONAL RECORD of June 4, was just listing the title of the waivers. There was no explanation of what they were. So that really informs people a lot, so they can just look at the title of 88 waivers but does not say one thing about what those waivers are.

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

Mr. KLECZKA. I yield to the gentleman from Wisconsin.

Mr. NEUMANN. Mr. Speaker, we seem to be radically off track in this debate. Those waivers were developed and debated. The program was developed in Wisconsin for 18 months and was debated for 18 months in the State of Wisconsin.

Mr. MOAKLEY. I am just talking about statements made here that are

not completely true. To say that the waivers are listed in the CONGRESSIONAL RECORD and all you find when you look are titles of waivers and no explanation, I just think that is not debating this matter the way it should be debated.

Mr. KLECZKA. Mr. Speaker, if I might continue, when we get into general debate on the bill, I will read through a whole bunch of these waivers and then I will see if any Member of the House can explain it to me, or since a contention has been made that the general public is totally knowledgeable on this, let me maybe call some of my constituents, or better yet maybe I will call some from Racine and see if they can inform me and the other Members what some of these one-liners mean. But nevertheless, the whole issue today is not welfare reform. It is one of process, whether or not we are going to have the public come forward and make their views known on 88 specific waivers. The contention has been made, "Well, the legislature passed the bill." They sure did. But also there were 27 vetoes that were made to the bill by the Governor. It took him 5 or 6 weeks after the legislature passed the legislation to sign it, if we are talking about rush, but as far as the legislature, they do not know to this day what any of the 88 waivers are.

I served in the legislature. I know a little bit about State legislative enactments. My colleague, TOM BARRETT, served in the legislature, as well as JIM SENSENBRENNER.

Mr. Speaker, in the legislation which is now chapter, law, something or other, State of Wisconsin, there was no listing of the waiver. The legislators who voted for this do not know what waivers are being requested. So let us clean up the nonsense that we are trying to redo the legislation. That is totally not the case.

Let me talk about a couple of other things. The President does support the initiative by the State of Wisconsin. But never in his radio comments did he say, "And I will sign without reading all 88 waivers." It was not said. I think he should have an opportunity to digest them, also.

Let me talk about the rush here. The rush is that this program does not go into effect in the State of Wisconsin until October 1, 1997, a year and a half from now. And to show how ludicrous the rush job is that we are being told to engage in, that was one of the vetoes. The legislature said to the Governor, "We want this on line and running September 1, 1977." The Governor vetoed that September 1 date, making it September 30, so he delayed it by his own pen some 30 days.

□ 1115

We have to do this within 3 days, without reading it, with no Member knowing what is in the waivers.

Why is this before the Federal Government? That was asked and we talked about that at the Committee on

Rules. Welfare in this program, Mr. Speaker, is a national program. If the State of Wisconsin was putting 100 percent of their dollars, raised from the taxpayers, into the program, they should have complete say, and no one would disagree with that on this floor. But the taxpayers of this country pay 60 percent of this program, and so I think that the taxpayers from Georgia and Arizona and New Mexico have a say in this, and that is why we have this public process, so if, in fact, they are so moved they will have a say in it.

This is not a rewriting of the State legislative enactment. That is the law in Wisconsin. This is the next step, because 60 percent of it is paid for by the national taxpayers. And if we are going to advantage the State of Wisconsin or give them more money, I think the other States should have a say in it, and that is why these waivers do come here for approval.

Again, is someone dragging their feet? Clearly not. The Governor indicates he wants this approved August 1 of this year. The substitute amendment which I will be producing with my colleagues, the gentlemen from Wisconsin, Mr. OBEY and Mr. BARRETT, will do exactly that. The substitute amendment is, instead of rubber stamping it sight unseen, like the Republicans want to do, the substitute is very common-sensical. What it says is we will print the waivers in the Federal Register, and not just one line, the whole thing; and then we will give the public, the people of the country who pay the tab, 30 days to be heard.

I ask my Republican colleagues, why do they fear the public coming out and saying something on this? They are paying for it. They have a right. And then the resolution that expedites consideration and provides July 31, it will be done.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume so that, for the record, I can inform my friend, the gentleman from Wisconsin [Mr. KLECZKA], that we have had 120 bills brought to the floor under rules in this Congress; 85 percent of them were given substitutes for the minority. And when we subtract the continued resolutions that do not have substitutes, it runs over 90 percent. That is very fair, and I appreciate the gentleman for commending us for it.

Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Speaker, I thank the gentleman for yielding me this time. I want to bring the debate back to where it belongs. This debate is about whether we want Washington interference in the Wisconsin plan. The Wisconsin plan was debated for 18 months, it was passed by a two-thirds majority, and the question is do we really want the Washington bureaucrats, 900 miles from the State of Wisconsin, to now Washingtonize the Wisconsin plan? That is what this debate is about.

Mr. SOLOMON. Mr. Speaker, I yield 4 minutes to the gentleman from Menomonee Falls, WI [Mr. SENSENBRENNER], a gentleman that came here with me back in 1978. He is one of the most respected Members of this body.

Mr. SENSENBRENNER. Mr. Speaker, I thank the gentleman from Glens Falls, NY, for yielding me this time, and I rise in support of the rule and also the legislation.

The previous speaker, the gentleman from Wisconsin [Mr. KLECZKA], I think has put a lot of red herrings into this debate. There are some very fundamental and core issues here. First is where should the real decisions be made on what type of welfare reform we have in the State of Wisconsin. Should they be made by Washington bureaucrats in dealing with these waivers or should they be made by the people of the State of Wisconsin and their elected legislators dealing with this issue in Wisconsin?

This issue has probably gotten more public debate in the State of Wisconsin than any other issue in the history of the State. From the time the legislation was first formulated, the State legislature had 30 public hearings or town hall meetings in Wisconsin on the issue of W-2. There were 120 hours of public debate in sites all throughout the State on the legislation and over 2,000 residents of Wisconsin participated in these hearings.

Now, what the gentleman from Wisconsin [Mr. KLECZA] says is let us forget all about that, that does not count at all. Let us end up having some public hearings out here in Washington and then let us have the Secretary of Health and Human Services or the bureaucrats under her control rewrite these waivers and pick and choose which waivers we want to grant and in what form. And the fact is that very few of the waivers that have been submitted by Wisconsin or other States have been approved in the form in which the Governors have submitted them.

It is an extensive process of negotiation between the State and the Department of Health and Human Services, and we do not want that to happen here.

I do not see why we ought to ask the 2,000 people who participated in the public debate on W-2 to have to figure out a way to make their voice heard in Washington, DC, 900 miles away, when they were able to give their input in places like Madison and Milwaukee, Oshkosh, Appleton, Beloit, Wausau, and LaCrosse.

The second red herring that the gentleman from Wisconsin [Mr. KLECZA] decided to throw into this debate is about the cost of the program. We all know that the Federal Government spends about 60 percent of AFDC costs. Granting these waivers is not going to cost the Federal taxpayers one additional dime, because there is a provision in this bill, for anybody that decides to read it, that says very plainly

that the total grant of the State of Wisconsin shall not exceed the amount of the grant that Wisconsin would have gotten had these waivers not been approved at all.

Now, the President has come on board in saying that he is in favor of W-2. In his radio address, which was after Governor Thompson issued his line vetoes and signed the bill, he said in conclusion, "In all, Wisconsin has the makings of a solid, bold welfare reform bill. We should get it done."

Today, we are getting it done here, and I would hope that this issue would not be obfuscated and not be clouded. Wisconsin is leading the way in welfare reform, Washington should not stand in the way, and that is why this bill should be enacted.

Mr. SOLOMON. Mr. Speaker, I yield 3½ minutes to the gentleman from Wisconsin, Mr. TOBY ROTH. I mentioned that the other gentleman from Wisconsin [Mr. SENSENBRENNER], had come to this Congress with me back in 1978. This is another Member from Wisconsin who came here at the same time, and he has been really one of the most dynamic Members of this body. He is going to be retiring this year at a very young age, of his own volition, and we just commend him for it. He is a great man.

Mr. ROTH. Mr. Speaker, I thank my friend for yielding me this time, and may I say this, the gentleman from New York has done a super job as chairman of the Committee on Rules and we appreciate his dedication and service. In fact, he was working on this legislation way into the night last night and we want him to know we appreciate it.

I think it is important to focus in on the issues rather than to draw off to one tangent or another. Basically, the reason we are here, as has been said so many times, is that the President has said in his radio address to the American people that he is in favor of the Wisconsin plan. And I think when the President says that in a nationwide address, I think we should be able to take the President of the United States at his word, that he is not just making these Saturday pronouncements as a political campaign speech, that he is talking to the American people and he is talking to them about vital issues that face our country.

Now, when we called the White House this morning, we asked what was their position. They have no position. Now, we have to have some intellectual integrity in this place. And if the President of the United States is not going to supply the intellectual integrity, then we, as the board of directors of this country, have to supply that integrity.

Our answer to the White House basically is this: Lead, follow, or get out of the way. We have a job to do and we are going to do that job.

Everyone here on this side of the aisle and on that side of the aisle always says we have to give more power

back to the States. We are living in a transition. We are living in change. We have to have the States have more responsibility. My friends, that is exactly what we are doing here, is we are giving the people of the State of Wisconsin that power, and rightly so, not only because of the issue but historically.

Seventy-five years ago the great debate on the floor of this House was what is Wisconsin doing? Because Wisconsin was and is one of the great laboratories for historical change in legislation in this body and in this country.

We moved from the agricultural society into the industrial society. Today, we are moving from the industrial society to the information age. And what Bob LaFollette and other progressives had said at that time, Tommy Thompson and the Republicans are doing today. So we are again in our historic mode of doing what is necessary, not only for the State of Wisconsin but for this country.

What we are doing basically is saying that the welfare office is going to become an employment office. By the year 2000 we will not have welfare offices in the State of Wisconsin. We want to restore some dignity back to the people again. And all of our futurists are saying this: That the individual is more empowered today than he or she has ever been. And we are funneling that information, that power back into the individual again.

The people of this country have a right to have some dignity. Welfare has destroyed the family, has destroyed the dignity of the individual, and what we are saying is we want to restore that esteem again.

The big issue here, and the reason it is being fought so much, is not because of Wisconsin or is not because of all the reasons that have been mentioned; the big issue here is are we seeing the death knell of the liberal welfare state. Because when we destroy welfare as we know it in America today, we are changing the Government of America.

So this is a very basic issue. It goes beyond what is said of the rules or process. What we are saying here today is we are changing the way we are governing. We are changing the way the people of America are living. That is why this is such a deep issue.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the very fine gentleman from Williamsville, NY [Mr. PAXON], one of my colleagues.

Mr. PAXON. Mr. Speaker, it was just 3 weeks ago that President Clinton said he supported giving States the opportunity to reform their poverty programs, and he said that if the States sent in waivers that he would sign them. Unfortunately, when we take a look at the record, it seems that politics is driving the administration rather than the needs of poor people in our States.

Take a look at the Medicaid waiver requests made by our Nation's Gov-

ernors. This chart reveals politics and party determine whether or not these reforms will be approved. Eight of the 11 Medicaid waivers approved by the administration went to States with Democrat Governors. Seven Republican Governors are still waiting for their waivers to be approved.

In fact, two of the Republican Governors have been waiting 20 months, Mr. Speaker. My own State of New York has been waiting 14 months for the administration to act. No Democrat Governor ever had to wait longer than 11 months to get their waivers approved.

Now, the President says he is for reform, but, in fact, he is blocking it and making it harder for our States to serve low-income families. I urge the President to stop playing politics and approve these reforms.

We should pass this rule and pass this bill, and send a message, a loud, and clear message, to the White House.

Mr. MOAKLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I just have to point out that it is amazing to me that we have speaker after speaker who talk about these waiver requests that have been denied. Why are we not dealing with them now? Why are we dealing with the waiver requests from a State that has had every single waiver granted? It does not make any sense.

The reason is they want to embarrass the President. They want to make a bipartisan issue a partisan issue. That is the only explanation. Otherwise, they would be coming in with a waiver request from the State of Michigan or from the State of New York. But here we have a Republican Governor in the State of Wisconsin, who has had every waiver that he has asked for granted.

Mr. SOLOMON. Mr. Speaker, I yield 1½ minutes to the gentleman from Wisconsin [Mr. KLUG], and I can think of no one better to rebut that last statement than this gentleman.

Mr. KLUG. Mr. Speaker, unfortunately in this case, my colleague from Wisconsin, Mr. BARRETT, is wrong. Actually, in one fairly significant fight with the Clinton administration, Wisconsin originally asked, under the work not welfare waiver request, that every county in the State be covered. By the time Washington got done with it, only two counties in the entire State were covered.

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That is typical, because every time we find ourselves in a waiver application situation, Washington wants to rewrite the rules.

My sense is, what this debate comes down to is, whose judgment do you trust, the people of Wisconsin, two-thirds of the State assembly, three-quarters of the State senate voted for this measure. As you heard from my

colleague, the gentleman from Wisconsin [Mr. SENSENBRENNER], countless hours of hearings all across the State.

Here is the bottom line, again, the track record of the Clinton administration on waivers, of the three waivers, Illinois, Massachusetts, Wyoming denied; three States, New Mexico, Ohio, South Carolina, all pulled back their waiver applications because the Clinton administration wanted to rewrite it.

The following States currently have waivers they are waiting for: California, of course, the interesting question, when the gentlewoman from California [Ms. WOOLSEY] was up here criticizing the Wisconsin plan, has she done anything to help California's waiver application which is now pending; Florida; Georgia, Democratic Governor; Hawaii, Democratic Governor; Illinois; Indiana, Democratic Governor; Iowa; Kansas; Maine; Maryland, Democratic governor; Michigan; Minnesota; New Hampshire, waiting since 1993; Oklahoma; Pennsylvania; South Carolina; Tennessee; and Utah.

The fact of the matter is, the administration says, we will grant you these waivers, and we wait 6 months and 1 year and 1½ years and 2 years and 2½ and 3 years.

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

Mr. KLECZKA. Mr. Speaker, in response to the gentleman from Madison, WI, SCOTT KLUG. SCOTT, you seem to indicate that in a work not welfare program that the State was asking to have all 72 counties in the State covered. My recollection is the legislature only provided for 2 counties, 2 small counties. When the legislature was debating the issue, many wanted Milwaukee County, the largest county in the State, included in this trial test. The Republican legislature said no. So going for waivers was only the 2 counties that were finally tested. There never was a request from the State legislature for the whole State.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The Chair advises Members to address their remarks to the Chair and not to Members, particularly in given names.

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

Mr. Speaker, at the beginning of this Congress the Republican majority claimed that the House was going to consider bills under an open process. I would like to point out that 66 percent of the legislation this session has been considered under a restrictive process. At this point I include for the RECORD the following material:

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive: Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes; PQ	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive; considered in House no amendments	N/A.
H.R. 101	To transfer a parcel of land to the Taos Pueblo Indians of New Mexico.	H. Res. 51	Open	N/A.
H.R. 400	To provide for the exchange of lands within Gates of the Arctic National Park Preserve.	H. Res. 52	Open	N/A.
H.R. 440	To provide for the conveyance of lands to certain individuals in Butte County, California.	H. Res. 53	Open	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference; PQ	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on Suspension Calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision; PQ.	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Oby substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered; PQ.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVII against the substitute; waives cl 2(g) of rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive; Makes in order only 4 amendments considered under a "Queen of the Hill" procedure and denies 21 germane amendments from being considered.	1D; 3R.
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a "Queen of the Hill" procedure; All points of order are waived against the amendments.	5D; 26R.
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A.
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive; Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive; waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A.
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language; PQ.	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A.
H.R. 1530	National Defense Authorization Act; FY 1996	H. Res. 164	Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins; PQ.	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget; PQ.	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments; PQ.	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ); PQ.	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	N/A.
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr; PQ.	N/A.
H.R. 1944	Rescissions Bill	H. Res. 175	Restrictive; Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment; PQ.	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min. each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments; PQ.	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority; PO.	N/A.
H.R. 1977	Interior Appropriations	H. Res. 187	Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority; PO.	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority; PO.	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive; provides for the further consideration of the bill; allows only amendments pre-printed before July 14th to be considered; limits motions to rise.	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority; PO.	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive; provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act.	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open; waives cl. 3 of rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl. 6 and cl. 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (LINE Item Veto); provides the bill be read by title; Pre-printing gets priority; PO. *RULE AMENDED*	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395.	N/A.
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title.	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min.); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title.	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee.	ID.
H.R. 2126	Defense Appropriations	H. Res. 205	Open; waives cl. 2(1)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Billey amendment (30 min.) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652.	2R/3D/3 Bi-partisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open; Provides that the first order of business will be the managers amendments (10 min.), if adopted they will be considered as base text; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title; PO.	N/A.
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open; 2 hr of gen. debate. makes in order the committee substitute as original text	N/A.
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record.	N/A.
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority.	N/A.
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority.	N/A.
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open; waives sections 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl. 5(a) of rule XXI is also waived against the substitute. Provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text.	N/A.
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute as well as cl. 5(a) of rule XXI and cl. 1(q)(10) of rule X against the substitute; provides for the consideration of a managers amendment (10 min.) If adopted, it is considered as base text; Pre-printing gets priority; PO.	N/A.
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive; waives cl 2(1)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report.	2R/2D
H.R. 743	The Teamwork for Employees and managers Act of 1995	H. Res. 226	Open; waives cl 2(1)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing get priority.	N/A.
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open; makes in order a committee amendment as original text; Pre-printing gets priority	N/A.
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open; makes in order a committee amendment as original text; pre-printing gets priority	N/A.
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority.	N/A.
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive; waives cl 2(1)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption.	1D
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5(c) of rule XXI (% requirement on votes raising taxes); PO.	1D
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive; provides for consideration of the bill in the House	N/A.
H.R. 2491	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive; makes in order H.R. 2517 as original text; waives all points of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5(c) of rule XXI (% requirement on votes raising taxes); PO.	1D
H.R. 1833	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A.
H.R. 2546	D.C. Appropriations FY 1996	H. Res. 252	Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bonilla, Gunderson and Hostettler amendments (30 min.); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each.	N/A.
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	N/A.
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule: Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (M); makes in order the Walker amend (40 min.) on regulatory reform.	5R
H.R. 2539	ICC Termination	H. Res. 259	Open; waives section 302(f) and section 308(a)	N/A.
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed; provides for consideration of the bill in the House; 30 min. of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min. each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered.	2R
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open; waives cl. 2()(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments.	N/A
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive; waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr.	N/A
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open; waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a managers amend as the first order of business, if adopted it is considered base text (10 min.); waives all points of order against the amendment; Pre-printing gets priority.	N/A
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open; makes in order the committee substitute as original text; makes in order a managers amendment which if adopted is considered as original text (20 min.) unamendable; pre-printing gets priority.	N/A
H.R. 2621	To Protect Federal Trust Funds	H. Res. 293	Closed; provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate; PO.	N/A
H.R. 1745	Utah Public Lands Management Act of 1995	H. Res. 303	Open; waives cl 2()(6) of rule XI and sections 302(f) and 311(a) of the Budget Act against the bill's consideration. Makes in order the Resources substitute as base text and waives cl 7 of rule XVI and sections 302(f) and 308(a) of the Budget Act; makes in order a managers' amend as the first order of business, if adopted it is considered base text (10 min).	N/A
H. Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	N/A	Closed; makes in order three resolutions; H.R. 2770 (Dornan), H. Res. 302 (Buyer), and H. Res. 306 (Gephardt); 1 hour of debate on each.	1D; 2R
H. Res. 309	Revised Budget Resolution	H. Res. 309	Closed; provides 2 hours of general debate in the House; PO	N/A
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act	H. Res. 313	Open; pre-printing gets priority	N/A
H.R. 2677	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995.	H. Res. 323	Closed; consideration in the House; self-executes Young amendment	N/A
PROCEDURE IN THE 104TH CONGRESS 2D SESSION				
H.R. 1643	To authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria.	H. Res. 334	Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered. ** NR; PO.	N/A
H.J. Res. 134	Making continuing appropriations/establishing procedures making the transmission of the continuing resolution H.J. Res. 134.	H. Res. 336	Closed; provides to take from the Speaker's table H.J. Res. 134 with the Senate amendment and concur with the Senate amendment with an amendment (H. Con. Res. 131) which is self-executed in the rule. The rule provides further that the bill shall not be sent back to the Senate until the Senate agrees to the provisions of H. Con. Res. 131. ** NR; PO.	N/A
H.R. 1358	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.	H. Res. 338	Closed; provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered. ** NR; PO.	N/A
H.R. 2924	Social Security Guarantee Act	H. Res. 355	Closed; ** NR; PO	N/A
H.R. 2854	The Agricultural Market Transition Program	H. Res. 366	Restrictive; waives all points of order against the bill; 2 hrs of general debate; makes in order a committee substitute as original text and waives all points of order against the substitute; makes in order only the 16 amends printed in the report and waives all points of order against the amendments; circumvents unfunded mandates law; Chairman has en bloc authority for amends in report (20 min.) on each en bloc; PO.	5D; 9R; 2 Bipartisan.
H.R. 994	Regulatory Sunset & Review Act of 1995	H. Res. 368	Open rule; makes in order the Hyde substitute printed in the Record as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority; vacates the House action on S. 219 and provides to take the bill from the Speaker's table and consider the Senate bill; allows Chrmn. Clinger a motion to strike all after the enacting clause of the Senate bill and insert the text of H.R. 994 as passed by the House (1 hr) debate; waives germaneness against the motion; provides if the motion is adopted that it is in order for the House to insist on its amendments and request a conference.	N/A
H.R. 3021	To Guarantee the Continuing Full Investment of Social security and Other Federal Funds in Obligations of the United States.	H. Res. 371	Closed rule; gives one motion to recommit, which if it contains instructions, may only if offered by the Minority Leader or his designee. ** NR.	N/A
H.R. 3019	A Further Downpayment Toward a Balanced Budget	H. Res. 372	Restrictive; self-executes CBO language regarding contingency funds in section 2 of the rule; makes in order only the amendments printed in the report; Lowey (20 min), Istook (20 min), Crapo (20 min), Obey (1 hr); waives all points of order against the amendments; give one motion to recommit, which if contains instructions, may only if offered by the Minority Leader or his designee. ** NR.	2D/2R.
H.R. 2703	The Effective Death Penalty and Public Safety Act of 1996	H. Res. 380	Restrictive; makes in order only the amendments printed in the report; waives all points of order against the amendments; gives Judiciary Chairman en bloc authority (20 min.) on en blocs; provides a Senate hook-up with S. 735. ** NR.	6D; 7R; 4 Bipartisan.
H.R. 2202	The Immigration and National Interest Act of 1995	H. Res. 384	Restrictive; waives all points of order against the bill and amendments in the report except for those arising under sec. 425(a) of the Budget Act (unfunded mandates); 2 hrs. of general debate on the bill; makes in order the committee substitute as base text; makes in order only the amends in the report; gives the Judiciary Chairman en bloc authority (20 min.) of debate on the en blocs; self-executes the Smith (TX) amendment re: employee verification program; PO.	12D; 19R; 1 Bipartisan.
H.J. Res. 165	Making further continuing appropriations for FY 1996	H. Res. 386	Closed; provides for the consideration of the CR in the House and gives one motion to recommit which may contain instructions only if offered by the Minority Leader; the rule also waives cl 4(b) of rule XI against the following: an omnibus appropriations bill, another CR, a bill extending the debt limit. ** NR.	N/A
H.R. 125	The Gun Crime Enforcement and Second Amendment Restoration Act of 1996.	H. Res. 388	Closed; self-executes an amendment; provides one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee. ** NR.	N/A
H.R. 3136	The Contract With America Advancement Act of 1996	H. Res. 391	Closed; provides for the consideration of the bill in the House; self-executes an amendment in the Rules report; waives all points of order, except sec. 425(a) (unfunded mandates) of the CBA, against the bill's consideration; orders the PO except 1 hr. of general debate between the Chairman and Ranking Member of Ways and Means; one Archer amendment (10 min.); one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee; Provides a Senate hookup if the Senate passes S. 4 by March 30, 1996. **NR.	N/A
H.R. 3103	The Health Coverage Availability and Affordability Act of 1996	H. Res. 392	Restrictive; 2 hrs. of general debate (45 min. split by Ways and Means) (45 split by Commerce) (30 split by Economic and Educational Opportunities); self-executes H.R. 3160 as modified by the amendment in the Rules report as original text; waives all points of order, except sec. 425(a) (unfunded mandates) of the CBA; makes in order a Democratic substitute (1 hr.) waives all points of order, except sec. 425(a) (unfunded mandates) of the CBA, against the amendment; one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee; waives cl 5(c) of Rule XXI (requiring 3/5 vote on any tax increase) on votes on the bill, amendments or conference reports.	N/A
H.J. Res. 159	Tax Limitation Constitutional Amendment	H. Res. 395	Restrictive; provides for consideration of the bill in the House; 3 hrs of general debate; Makes in order H.J. Res. 169 as original text; allows for an amendment to be offered by the Minority Leader or his designee (1 hr) ** NR; PO.	1D
H.R. 842	Truth in Budgeting Act	H. Res. 396	Open; 2 hrs. of general debate; Pre-printing gets priority	N/A
H.R. 2715	Paperwork Elimination Act of 1996	H. Res. 409	Open; Preprinting get priority	N/A
H.R. 1675	National Wildlife Refuge Improvement Act of 1995	H. Res. 410	Open; Makes the Young amendment printed in the 4/16/96 Record in order as original text; waives cl 7 of rule XVI against the amendment; Preprinting gets priority. **NR.	N/A
H.J. Res. 175	Further Continuing Appropriations for FY 1996	H. Res. 411	Closed; provides for consideration of the bill in the House; one motion to recommit which, if containing instructions, may be offered by the Minority Leader or his designee. **NR.	N/A
H.R. 2641	United States Marshals Service Improvement Act of 1996	H. Res. 418	Open; Pre-printing gets priority; Senate hook-up. **PO	N/A
H.R. 2149	The Ocean Shipping Reform Act	H. Res. 419	Open; Makes in order a managers amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 7 of rule XVI against the managers amendment; Pre-printing gets priority; makes in order an Obstar en bloc amendment.	N/A
H.R. 2974	To amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes against elderly and child victims.	H. Res. 421	Open; waives cl 7 of rule XIII against consideration of the bill; makes in order the Judiciary substitute printed in the bill as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority.	N/A

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 3120	To amend Title 18, United States Code, with respect to witness retaliation, witness tampering and jury tampering.	H. Res. 422	Open; waives cl 7 of rule XIII against consideration of the bill; makes in order the Judiciary substitute printed in the bill as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority.	N/A
H.R. 2406	The United States Housing Act of 1996	H. Res. 426	Open; makes in order the committee substitute printed in the bill as original text; waives cl 5(a) of rule XXI against the substitute; makes in order a managers amendment as the first order of business (10 min); if adopted it is considered as base text; Pre-printing gets priority; provides a Senate hook-up.	N/A
H.R. 3322	Omnibus Civilian Science Authorization Act of 1996	H. Res. 427	Open; waives cl 2()(2) of rule XI against the bill's consideration; makes in order a managers amendment as the first order of business (10 min); if adopted it is considered as base text; waives cl 5(a) of rule XXI against the bill; pre-printing gets priority.	N/A
H.R. 3286	The Adoption Promotion and Stability Act of 1996	H. Res. 428	Restrictive; provides consideration of the bill in the House; makes in order the Ways & Means substitute printed in the bill as original text; makes in order a Gibbons amendment to title II (30 min) and a Young amendment (30 min); provides one motion to re-commit which may contain instructions only if offered by the Minority Leader or his designee.	1D; 1R
H.R. 3230	Defense Authorization Bill FY 1997	H. Res. 430	Restrictive	41 amends; 20D; 17R; 4 bipartisan
H.R. 3415	Repeal of the 4.3-Cent Increase in Transportation Fuel Taxes	H. Res. 436	Closed	N/A
H.R. 3259	Intelligence Authorization Act for FY 1997	H. Res. 437	Restrictive	N/A
H.R. 3144	The Defend America Act	H. Res. 438	Restrictive	1D
H.R. 3448/H.R. 1227	The Small Business Job Protection Act of 1996, and The Employee Commuting Flexibility Act of 1996.	H. Res. 440	Restrictive	2R
H.R. 3517	Military Construction Appropriations FY 1997	H. Res. 442	Open	N/A
H.R. 3540	Foreign Operations Appropriations FY 1997	H. Res. 445	Open	
H.R. 3562	The Wisconsin Works Waiver Approval Act	H. Res. 446	Restrictive.	

\* Contract Bills, 67% restrictive; 33% open. \*\* All legislation 1st Session, 53% restrictive; 47% open. \*\*\* All legislation 2d Session, 66% restrictive; 34% open. \*\*\*\* All legislation 104th Congress, 57% restrictive; 43% open. \*\*\*\*\* NR indicates that the legislation being considered by the House for amendment has circumvented standard procedure and was never reported from any House committee. \*\*\*\*\* PO Indicates that previous question was ordered on the resolution. \*\*\*\*\* Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. N/A means not available.

LEGISLATION IN THE 104TH CONGRESS, 2D SESSION

To date 14 out of 35, of the bills considered under rules in the 2d session of the 104th Congress have been considered under an irregular procedure which circumvents the standard committee procedure. They have been brought to the floor without any committee reporting them. They are as follows:

H.R. 1643, to authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria.

H.J. Res. 134, making continuing appropriations for fiscal year 1996.

H.R. 1358, conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.

H.R. 2924, the Social Security Guarantee Act.

H.R. 3021, to guarantee the continuing full investment of Social Security and other Federal funds in obligations of the United States.

H.R. 3019, a further downpayment toward a balanced budget.

H.R. 2703, the effective Death Penalty and Public Safety Act of 1996.

H.J. Res. 165, making further continuing appropriations for fiscal year 1996.

H.R. 125, the Crime Enforcement and Second Amendment Restoration Act of 1996.

H.R. 3136, the Contract With America Advancement Act of 1996.

H.J. Res. 159, tax limitation constitutional amendment.

H.R. 1675, National Wildlife Refuge Improvement Act of 1995.

H.J. Res. 175, making further continuing appropriations for fiscal year 1996.

H.R. 3562, the Wisconsin Works Waiver Approval Act.

Mr. MOAKLEY. Mr. Speaker, the President said "Wisconsin has the makings of a solid, bold welfare reform plan."

He did not say he would sign the waivers sight unseen, without a public comment period. This process is wrong, plain and simply. Vote for the Kleczka substitute.

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

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I will just say, it seems with this President there is always a but. In other words, we never get to it.

He says, let us get this done, but. And every time we turn around we hear another but.

Mr. Speaker, what this debate is all about, I spent many years in the county legislature before I came to the State legislature and onto this Congress 18 years ago. We used to complain bitterly about the strings attached from Washington. He wanted to solve our own welfare problems.

Later on, after 6 years in county government, I went to the State government and served in the same capacity on the social services committee. We had the same kind of problems. We knew how to solve our problems but Washington would not let us do it. That is really what this debate is all about.

We have seen time after time where this Federal Government will not give the waivers to the State governments. This debate is about giving the block grant to the State of Wisconsin and letting them decide in a pilot project how to solve these problems. That is what this debate is all about, it is a block grant going to them.

We do not need to have the ifs, ands, and buts. Let us give them the ability to do it, without any strings attached, and then we can decide if the plan worked. Plan one did work in Wisconsin. It reduced the case load by 40 percent. If this will reduce the case load by another 20 percent and we then take that pilot project and enact it throughout the country, giving each of our States that opportunity, we will have solved this status quo mess that we have today in the form of a welfare program.

Let us get on with it. Let us pass this rule and then let us pass this bill and give Wisconsin without any strings attached the ability to try to solve this problem.

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

The previous question was ordered.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 363, nays 59, not voting 12, as follows:

[Roll No. 219]

YEAS—363

Ackerman	Bryant (TN)	Deutsch
Archer	Bunn	Diaz-Balart
Armey	Bunning	Dickey
Bachus	Burr	Dicks
Baesler	Burton	Dingell
Baker (CA)	Buyer	Dixon
Baker (LA)	Callahan	Doggett
Baldacci	Calvert	Dooley
Ballenger	Camp	Doolittle
Barcia	Campbell	Dornan
Barr	Canady	Doyle
Barrett (NE)	Castle	Dreier
Barrett (WI)	Chabot	Duncan
Bartlett	Chambliss	Dunn
Barton	Chenoweth	Durbin
Bass	Christensen	Edwards
Bateman	Chrysler	Ehlers
Beilenson	Clement	Ehrlich
Bentsen	Clinger	Emerson
Bereuter	Coble	Engel
Berman	Coburn	English
Bevill	Coleman	Ensign
Bilbray	Collins (GA)	Eshoo
Bilirakis	Combest	Evans
Bishop	Condit	Everett
Bliley	Cooley	Ewing
Blumenauer	Costello	Farr
Blute	Cox	Fawell
Boehlert	Coyne	Fazio
Boehner	Cramer	Fields (TX)
Bonilla	Crane	Flake
Bonior	Crapo	Flanagan
Bono	Creemans	Foglietta
Borski	Cubin	Foley
Boucher	Danner	Forbes
Brewster	Davis	Ford
Browder	de la Garza	Fowler
Brown (CA)	Deal	Fox
Brown (FL)	DeFazio	Franks (CT)
Brown (OH)	DeLauro	Franks (NJ)
Brownback	DeLay	Frelinghuysen

Frisa	Lazio	Richardson
Frost	Leach	Riggs
Funderburk	Levin	Rivers
Galleghy	Lewis (CA)	Roberts
Ganske	Lewis (KY)	Roemer
Gejdenson	Lightfoot	Rogers
Gekas	Linder	Rohrabacher
Geren	Lipinski	Ros-Lehtinen
Gilchrest	Livingston	Rose
Gillmor	LoBiondo	Roth
Gilman	Lofgren	Roukema
Goodlatte	Longley	Royce
Goodling	Lowe	Rush
Gordon	Lucas	Salmon
Goss	Luther	Sanders
Graham	Maloney	Sanford
Green (TX)	Manton	Saxton
Greene (UT)	Manzullo	Scarborough
Greenwood	Martinez	Schaefer
Gunderson	Martini	Schroeder
Gutknecht	Mascara	Schumer
Hall (OH)	McCarthy	Scott
Hall (TX)	McCollum	Seastrand
Hamilton	McCrery	Sensenbrenner
Hancock	McDade	Shadegg
Hansen	McHugh	Shaw
Harman	McInnis	Shays
Hastert	McIntosh	Shuster
Hastings (FL)	McKeon	Sisisky
Hastings (WA)	McKinney	Skeen
Hayworth	McNulty	Skelton
Hefley	Meehan	Smith (MI)
Hefner	Menendez	Smith (NJ)
Heineman	Metcalf	Smith (TX)
Herger	Meyers	Smith (WA)
Hilleary	Mica	Solomon
Hinches	Miller (CA)	Souder
Hobson	Miller (FL)	Spence
Hoekstra	Minge	Spratt
Hoke	Moakley	Stearns
Holden	Molinari	Stenholm
Horn	Montgomery	Stockman
Hostettler	Moorhead	Studds
Houghton	Moran	Stump
Hunter	Morella	Stupak
Hutchinson	Murtha	Talent
Hyde	Myers	Tate
Inglis	Myrick	Tauzin
Istook	Neal	Taylor (MS)
Jacobs	Nethercutt	Taylor (NC)
Jefferson	Neumann	Tejeda
Johnson (CT)	Ney	Thomas
Johnson (SD)	Norwood	Thornberry
Johnson, E. B.	Nussle	Thornton
Johnson, Sam	Oberstar	Thurman
Johnston	Obey	Tiahrt
Jones	Ortiz	Torkildsen
Kanjorski	Orton	Torricelli
Kaptur	Oxley	Trafficant
Kasich	Packard	Upton
Kelly	Pallone	Vucanovich
Kennedy (MA)	Parker	Walker
Kennedy (RI)	Paxon	Walsh
Kennelly	Peterson (FL)	Wamp
Kildee	Peterson (MN)	Ward
Kim	Petri	Watts (OK)
King	Pickett	Weldon (FL)
Kingston	Pombo	Weldon (PA)
Klecza	Pomeroy	Weller
Klink	Porter	White
Klug	Portman	Whitfield
Knollenberg	Poshard	Wicker
Kolbe	Pryce	Wilson
LaFalce	Quillen	Wise
LaHood	Quinn	Wolf
Lantos	Radanovich	Woolsey
Largent	Rahall	Young (AK)
Latham	Ramstad	Young (FL)
LaTourette	Reed	Zeliff
Laughlin	Regula	Zimmer

## NAYS—59

Abercrombie	Furse	Owens
Andrews	Gibbons	Pastor
Becerra	Gonzalez	Payne (NJ)
Bryant (TX)	Gutierrez	Pelosi
Cardin	Hilliard	Rangel
Chapman	Hoyer	Roybal-Allard
Clay	Jackson (IL)	Sabo
Clayton	Lewis (GA)	Sawyer
Clyburn	Matsui	Serrano
Collins (IL)	McDermott	Skaggs
Collins (MI)	McHale	Slaughter
Conyers	Meek	Stark
Cummings	Millender-	Stokes
Dellums	McDonald	Tanner
Fields (LA)	Mink	Thompson
Filner	Nadler	Torres
Frank (MA)	Oliver	Towns

Velázquez	Volkmer	Waxman
Vento	Waters	Wynn
Viscosky	Watt (NC)	Yates

## NOT VOTING—12

Allard	Jackson-Lee	Payne (VA)
Cunningham	(TX)	Schiff
Fattah	Lincoln	Williams
Gephardt	Markey	
Hayes	Mollohan	

□ 1201

Ms. ROYBAL-ALLARD, Mr. BRYANT of Texas, and Mr. OLVER changed their vote from "yea" to "nay."

Mr. BONO and Mr. WISE changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1462

Mr. VOLKMER. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1462.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Is there objection to the request of the gentleman from Missouri?

There was no objection.

## LIMITING AMENDMENTS AND TIME FOR CONSIDERATION ON CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 3540, WISCONSIN WORKS WAIVER APPROVAL ACT

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that during the further consideration of H.R. 3540 in the Committee of the Whole, pursuant to the House Resolution 445, that no amendments to the bill shall be in order except the following amendments, if offered by the Member specified or his designee:

Amendments numbered 54, 58, and 76 offered by the gentleman from Wisconsin [Mr. OBEY]; amendment No. 10 offered by the gentleman from Massachusetts [Mr. FRANK]; amendment No. 69 offered by the gentleman from Indiana [Mr. SOUDER]; and amendment No. 75 offered by the gentleman from New Jersey [Mr. ZIMMER].

I further ask unanimous consent that debate on each amendment and all amendments thereto shall be limited to 20 minutes, equally divided and controlled by the proponent and an opponent, except that amendments numbered 54 and 10 shall each be debatable for not to exceed 45 minutes, and consideration of these amendments proceed without intervening motion, except one motion to rise, if offered by myself.

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

Mr. OBEY. Reserving the right to object, Mr. Speaker, could I simply ask the gentleman, on amendment No. 69, I confess I am not fully familiar with the contents. Is there any intention that

there is going to be an amendment to amendment No. 69?

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

Mr. OBEY. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Speaker, I would tell the gentleman, not to my knowledge. I think the gentleman from Indiana [Mr. SOUDER] had two amendments. The second amendment I think is amendment No. 69, which he intends to offer, an amendment on Mexico that has to do with encouraging them to crack down on drug trafficking. There is no second degree amendment.

Mr. OBEY. There is no amendment? I thank the gentleman, Mr. Speaker.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

## WISCONSIN WORKS WAIVER APPROVAL ACT

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 446, I call up the bill (H.R. 3562) to authorize the State of Wisconsin to implement the demonstration project known as Wisconsin Works, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 446, the amendment printed in section 2 of the resolution is adopted.

The text of H.R. 3562, as amended by the amendment printed in section 2 of House Resolution 446, is as follows:

H.R. 3562

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

## SECTION 1. AUTHORITY TO IMPLEMENT WISCONSIN WORKS DEMONSTRATION PROJECT.

(a) IN GENERAL.—Upon presentation by the State of Wisconsin of the document entitled "Wisconsin Works" (as signed into State law by the Governor of Wisconsin on April 26, 1996) to the appropriate Federal official with respect to any Federal entitlement program specified in such document—

(1) such official is deemed to have waived compliance with the requirements of Federal law with respect to such program to the extent and for the period necessary to enable the State of Wisconsin to carry out the demonstration project described in the document; and

(2) the costs of carrying out the demonstration project which would not otherwise be included as expenditures under such program shall be regarded as expenditures under such program.

(b) LIMITATION OF COSTS.—Subsection (a)(2) shall not apply to the extent that—

(1) the sum of such costs and the expenditures of the State of Wisconsin under all programs to which subsection (a) applies during any testing period exceeds.

(2) the total amount that would be expended under such programs during such testing period in the absence of the demonstration project.

(c) TESTING PERIOD.—For purposes of subsection (b), the testing periods are—

(1) the 5-year period that begins with the date of the commencement of the demonstration project, and

(2) the period of the demonstration project.

(d) RECAPTURE OF EXCESS.—If at the close of any testing period, the Secretary of Health and Human Services determines that the amount described in subsection (b)(1) exceeds the amount described in subsection (b)(2) for such period, such Secretary shall withhold an amount equal to such excess from amounts otherwise payable to the State of Wisconsin under section 403 of the Social Security Act (relating to the program of aid to families with dependent children) for the first fiscal year beginning after the close of such period. The preceding sentence shall not apply to the extent such Secretary is otherwise paid such excess by the State of Wisconsin.

**SEC. 2. NO EFFECT ON CERTAIN OTHER WAIVERS GRANTED TO THE STATE OF WISCONSIN.**

This Act shall not be construed to affect the terms or conditions of any waiver granted before the date of the enactment of this Act to the State of Wisconsin under section 1115 of the Social Security Act, including earned waiver savings and conditions. The current waivers are considered a precondition and can be subsumed as part of the Wisconsin Works demonstration.

**SEC. 3. AUTHORITY TO PARTICIPATE UNDER SUBSEQUENT LEGISLATION.**

If, after the date of the enactment of this Act, any Federal law is enacted which modifies the terms of, or the amounts of expenditures permitted under, any program to which section 1 applies, the State of Wisconsin may elect to participate in such program as so modified.

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

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

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3562, the bill presently under consideration.

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

There was no objection.

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

Mr. Speaker, it has been 8 days since the President formally received the request for Wisconsin waivers from Governor Tommy Thompson. He still has not approved it. As Members will recall, the President endorsed the Governor's request to implement his innovative welfare initiative by waiving the cumbersome and counterproductive Federal rules and regulations that govern welfare.

The American people noted the great speed with which the President went on national radio to endorse the Wisconsin waivers, once he had learned that Senator BOB DOLE would visit Wisconsin to announce his own welfare proposal. But as of today, 8 days after the President's ringing endorsement, the Clinton administration has yet to sign the Wisconsin waivers.

Under the Social Security Act, the Clinton administration has the imme-

diated authority to sign the Wisconsin waivers. Given his radio address, there should be no reason for the Clinton administration to negotiate, study, or otherwise delay the waivers Wisconsin seeks.

To help the President refocus his energy on the Wisconsin waivers, today we initiate this legislative process of sending the President the Wisconsin waivers in legislative form. The President endorsed the Wisconsin proposal, and now we are giving him the opportunity to personally approve it by signing this bill. We eagerly await his signature.

Mr. Speaker, pursuant to the rule, I designate the gentleman from Wisconsin [Mr. KLUG] to hereafter control the time for debate.

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

Mr. KLECZKA. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY], the dean of the Wisconsin delegation.

Mr. OBEY. Mr. Speaker, the biggest social failure in this country is welfare. I think everybody understands that. It is a mess. It destroys work incentives. It is hated by many of the people on it and it is hated by the taxpayers. I think the No. 1 priority of the country is to see welfare reformed, and I do not believe that the country is going to have much confidence in its Government until the Government demonstrates that it can distinguish between the truly needy and those who take no personal responsibility. The American people deserve to have the welfare issue dealt with in a way that puts their needs first.

Instead, in my view, the issue is being used as a political football by politicians to meet the needs of politicians, in order to help them gain an edge on each other. This bill is part of that circus. It is not real, it will not become law, it is simply part of a political game to tweak the President of the United States. The problem is that long after President Clinton and would-be President DOLE are gone, my constituents will have to live with the consequences.

We have before us today one-half of Governor Thompson's welfare reform package. Under the Wisconsin welfare reform package, low-income people are going to be taken off welfare in many instances, but the second half of the welfare package in Wisconsin is to put the Milwaukee Brewers and their owner on welfare, making them biggest welfare queen in Wisconsin. I find that interesting.

What we have before us is the fact that the Wisconsin legislature passed a reform bill. The Governor may have had 27 separate changes in it through item vetoes. The normal next step is for the Department of Health and Social Services to allow a 30-day comment period from the public, and then make a decision on the welfare requests. This bill cuts the public out. It simply says that 435 people in the Con-

gress of the United States, at least in the House, who have never read the waiver proposition, who know virtually nothing about it, are going to be voting on it, instead of allowing the department to proceed to do what it has done on every other occasion, which is to grant waiver requests which Wisconsin has made.

The gentleman from Wisconsin [Mr. KLECZKA] and the rest of the Democrats in the Wisconsin delegation are offering a simple substitute. Since, after all, this welfare reform proposal does not go into effect until September 1997, it simply urges the department to approve Wisconsin's request after two conditions are met: Number one, after we have a 30-day comment period, so that the public can be cut in on the deal, and they can finally have a say-so so our constituents can participate, not just the politicians at the State and the Federal level; and second, after the department has determined that the alternative meets each of the seven tests laid down for it by the Governor himself in his document, on page 4.

Unlike the bill, we do not cut out the public, and we do not have the Congress interfering in something it knows nothing about. I want to make very clear, Mr. Speaker, that when the President spoke 2 weeks ago and endorsed the general thrust of the Wisconsin plan, he said that that plan had the makings of a good proposal, and that he wanted to work with the State of Wisconsin to see it accomplished.

That is exactly what ought to happen. We ought to stop inventing differences where there are none. We ought to stop the politics. We ought to get on with the process and get those waivers approved so Wisconsin can proceed with the experiment that the legislature passed, which the Governor changed with his vetoes and which they are now asking the Federal Government to support. That is the non-political, rational way to go about things, and I urge Members to support the Kleczka amendment.

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

Let me make a point, in response to my colleague and friend, the gentleman from Wisconsin [Mr. OBEY]. He said that by passing this waiver, we will cut the public out. I think anything but the contrary. The public, which should be involved in this decision, has already been involved in the decision. It is the residents of the State of Wisconsin who had 30 hearings and town meetings, 120 hours of debate in the Wisconsin State legislature, and 2,000 residents participated in those venues.

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

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, I would just like to point out that in the hometown of the gentleman from Wisconsin [Mr. OBEY], hometown of Wausau, there was a 7-hour public

hearing on October 17, 1995, where 82 individuals either appeared or registered before the committee at the hearing.

What the gentleman from Wisconsin [Mr. OBEY] apparently wants to do is to ignore the input that those 82 individuals gave in his hometown to elected legislators, and have bureaucrats in the Department of Health and Human Services end up deciding what waivers to approve, what waivers to modify, and what waivers to reject, and thus write the final welfare reform plan. I have much greater faith in the folks who appeared at the hearing in Wausau than the folks across the street in the HHS building.

Mr. KLUG. Reclaiming my time, Mr. Speaker, and we will have plenty of time to enter in a dialogue, but I want to follow up on another point to say that two-thirds of the Wisconsin State Assembly voted for and three-quarters of the Wisconsin State Senate, and in fact, the Democratic candidate for Governor who ran against Tommy Thompson last time, supported the plan and voted for the plan. It is a plan that Republicans and Democrats in Wisconsin support.

The bottom line in all of this, Mr. Speaker, is whose values do we trust: Do we trust the values of the folks back in Wisconsin, sitting down at the lunch counter right now, or do we trust the folks stuffing the file cabinets right here somewhere in Washington? It is Main Street values versus Washington values.

□ 1215

Do you trust the judgment of the Wisconsin bipartisan legislature or do you trust the judgment of the technocrats and the bureaucrats here in the Nation's Capital?

Mr. Speaker, I yield 4 minutes and 30 seconds to my colleague, the gentleman from Wisconsin [Mr. NEUMANN], to detail the waiver application itself.

Mr. NEUMANN. Mr. Speaker, I would just like to point out that the bill is very, very straightforward. It very simply says that we grant Wisconsin the ability to go ahead with the welfare reform plan that has been passed through the State legislature.

I have been looking for a way to best describe the Wisconsin Works Program. I would like to read what I found to be one of the better descriptions of the program. I quote this now. It says: Under the Wisconsin plan, people on welfare who can work must work immediately. The State will see to it that the work is there, in the private-sector jobs that can be subsidized if necessary, or community-service jobs if there are no private jobs available.

The State says it will also see to it that families have health care and child care so that parents can go to work without worrying about what will happen to their children, but they must go to work or they will not get paid. If they do work, of course, they will have the dignity of earning a paycheck, not a welfare check.

Mr. Speaker, the plan would send a clear message to teen parents as well. If you are a minor with a baby, you will receive benefits only if you stay in school, live at home and turn your life around. Those words adequately and directly describe the Wisconsin plan.

I have been hearing today that somehow President Clinton did not know what was in this plan. Those words describing the Wisconsin plan, Governor Tommy Thompson's plan, those words are President Clinton's words during his radio address. I would point out that they very directly describe the Wisconsin plan. He knew exactly what was in the plan when he said, and I quote again, we should get it done, referring to granting the Wisconsin waivers.

I have heard this is about partisan politics today. I have a very difficult time understanding how we can call it partisan politics when a Republican Congress is saying to a Democrat President, we are honoring your wishes, here it is, let us do what you said, let us get it done. That is what this is all about.

Mr. Speaker, I might add on the political front, I find myself in a very unique position of being out in Washington, DC, doing the best job I can to see to it that legislation voted for by a potential opponent of mine in the next election, Judy Robeson from Beloit, she voted for this bill, a Democrat on the other side from my own district and potentially a candidate against me in the next race. I am here working to see to it that her good work in fact gets enacted into law.

I would like to also address the comment that there have been no public hearings on this. There has been 18 months of hearings in the State of Wisconsin on this. After 18 months the people in the State of Wisconsin did what the American people want all of us to do. They cut through the Republican-Democrat gridlock that seems to bring this place, Washington DC, to a grinding halt. They cut through that. They developed a welfare reform package requiring able-bodied welfare recipients to go back into the work force while taking care of health care and child care, but they did this with both the votes of the Democrats and the Republicans.

The majority of the Democrats in the State of Wisconsin voted for this plan. All of the Republicans voted for it. All in all, the vote was 100 to 31 in favor of it.

Mr. Speaker, this plan is budget neutral. It does not cost the taxpayers from Washington, DC, at least an additional nickel. I would also like to add to my colleagues on this side of the aisle that, when they voted for H.R. 4 approximately a year ago, if that bill had been signed into law rather than vetoed by the President of the United States, we would not be standing here having this debate today. Wisconsin works for Gov. Tommy Thompson and the Republicans and Democrats in the

State legislature would already be enacted into law and would be rapidly moving forward.

There is one more point that I find extremely ironic in this debate. The whole context of this debate is that we somehow need 30 days out here for the Washington bureaucrats to rewrite the Wisconsin plan. I would like you to think about what exactly that means.

In Wisconsin, we have a Governor and a State legislature that has balanced the budget year after year after year. They have just enacted a huge tax cut. That is, they have reduced the tax burden on the people in the State of Wisconsin. They have balanced the budget. They have cut the taxes. Business is booming in the State of Wisconsin providing job opportunities for people to leave the welfare rolls and once again have a shot at the American dream. Who are we asking for a 30-day review of this process? The Washington bureaucrats, 900 miles from the State of Wisconsin.

Who are we asking to do this review? Who do they want, these Washington bureaucrats to review and Washingtonize this Wisconsin plan? Well, they are the very same people that have plunged our Nation \$5 trillion in debt. They have not balanced a budget in a generation, for goodness sakes. In 1993 they not only did not reduce taxes on the American people, they passed the biggest tax increase in the history of this Nation.

How is it that we would think that we should take this Wisconsin plan and bring it out here to Washington, DC, and have it reviewed by these people who have done exactly the opposite of what we should be doing in this Nation, instead of plunging us into debt and not balancing the budget, increasing the welfare rolls. That is not what we ought to be doing. And I will conclude my remarks. Maybe we should ask the people of Wisconsin to review Washington work.

Mr. KLECZKA. Let me try to bring the debate back to the issue here. I yield myself 30 seconds.

The issue before us is not to rehash or redo the State legislative enactment; that is the law of the land in the State of Wisconsin. What we are trying to do here, what we are talking about is process. There is a process for when States ask for waivers. Like it or not, that is the process that has been used.

So, what the Republican proposal today does is cut out the public's input into this process. Do not give me this baloney about the bureaucrats and everything else. The 30 days is so the public, and I will give you some of the names who have asked for this opportunity from Wisconsin and from out of Wisconsin, but they just want an opportunity to be heard. Why are we cutting that out? What do we have to fear?

Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, let me simply say that the gentleman referred to the hearing that was held in my hometown. I would simply observe that that

hearing was held before the fact. The citizens of Wisconsin have had no opportunity to comment on their view of the Governor's 97 item vetoes and the changes that that made in the process.

My understanding is he made 97 changes on 27 separate items. I would bet that no member of the Wisconsin delegation can define those.

So all we are saying is we ought to leave the process to the same people who provided Wisconsin's nine previous waivers. At least they know something about what is in the package. Certainly no one on this floor does.

Mr. KLECZKA. Mr. Speaker, I yield 3 minutes to the gentleman of California [Mr. STARK], formerly from the State of Wisconsin.

Mr. STARK. Mr. Speaker, I thank the distinguished gentleman from the south side of Milwaukee.

I grew up on the west side of Milwaukee. We used to beat Janesville in basketball at Wauwatosa High School.

Mr. NEUMANN. I personally take offense at that. The basketball teams in Janesville are dynamically great.

Mr. STARK. I am sure big guys like you would have whipped short guys like me.

Perhaps the gentleman from Janesville would indulge me for a few minutes, because I understand that he understands what they have done in Wisconsin; but I cannot quite understand what it is here that he is asking us to do today.

For instance, in his waivers he is asking to waive fair hearing rights. Can he explain to me what fair hearing rights he wants to waive? What fair hearing rights does the gentleman from Wisconsin [Mr. NEUMANN] want to waive here?

Mr. NEUMANN. What we are doing in this bill is we are simply expressing our confidence in the State of Wisconsin legislature.

Mr. STARK. The gentleman lists waivers that he is asking for. One of the waivers is fair hearing rights.

Mr. NEUMANN. No, no, no. What this bill does, very simply, is this bill very simply says we have confidence in the people of the State of Wisconsin.

Mr. STARK. I am sorry, I trust the gentleman, but I would like to know. This is an area in which I have legislated for some time. What fair hearing rights is he waiving, for example? He is waiving, in item 17 in his bill, in the record, the gentleman is saying he is waiving lump sums. I think he meant some lumps, but.

Mr. NEUMANN. We can gladly spend the rest of the debate time on this. If the gentlemen would like me to read a description of that, it is item No. 5 in the description. It says: Applicants for and participants in W-2 employment positions—trial job, CSJ or W-2 T—may appeal a W-2 agency's decision related to eligibility or benefits. The appeal process provided for is similar to the conciliation process under the JOBS Program.

So we can go through these.

Mr. STARK. Why is that not in the bill? What is the gentleman reading from?

Mr. NEUMANN. I am reading from the thing that has been referred to in the Register. But the point here is this.

Mr. STARK. Excuse me. That is not in the bill; is it?

Mr. NEUMANN. The thing is I do not happen to think that we need a Washington review of what has already been done.

Mr. STARK. We do not need a review, but we need a bill that we can read. We are spending taxpayers' money to help Wisconsin.

Mr. NEUMANN. That is money from the taxpayers in the State of Wisconsin, and they have already decided how they would like to spend that tax money. I for one believe that the people in the State of Wisconsin ought to have the right to decide how that tax money has been spent. I would like to point out about the cost.

Mr. STARK. Mr. Speaker, if I could reclaim my time for a moment, the gentleman is asking me to vote for some 88 waivers here which he described to me. I do not have any time to review this. The gentleman has had the experience of all of these hearings or had the experience of reviewing this. If I could just finish.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume. I would like to ask a question of the gentleman from Wisconsin [Mr. SENSENBRENNER].

Our colleague from Wisconsin, Mr. OBEY made the point saying that, since the Governor's veto, nobody has had the opportunity to review this. But I would ask the gentleman, is it his experience when he served in the Wisconsin State Legislature that obviously the Wisconsin State Legislature, which passed this plan two-thirds in the assembly, three-quarters in the State Senate, could have overridden the Governor's vetoes and changed it; could they not?

Mr. SENSENBRENNER. Mr. Speaker, if the gentleman will yield, that is correct, and there is a veto session of the Wisconsin Legislature scheduled for July 9, 10, and 11. The State legislature can decide to override any one of the vetoes that the Governor has chosen to make.

Mr. KLUG. I thank the gentleman for making that point.

Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, the other gentleman from Wisconsin has claimed that nobody has had a chance to review the bill after the Governor has made his line-item veto. The President of the United States has had a chance to review it, because the statements that he made in support of Wisconsin's W-2 plan were after the Governor vetoed parts of the W-2 plan and signed it into law. And he said, all in all, Wisconsin has the makings of the solid, bold, welfare reform plan. We should get it done.

Now, what we are hearing from the other side of the aisle is that we should cloud the issue more. We should confuse the issue more. And we should end up giving the bureaucrats in the Federal Department of Health and Human Services the opportunity to modify the waiver request, as they usually do when waivers are requested, and thus end up by bureaucratic fiat changing the welfare reform plan that the elected legislators of Wisconsin and the Governor of this State have decided is in the State's interest.

That philosophy is wrong. The reason this bill is before us today is so that Congress can allow Wisconsin to get on with the job of reforming its welfare system.

Now, let me say that what we are doing here is really not unprecedented. There have been three instances in the last 10 years where Congress has legislatively approved welfare reform waivers requested by the Governors of various States. In the Omnibus budget Reconciliation Act of 1987, two of them were approved, one from the State of Washington on a demonstration project permitting the operation of a family independence program as an alternative to AFDC, and the other from the State of New York as another demonstration project as an alternative to AFDC.

In the Omnibus Reconciliation Act of 1989, Minnesota was permitted to conduct a demonstration project of its family investment plan. Now, to my knowledge, there were no hearings conducted by the folks on the other side when those three requests for waivers came before Congress for approval. We should not do it here.

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

Mr. OBEY. Mr. Speaker, I want to make one thing clear again. This Wisconsin proposal does not go into effect until late 1997. There is absolutely no reason for 435 people who do not know their ear from second base about what is in this package to actually vote on it rather than having the people who have approved the previous nine requests Wisconsin has had for waivers making their decision on it.

I am tired of hearing what the President said misdescribed. The President had not seen the submission document that the Governor was going to present to him. The President in his radio statement simply said, "I am encouraged by what I have seen so far". He said, Wisconsin "has the makings" of a solid, bold, welfare reform plan.

"I pledge my administration will work with Wisconsin to make an effective transition to a new vision of welfare."

□ 1230

Why do we not take him up on it? Instead of having a cheap political grandstand for 2 hours on this floor, we ought to be taking the President up on that on a bipartisan basis. Quit inventing differences where there are none.

Mr. KLECZKA. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Speaker, I am glad we are having this discussion today because I think that we have all agreed that we do want welfare reform, and there is a bigger picture here because we will take up and have taken up H.R. 4. But today we are talking about and the leadership is offering the Wisconsin welfare plan as its model for welfare reform.

If this is the ideal, then why do we continue in this body to offer a welfare plan that cuts the money necessary to achieve the very goals contained in the Wisconsin plan? Wisconsin says it wants to require work, provide job training, child care, and health care. This assistance is going to cost money.

In fact, Wisconsin recognizes that in order to move people from welfare to work, it is going to have to spend more money than it currently does. How can they possibly achieve their goals under H.R. 4?

The Congressional Budget Office report said that H.R. 4 did not include sufficient funds to meet the work requirements in their welfare bill. How can Wisconsin then meet the more ambitious and more costly work requirements that are included in their plan? What about child care? There certainly is not enough money in H.R. 4 to provide for the level of care Wisconsin is proposing. Wisconsin's promises then probably simply will be broken.

So as we have this debate and as we play the politics today on this issue, let us remember that it is possible to achieve welfare reform that cares about children. This should be our goal. Florida has a waiver request to achieve this goal. Wisconsin believes that it has a plan to reach it, as well. However, let us not kid ourselves into believing that these State initiatives are consistent with the welfare plan that has passed this body.

States do want to be innovative and successful in their efforts to move people from welfare to work. President Clinton wants to help them. In fact, he has approved waivers in 38 States. Of course, we would rather have national welfare reform, but national reform is of no value unless it meets the cost of State plans. We have not done this in the bills offered on this floor.

I hope that my colleagues on the other side of the aisle will consider the questions I have raised. Then maybe we can find out how Wisconsin's waiver is consistent with the Republican welfare agenda, and I would not be surprised if the answer is simply no, not the welfare agenda, only the political agenda, and I think that is sad.

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

Let me make the point that not only does Wisconsin wait for its waiver approval from the White House but also the State of Florida has waiver applications pending, as does the State of California, the State represented by

Mr. STARK who spoke earlier. Again the question is, do you trust the States to do it or does it always have to be stamped right here in Washington?

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. ROTH] to explain why we can do it back home, we do not need to do it here.

Mr. ROTH. I thank my friend from Wisconsin [Mr. KLUG] for yielding me this time. I want to congratulate him and the other Members of the Wisconsin delegation for all the work they have done on this legislation.

Mr. Speaker, let me say this. The Wisconsin Legislature has the most dedicated and the most intelligent people of any legislature in America, and they have made their judgment on this after 18 months of debate.

Today on the floor is what I call the yes butters day. Yes; I am for welfare reform, but not today. I am for welfare reform, but not on this bill. I am for welfare reform but not under these conditions, you see. The yes butters. They know back home the people are for the legislation but they do not have the courage to vote that way, so we have got to have the yes but.

I have to chuckle when people come up here and say the President, this is what he said, look at what he said here. Do you mean to tell me the President of the United States did not know what he was talking about when he talked to the Nation?

President Clinton certainly has some intellectual integrity. He is not a man that will just say anything for votes. Certainly the President of the United States has some intellectual integrity, that when he makes a statement to the Nation, he knows what he is talking about. Do you mean to tell me that he just gets up and verbalizes and does not think about what he is saying? The President does know.

The present system is the poverty preservation program and we are talking about changing it. Yes; change comes hard, because we are all tied to our past. That is what we are asking for, for change.

This weekend we had a big demonstration here in Washington. A quarter of a million people turned out, they said for our children. We in Wisconsin are coming to the Nation to say we want you to pass this legislation for our children, too. We in Wisconsin are willing to take the risk. What are you afraid of?

We in Wisconsin know that the present system does not work. That is No. 1. No. 2, anything is better than what we have today. No. 3, Wisconsin, yes; is willing to take the risk. And, No. 4, the Wisconsin assembly and legislature after 18 months of debate have passed this legislation.

We are coming to you with a package for change. All we are asking you to do is to have some confidence in yourself. Change is difficult, yes; but change is needed and that is what this legislation is doing.

We are moving with this legislation from the liberal welfare state to the in-

formation society. Seventy-five years ago we were debating moving from the agricultural society to the industrial revolution, and the Nation listened to Wisconsin and we are thankful for it.

Today we are again moving, now from the industrial revolution to the information society, and we are saying, "You were right 75 years ago, America, to listen to Wisconsin." We are asking you to be right again and to be with us again today.

Mr. KLECZKA. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I enjoyed listening to the comments of my colleague from Wisconsin [Mr. ROTH]. The problem with his remarks is that they are about 2 weeks early because they should be directed at the welfare reform bill that will be on this floor in about a 2-week period, once the committee I serve on has had a chance to have some public hearings and mark it up.

I should say, on the whole issue of welfare reform, the gentleman indicates, "Yes, I'm for welfare reform but." "I'm for welfare reform but."

Well, this gentleman is for welfare reform and he put his voting card where his mouth is, and the last time we had a vote on the welfare reform bill, the conference committee, I did support it. So the issue here is not whether or not we should have welfare reform in this country. That is a done deal. The question is the process and public hearings.

Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. TANNER].

Mr. TANNER. I thank the gentleman from Wisconsin [Mr. KLECZKA] for yielding time.

Mr. Speaker, several days ago a group of Democrats and Republicans here in the House introduced a national welfare reform bill called H.R. 3266. It is unfortunate, I think, that we are wasting the time of the U.S. Congress debating what should or should not happen in Wisconsin.

We have a process in place that works. Most everybody here has acknowledged that, to take care of these States that are doing their own and requesting waivers and so forth.

We are a national body. If we are going to spend the time of this Congress on the floor on welfare, it seems to me we ought to be discussing a national welfare bill. We have introduced, a bipartisan group, H.R. 3266, that is consistent in many ways with the provisions of the Wisconsin plan. It has bipartisan support. The President has indicated he can work with us to resolve a few outstanding issues on that.

It seems to me that if the Republican leadership wanted to help Wisconsin and all the other 49 States in this country, we could bring a national welfare bill to the floor like H.R. 3266 which gives not only Wisconsin but all the other States the ability to make the changes they need to make, want to make and vote to make, without all this nonsense and windbagging on the

floor today about who said what or when.

It is unfortunate that we are spending all this time to talk about what should happen in Wisconsin. They are entitled to vote on that. Even the Members from Wisconsin cannot agree.

So I would just ask the leadership that sets the agenda around here, let us be a U.S. Congress and talk about a national welfare reform bill that will allow all the States to do whatever it is they want to do. We have that bipartisan bill in place and I wish we could get it to the floor.

My colleague, MIKE CASTLE, and I have introduced H.R. 3266, a bipartisan welfare reform bill which would allow real welfare reform to work. I would rather be here debating that bill because such a debate would be much more fruitful.

This situation we are confronted with in this bill is quite unusual. There is a procedure in place for approving waivers which has proven quite effective in recent months. In fact, many waivers with provisions similar to those in the Wisconsin plan have been approved or are pending approval. Yet, the leadership has only chosen to bring this request for waiver to the floor.

Furthermore, the other body has already indicated that it has no plans to consider this bill. So, this is it. This bill is dead as soon as we vote on it.

Therefore, it is abundantly clear that this is not about welfare reform at all but rather Presidential politics. The President has indicated he supports the plan as described by Governor Thompson and some folks are hoping to embarrass or put the President in a box—so this is all much ado about nothing.

But, since it is on the floor I will take advantage of this opportunity to make a few substantive points.

In terms of the merits of this individual proposal—I agree with the basic blueprint or program outlined in the Wisconsin proposal as I understand it. The proposal includes a limit on benefits, requires work, as well as a guarantee of health care, child care, and whatever assistance might be required to move from welfare to work.

In fact, the blueprint is consistent with the bipartisan reform bill Governor CASTLE and I have introduced. So, on its face the plan is something I can certainly live with.

But the question we should be looking at today is not whether the freestanding Wisconsin plan passes the test. The question we should be asking is how does this plan stand up when it is considered in the context of the national reform bill which has marked up in subcommittee. Once this is done, we see that the Wisconsin waiver no longer looks as good. In fact, we find that the plan has a fundamental flaw. The flaw lies in the phrase, “based on reasonable budget estimates.”

Many jobs still do not provide comprehensive health care. Therefore, any reform effort must include health care to allow recipients to leave welfare for work. In addition, reform must include child care so that recipients are free to pursue employment. Last, reform must provide access to the resources and activities needed to move from welfare to work.

On first reading it appears Governor Thompson's plan guarantees these crucial elements of reform. However, upon closer examination

we find out that the guarantee is not really a solid guarantee, but a conditional guarantee. The guarantee is conditioned on reasonable budget estimates. Or, in other words the guarantee is only good as long as the money is there. This means that the proposal assumes Wisconsin will not have a recession and the Federal Government will provide all the money that is needed.

This causes me great concern. Throughout this debate, I have criticized the Republican welfare bills because they did not provide sufficient funding. Now, I understand the budget constraints better than many people in this House and I have continuously worked to balance this budget. But, let's be honest—reform is going to cost more money in the short term.

The facts are that the welfare bill which is moving toward the floor does not provide sufficient funding. This is not just my opinion but is backed up by a CBO analysis.

No one can guarantee that there will never be a recession in Wisconsin or any other State for that matter. The Castle-Tanner bill recognizes this reality and provides contingency funds to give States access to extra, emergency funds in the event of a recession. The Republican bill would not provide enough protection for States in the event of a recession and put programs such as Wisconsin's at risk.

Under the Republican bill the States will not be able to meet the participation requirements because the bill does not include enough work funding.

And, although the Republicans have responded to our concerns in part and increased funding for child care, the increases have come at the expense of title XX programs and are still insufficient to meet the needs.

Last, the Republican plan terminates Medicaid and transitional Medicaid along with AFDC. There was never a mandate for the end of Medicaid and it is impossible to have successful welfare reform without providing medical care.

I support the right of the people of Wisconsin to decide their own welfare policies and the plan itself is consistent with the bipartisan bill I have introduced. And, since this bill is not going anywhere I will support this silly bill.

However, we have the cart before the horse. We should pass the national reform bill first and then evaluate this proposal. In my opinion, our votes would be a little different then. Why? Not because the Wisconsin plan is not worthy of approval but because the plan won't work under the bill now moving to the floor.

I believe that with our bipartisan bill and the Republican bill we are close to an agreement on welfare reform and I hope that we have an opportunity to address these issues I have outlined before the national reform bill comes to the floor.

Mr. KLECZKA. Would the Speaker kindly indicate to both sides how much time is remaining?

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from Wisconsin [Mr. KLECZKA] has 15½ minutes remaining and the gentleman from Wisconsin [Mr. KLUG] has 16 minutes remaining.

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

If I may read a quote, please, and this is talking about the Wisconsin Legislature:

The final vote on W-2 presented legislators a choice. We could continue along a seemingly endless path that had fostered impoverished dependency on government aid. Or we could try a new direction in the hope of leading all Wisconsin citizens to a more dignified, more prosperous life of self-reliance based on work. The current welfare system doesn't serve people well. It doesn't help people advance from welfare to work.

That quote comes from State Senator Chuck Chvala, who my colleagues from Wisconsin well know was the candidate who ran last time against Tommy Thompson for Governor in the State of Wisconsin who voted, as did three-quarters of his colleagues in the State senate, for this piece of legislation.

I understand the frustration of my colleague from Tennessee, Mr. TANNER, because Tennessee is one of those States as well as California and also a number of other speakers we have heard from today from other States that are also waiting for waiver applications.

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

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. I think it is very important, Mr. Speaker, to know that had H.R. 4 become law, we would not be standing here today, because there would be no waivers required for Wisconsin to implement the W-2 welfare reform bill that the State legislature passed and Governor Thompson signed.

So anybody who voted for H.R. 4 and its conference report should really be supporting this piece of legislation enthusiastically because we already dealt with the issues then that we are dealing with today. Unfortunately, the President of the United States decided to veto H.R. 4 and that is why we are having this debate today. I thank the gentleman for yielding.

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

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. KLECZKA. Mr. Speaker, let me further the point that was made by the gentleman from Wisconsin [Mr. SENSENBRENNER]. If, in fact, the majority party continues along the line like it is doing with the welfare reform bill, and, that is, moderating it to some degree—the one we are going to take up provides for more child care—we will get a signature, we will go to the block grants, you and I will support it, then naturally this will not be necessary. But as long as you insist on always sticking in a poison pill to the bill, you are going to keep getting a veto. The poison pill that you are going to stick in this time around is some radical Medicaid changes which you know the President is not going to buy.

Mr. KLUG. Reclaiming my time, Mr. Speaker, we will have an opportunity to debate a comprehensive welfare package in the next several weeks. The argument today and the discussion again is simply, and the challenge for

my colleagues from Wisconsin opposed to this is, are you going to trust the State to make decision or does Washington have to say yes? Do we have to come back here one more time on bended knee as Tennessee, as California, as Florida had to say, please give us a chance to fix it or you allow us to fix it ourselves.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. PETRI].

Mr. PETRI. I thank my colleague for yielding me time.

Mr. Speaker, I rise in support of this legislation deeming approval of the Wisconsin Works waiver request. My colleagues have described some of the attributes of the Wisconsin welfare reform effort. Let me add another one.

One of the gravest failings of our current welfare system is the tremendous disincentives to work and get ahead forced onto the most unfortunate in our society. There's little incentive to get off welfare and into a job to begin with. And even when a low-skilled parent is working, she has almost no chance to improve her lot. Many of the working poor face marginal tax rates at or exceeding 100 percent—meaning that they lose more in benefits and pay more in taxes than they gain in wages when they increase their hours or earn a raise. The rest of the working families in the income range just above the poverty level tend to have effective marginal tax rates of at least 75 percent.

Wisconsin's W-2 program begins to address this problem in two ways. First, it aims to get everyone into some kind of work by providing the jobs where necessary and removing any nonwork alternative. Then it allows people to earn more as they rise from totally subsidized work in exchange for a grant where they can develop the basic skills necessary to function in the working world, to community service jobs, to partially subsidized jobs in the private sector, and finally into unsubsidized jobs. Rather than treading water, or even losing ground, when low income Wisconsinites work their way up the ladder and eventually off of government assistance, they should see an improvement in their disposable income at each step. The biggest improvement should occur as they move from community service work into private sector jobs, because the EITC will be added at that step.

They'll still be affected by food stamp and child care phaseouts and eventually the EITC phaseout, income taxes, and a health subsidy phaseout but at least the State of Wisconsin is aware of these problems and moving in the right direction.

We need to look at a whole array of Federal programs which all phase out over a similar income range, just above the poverty level, and have the cumulative effect of punishing people for working harder. These programs have been created one at a time in a policy vacuum with the combined effects rarely being considered. The fact that

jurisdiction over them is spread among a half dozen congressional committees just makes it that much harder to consider the combined effects.

I have tried to bring this issue to the attention of my colleagues and will continue to do so. However, it is clear that this problem is not going to be dealt with at the Federal level in any meaningful way in the near future. Therefore, in the meantime we should take the shackles off the States and allow them to try to deal with this problem as best they can. That is one of the goals of this Wisconsin plan and I urge my colleagues to support low wage working Americans and grant Wisconsin the necessary waivers to carry out its bold and innovative plan.

□ 1245

Mr. KLECZKA. Mr. Speaker, I yield 3 minutes to gentlewoman from California, Ms. MAXINE WATERS.

Ms. WATERS. Mr. Speaker, If I thought this was a serious attempt by Speaker NEWT GINGRICH to improve the welfare reform debate, I would seriously try to deal with the waiver issues. However, consideration of a waiver for this Wisconsin welfare plan today is but a cynical political ploy to do a one-upmanship on the President.

I am sick and tired of some Democrats, and some Republicans alike, using welfare children and families as pawns in a political squabble to try to make voters believe they are reforming welfare. This plan may be credible, but who knows. We have had no hearings, and the floor jockeys on the bill do not have the faintest notion of what is in this plan.

We all need to stop the posturing, the game playing and the deceit. This bill does not deserve the vote of one serious Member of this body. Welfare certainly can be reformed, but this is not the way to deal with this issue.

Neither Speaker GINGRICH or Bill Clinton should drive us to do political gymnastics on this issue. I am told under the Wisconsin plan that families would only get help when parents are participating in work activities. But there is no assurance that sufficient placements will be available for parents. This plan does not give any details as to what happens when that family cannot find work within a specified period of time. It appears the whole family, including the children, could lose all cash aid.

Despite their best efforts to find work, children of poor families will be even poorer under this bill. All guarantees of health coverage for children and families under the Wisconsin plan would be repealed.

The Wisconsin State statute states that the new program is in lieu of Medicaid. Notwithstanding fulfillment of the eligibility requirements for any component of the Wisconsin Works, including Medicaid, an individual is not entitled to services or benefits under Wisconsin Works.

Let us all try to get real. Poor children and families deserve a lot better.

Allow the 88 waivers to be reviewed and considered and not put on a political fast track.

Mr. Speaker, I ask the Members of this body to be more serious, to give more consideration, to treat families better, and stop playing this political game. It does not make any sense that the response to a remark by the President about this plan would drive us to overthrow the entire review process and come to this floor, without any hearings, without any knowledge of what is in the bill, trying to make people believe we are doing something to reform welfare and drive it through this legislature because Members think those who are running for office will be too afraid not to vote against it.

I am sick and tired of it, the American public is tired of the political games being played on serious issues. I ask that this bill be voted down.

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

Mr. Speaker, of course politics did not have anything to do with the radio address, did it? But this is how it was played back home. We have heard a lot of quotes about exactly what it was the President said, but look what it said in the headlines in a Wisconsin paper. "Wisconsin Welfare Plan Okayed By Clinton."

When the President goes on the radio and says he is for something, like my colleague from Wisconsin, Mr. ROTH, I assume that means he is for something. And the dilemma is essentially saying we are going to give 30 days so that we can review it is because, as we have seen in the past, and as the 19 States now know, 5 of them with Democratic Governors, Washington will take forever to modify and change plans.

My colleague from California [Ms. WATERS], asked me if I had read the Wisconsin waiver and the Wisconsin welfare bill, and the answer is yes. Unfortunately, she would not yield to me. The question is, has she read California's welfare bill and does she realize that California has waivers pending?

In fact, this is the headline from the San Francisco Chronicle: "Welfare Overhaul Stymied in D.C., Critics Complain."

Not only is Wisconsin waiting for the bureaucrats to wake up, California is waiting and Florida and Texas and 14 other States.

Mr. Speaker, I yield 1½ minutes to my colleague, the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Speaker, I am hearing this is about politics. We just saw the headline there in the Wisconsin State Journal after the President's address: "Wisconsin Welfare Plan Okayed by Clinton." It was the next day. It was literally the Monday after this Sunday headline that we see in the Washington Times, "White House Deputy Chief of Staff, Harold Ickes, Later Backpedaled, Telling the Washington Post the Details of the Wisconsin Plan Will Have To Be Negotiated."

It was clear to him that the President had said OK to the Wisconsin welfare reform plan. It was clear to the

Washington papers that he was now backpedaling from what he said.

What we are doing here today is not about politics, it is about the heart and soul of what I am doing here in Washington, DC. It is about wrestling this power away from the bureaucracy that exists in this city and giving it back to the people so the people can again have a chance to make good decisions that influence their lives.

We talk about welfare. Sometimes we just do not get the right parts of this discussion in here. When I was sitting playing cribbage on Saturday night, a good friend of mine said to me, she says, if the people really need help, we will help them. We are willing to help the people that are truly in need.

But the conversation continued. It is the people that are able to go into the work force and have a chance to leave the welfare roll. As long as they stay on welfare they are stuck in a situation where they are at the mercy of whatever big daddy government decides to give them. When they leave the welfare rolls and go into a job, they have a chance for promotion. And when they have a chance for promotion and they are showing up at work every day, they can again start to dream in this great Nation of ours. They can dream about a better life for themselves and their families, and we can again start to seeing people living the American dream in this country.

That is what the welfare plan is about. It is about an effort to help people off of the welfare rolls and back into the work force. It is doing exactly what we should be doing in this country.

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

Mr. Speaker, we were just shown a copy of a San Francisco news article or some newspaper in California. Let us review where we are in the California waivers. Since President Clinton took office, HHS has received nine welfare waivers from the State of California. Five have been approved, two are inactive, which means they have been withdrawn, and the two others that are pending, both have been received as of March of this year.

So I do not think that is a terribly bad track record.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I thank my colleague from Wisconsin [Mr. KLECZKA] for yielding time to me and I want to applaud the fine work he is doing on this issue.

If the proponents of this legislation were serious, they would take a look at what happened in 1992 when President Bush issued a waiver and it was struck down by the court because there was not a public comment period. But they are not serious. This is not about welfare reform. This is not about helping poor people who should get off welfare, some of whom are there because they are trapped, some are there because

they have trapped themselves, some are there because the system has trapped them. This is all about Presidential politics.

Let us take a look at what the President said. The President said, "I am encouraged by what I have seen so far. All in all, Wisconsin has the makings of a solid, bold welfare reform plan. We should get it done. I pledge that my administration will work with Wisconsin to make an effective transition to a new vision of welfare based on work that protects children and does right by working people and their families."

Now, one would think that my friends on the other side of the aisle would say, great, President Clinton has said he will work with us. And they have every reason to say great because the track record in Wisconsin is one of consistent cooperation between a Democratic President of the United States, a Republican Governor, and a Republican legislature.

Nine times the State of Wisconsin has come to President Clinton or has come to Washington asking for waivers, and nine times they have been granted. My colleague from Madison said that I was incorrect by saying that one of those was granted. He indicated that the State wanted to have the whole State covered but Washington would not do it. As a matter of fact, to correct him, the County of Milwaukee, which I represent, begged to be part of that legislation but the Republicans would not let them be part of that legislation.

Why would they not let them be part of that legislation? Because in the State of Wisconsin there are problems with welfare in most parts of the State, but the most serious part and the most serious problems are in the district that I represent in Milwaukee, because we have the highest concentration of poor people there.

I just want to give my colleagues an example of why I think it makes sense for us to look at this legislation. In his address last week, Governor Thompson said there were speed bumps in the way on this legislation. He said, do not worry, we will take care of those speed bumps.

Ladies and gentlemen, some of those speed bumps are people that I represent. They are not speed bumps, they are mothers with 4-month-old infants. They are mothers who are being told they have to go to work and they have to put their child in day care.

Now, Governor Thompson recognizes there is not enough day care out there right now to serve all the new mothers that are going to have to go back to work. So what do they do? They lower the standard of care for day care. They say we are going to lower the standards. These are just poor people we are talking about. We do not have to have the same standards we have had for all these working class people. These are poor people. We do not have to have training, we do not have to have certification. These are poor people.

It is extremely fashionable, both in Washington and in other parts of the country, to kick around poor people. Sometimes I think it is a national sport. These are people, and we can never, ever forget that. But this is politics. This is not about people. Because if we were concerned about the people we would say, yes, we want them to have an opportunity to be heard.

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

Mr. BARRETT of Wisconsin. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I would just like to observe, if we really want to measure whether anything real is happening here or not we would recognize that right now outside of the Wisconsin delegation on the House floor there are exactly two people from other States.

Virtually everybody in this House, on both sides of the aisle, knows this is just one of those demeaning political exercises. We have simply got a couple of hours where people are going to get up and bash the President or bash Mr. DOLE or bash somebody else. It does no credit to anyone in this institution.

I got into politics for the same reason I am sure the gentleman did, and our other colleague from Wisconsin, Mr. KLECZKA, did, and I hope everybody else did, because we thought politicians were supposed to solve problems, not use them in order to gain a political edge here or gain a political edge there and bamboozle somebody again.

There is literally nobody on this floor. How on Earth can we ask people to vote on this legislation when they have not read it, they have not heard the debate, they could care less about the debate? They are already getting ready to go to the airport, and we are pretending this is a real legislative day. Grow up, fellas. Grow up.

Mr. BARRETT of Wisconsin. Mr. Speaker, reclaiming my time, I want to talk about how this measure ended up on the floor. Again, nine times the State of Wisconsin has come to Washington and gotten waivers. Nine times there have been no problems. In fact, if there were problems, we would not have the Governor of the State of Wisconsin traveling around the country claiming he is the king or the leader in welfare reform. If the Clinton administration had stymied them in any of those waiver requests, they would be barking, they would be screaming about it.

But the Clinton administration has not stymied them in a single one, and that is one of the reasons it is successful. But the mortal sin, the mortal sin that the Clinton administration made in this matter was that they said "We will work together." My God, how can we have a Democratic President offering to work with a Republican Governor? That is the mortal sin. That is where the President went over the line. He said I am going to work with them. We will work hand-in-hand to try to solve this American problem.

It is not a Republican problem and it is not a Democratic problem, it is an

American problem, and that is the way we should be addressing it. And, frankly, why I am embarrassed as a Representative from Wisconsin is that is the way we have done it in Wisconsin. We have worked together.

When people ask me from the State of Wisconsin what is the biggest difference between the State legislature, where I served for 8 years before coming to Congress, I tell them it is much more partisan and it is much meaner in Washington. It is just a mean place where people are out day after day trying to outfox each other politically.

That never happened on the welfare issue with the State of Wisconsin until 2 weeks ago. And what happened? Speaker GINGRICH and the Representatives from Wisconsin, the Republican Representatives, held a press conference and they decided they were going to up the ante. Speaker GINGRICH suggested, well, maybe we will just introduce a piece of legislation. Speaker GINGRICH said, maybe we will just pass it in Congress.

□ 1300

Just as the swallows return to Capistrano, just as night follows day, the next thing that happens is on the floor of the House of Representatives, in defiance of the Wisconsin tradition of working together on a bipartisan basis, they are going to stick it to the President. They are going to stick it to him. They are going to take that olive branch that he has handed them and asked to work together, my God, he asked to work together, they are going to take that olive branch, break it in half and shove it in his eye because this is not about helping people. This is not about reforming the welfare system. This is about Presidential politics, pure and simple. That is exactly what we are talking about today.

That is why the gentleman from Wisconsin, Mr. OBEY, is correct, that is why there are no Members in this Chamber from anywhere but Wisconsin because this is not a national issue. This is not an issue that people care about in other parts of the country because if it were, this legislation would grant those waivers to all those other States. Wisconsin's waiver has been sitting in the White House for 8 days, 8 days.

There are other States that have a more serious problem, if you believe my colleagues on the other side of the aisle. Why are we not considering those waivers? Because in those waivers the President did not say, I will work, together with you.

This is an attempt to embarrass the President. If that is what we want to do, if that is how we are spending our time under this leadership, so be it. But it does not help the process. It abuses the process.

There has not been a single hearing on this measure since Governor Thompson exercised his partial veto pen 97 times on 27 different items. There has not been a person in this

country who has had the opportunity to go to their elected officials to talk about that veto, not a single time. What are we going to do? No hearings in Congress. We have had one Governor, one person out of 260 million people in this country who used his line item veto 97 times, and now Congress is going to rubberstamp this thing.

If you are interested in welfare reform, then you should let people have an opportunity to be heard. What is the sin of having people be heard?

Let us do it right. Let us adopt the amendment that Congressman KLECZKA will propose and we will get this done. But let us end the political shenanigans. Let us get Presidential politics out of the State of Wisconsin.

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

Let me make the point, we have had hearings on this. The question is, Where do the hearings have to happen? Do they have to happen here in Washington or in Wisconsin? Thirty hearings, town hall meetings, as my colleague, Mr. SENSENBRENNER, has already cataloged for us, 120 hours of debate. Two thousand residents testified in those assorted town hall meetings and the legislative hearings themselves.

Again, if the Governor vetoed it, as my colleagues know who served in the Wisconsin State Legislature, the Wisconsin State Legislature has the ability to override them.

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

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, are we waiving the plan as the Governor passed it or the plan as the legislature may change it, if they reject his vetoes?

Mr. KLUG. Mr. Speaker, we are acting on the waivers as submitted by the Governor.

Mr. OBEY. Mr. Speaker, if the gentleman will continue to yield, what happens if the legislature turns some of those down? Does the State then amend it? Do we then pass another bill? Why do we not wait until the legislature has acted?

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

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. NEUMANN. Mr. Speaker, I would like to respond to that. The reason for that is because we have a great deal of confidence in people like Roger Breske, a Democrat from the gentleman's part of the State, and Russell Decker, a Democrat from the gentleman's part of the State, who voted for this plan. We have a great deal of confidence that they will make good decisions for the people in the State of Wisconsin.

Mr. OBEY. Quit playing politics and answer the question.

Mr. NEUMANN. Mr. Speaker, the answer to the question is, we have a great deal of confidence in the people of Wis-

consin. We do not want 30 days of bureaucratic input into the Wisconsin plan from Washington, DC.

Mr. OBEY. What is the legislature going to do? Are they going to accept those line item vetoes or not?

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HOEKSTRA] who does have interest in the debate in front of us.

Mr. HOEKSTRA. Mr. Speaker, I am from the State of Michigan. I have a tremendous interest in this issue.

Recently, some of my colleagues and I, one of them from Wisconsin, completed a document called the Myth of the Magical Bureaucracy, the belief that Washington can solve every problem.

This issue that we are discussing today fits right into that document, because this document talks about the Washington myth that the future of America rests with bureaucrats in Washington, that the future of the people on welfare in Wisconsin is dependent on bureaucrats in Washington and not on the State legislature in the State of Wisconsin.

What is going on is we are replacing Washington ideals with traditional American ideals. We are replacing a faith in God with a faith in Washington. We are replacing the American ideal of parents and family with bureaucrats.

This picture of Washington shows that what we have called Independence Avenue really needs to be renamed into Dependence Avenue, because every time we build a new bureaucracy, we are moving decisionmaking away from the people. We are moving it away from the States, and we are putting it into bureaucrats here in Washington. We need to move power back to the States, back to the people closest to the problem.

We have had a lot of talk about the welfare process, the waiver chase in Washington. Let us talk about what the State of Wisconsin has to do to address the problems in their State.

Congress passes or issues mandates. We develop thousands of pages of laws of public health and welfare. It goes into bureaucracy. They develop rules and regulations, thousands of pages of regulations. It goes to the State of Wisconsin. We have a bureaucrat who interprets these thousands of pages of regulations. Finally we get to the people of Wisconsin.

They say, that is interesting what they did in Washington but that does not work for our State. Those people do not quite understand what goes on here. So they pass overwhelmingly a program that will work for their State. You think they would be able to move forward, but, no; they have got to submit 300 pages of waiver requests. It comes to Washington here. Somebody who maybe has never been in Wisconsin is going to evaluate whether they can get these waivers. The bureaucrat makes a recommendation and maybe the President will sign it.

That is not compassion for the people in Wisconsin that need help. The results are that we have waivers that take 292 days to approve, 448, 153, 322. That is not performance. That is not compassion. That is not dealing with the problem.

Let us recognize that the future of many of our problems, the future of America is in the hands and should be in the hands of individuals, parents, families, and States and not Washington bureaucrats.

Mr. KLECZKA. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, all I would say is that the substitute we are going to offer simply asks two things: make sure there is a 30-day comment period because the proposal before us does not go into effect for a year and a half, so there is hardly a rush. And, second, we are taking the seven standards defined by the Governor and simply asking HHS to determine whether or not the bill does in fact meet these seven standards defined by the Governor on page 4 of his presentation document.

If these seven statements are true, they waive it. If they are not, they work with the State to make certain that they are true.

This is not a legislative opportunity before us. This is a 2-year cooked-up special order, pretending that we are doing something when, in fact, nothing real is going to happen.

In my view this is simply a Gingrich political special. It is another exercise in dividing people, in pretending there are divisions when there are none. Every Member of the Wisconsin delegation wants the Wisconsin welfare program to be tried. Most of my political allies in the State legislature voted for it.

All we want to do is to exercise our responsibility as Federal Representatives of Wisconsin to see to it that this package is what we are told it is. That is all the resolution asks for. There is absolutely nothing wrong with it. If anybody is interested in working with each other rather than simply playing political games, they will vote for the Kleczka amendment.

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

Mr. SENSENBRENNER. Mr. Speaker, I think it is unfortunate that whenever you are on the short end of the argument, you end up demeaning the other side's arguments, getting involved in name calling. And that is not what the legislative process should be, but unfortunately, in many instances it is.

What the gentleman from Michigan [Mr. HOEKSTRA] said is what the issue is before this House. The issue is whether the decision on what waivers should be approved or not rests with bureaucrats in the Department of Health and Human Services, who are not elected, who are not responsible to the voters and who are not even re-

sponsible to the President of the United States, or whether the decision should be made by the elected representatives of the people in the Wisconsin State Legislature. It is those State senators and those State representatives that have determined that this is a good idea for the people of Wisconsin.

If it has been misrepresented, they are the folks that ought to take the political hit, because they are responsible for their voting record, just as we are responsible for ours. So let us have some faith in those elected senators and representatives by approving this bill and providing the waivers that are needed to make this work.

Mr. KLECZKA. Mr. Speaker, I yield myself the balance of my time.

I think it is important to note, as I said before, and we have to keep repeating it, what we are doing here today is not redoing the State legislative enactment. A lot has been said about the public hearings that have been held before the legislature met on the debate on the W-2 program, and that is true. I served in the State legislature for years. I happened to have been the chairman of the joint committee on finance. So I know the process as well as Mr. SENSENBRENNER, who I served with in both the house and senate.

What happens is, you have a public hearing on the idea and possibly on the bill draft. And then after the hearings and the public has had a chance to speak, the legislature in the house and the senate in Wisconsin go back to their respective chambers and they debate the legislation.

Unlike the rules of the House of Representatives, they are free to represent their constituents by offering as many amendments as they want, and they are also free to use as much time as they want, another luxury that we do not have here. And so once the public was heard, the bill came before the house. Hours were spent in debate and amending the bill. So it has been changed substantially from what was out in Wausau, WI.

So after that process was done, the bill was passed by the legislature, sent to the Governor. He waited 5 weeks before he took it up. And then when he presented it back to the legislature as approved, he issued some 27 vetoes. Again, the legislature will not be heard on those vetoes until sometime in July. So the bill could be changed, maybe not substantially, but it could be changed in part by legislative action that is coming after this debacle that we are going through today. That is the legislative process.

Again, let me remind my colleagues, we are not redoing the bill. We are finishing the process. We are providing a finale, if I could say, to this process by saying, and now what happens? There are 88 Federal waivers requested. Now the public can be heard again. Now the public from Janesville and Madison and the constituent who wrote me and

the groups who wrote me, now they can be heard again.

My substitute, which we will talk about in a few minutes, does that. Your bill, sad to say, rubberstamps the 88. No one knows what is in it. It is like potluck, I would guess.

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

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

Mr. GUNDERSON. Mr. Speaker, I think if I have one reputation around here it is a reputation of being a fairly bipartisan sort of guy. But I wanted to share with you an experience I had in my early legislative days in the 1970's, when I was speaking at a welfare reform meeting with all the local welfare reform directors.

They said, I am convinced you State legislators do not ever want to get welfare reform enacted. You want the issue; you do not want a solution.

And as I listen to this discussion today, I think that is exactly what is going on here. Nobody is disparaging the Wisconsin plan. It is a comprehensive, dynamic, real substantive reform plan. It was passed with a strong bipartisan majority in both houses of the Wisconsin State legislature. It was signed into law by the Republican Governor. It has been endorsed by the Democratic President.

Now what we are saying is, all right, then let us get it done. What do we have here this afternoon? We have this intense partisan battle over whether or not we are going to let them get it done. We say the State legislature has not resolved the vetoes that the governor has had. Do my colleagues know what? A 30-day period, they are not even going to meet. So what is the plan here? Is the plan to simply say, we will deal with the question of Wisconsin waivers sometime later on? I do not think so.

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So the real question we are talking about today is are we going to do what we say we are going to do, which is enact real welfare reform, or are we going to talk about it and find all kinds of ways in the process of talking about it to make sure it never gets done? That is what this is all about.

The reason we are here is accountability. Everyone from the President to the Governor, on a bipartisan basis, said this is a good idea. If it is such a good, then let us simply get it done; at least let us get it implemented so if there are problems, we can come and fix the problems, but get the changes put into place.

Mr. KLUG. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. BONILLA). The Chair recognizes the gentleman from Wisconsin for 1 minute.

Mr. KLUG. One more time, if I can, colleagues, let us put this in some kind

of perspective. There is a simple fundamental question in front of this body today: "Do you trust a State legislature and a Governor to run their own affairs?" And I think the answer fundamentally has to be "yes." And my colleague, the gentleman from Wisconsin [Mr. GUNDERSON], hit the nail on the head. I mean, sure, these waiver applications may get approved, but only if it gets rewritten and gets changed and gets modified and it gets capitalized, and at the end of the day we do not have Wisconsin's welfare plan, we have Washington's welfare plan. But my colleagues could put a Wisconsin sweatshirt on, and it does not make them a badger inside.

The question is: "If you rewrite a third of these regulations or a quarter of the regulations or half of the regulations, at the end of the day it's not Wisconsin's plan." We have the first comprehensive plan passed in the country, two-thirds of the State assembly, three-quarters of the State senate, the Governor's opponent for Governor the last time around, the Senate minority leader, a larger majority of Democrats as well as Republicans.

The fundamental question today is: "Whose values are you going to trust: the people sitting at the lunch counter in Wisconsin or the bureaucrats down the road on 'Dependence Avenue,'" as the gentleman from Michigan [Mr. HOEKSTRA] appropriately characterized it?

That is why Wisconsin needs the green light for once; it does not need a yield sign or a stop sign from the Washington bureaucrats.

Mr. PASTOR. Mr. Speaker, I would like to take a few moments to discuss my position on H.R. 3562, the bill to approve the waivers for the Wisconsin Welfare Plan.

I would like nothing more than to support meaningful welfare reform legislation. However, I believe the bill before us today circumvents the entire legislative process in an attempt to politically embarrass the President. Additionally, I cannot vote for a measure that raises more questions than it answers. Members of this House have not seen the details of the Wisconsin welfare plan and we have no idea what it contains. We do not know the details of the waivers Wisconsin has asked for, and by bringing this bill to the floor, we are being asked to blindly vote and make decisions on something we have not had time to study and evaluate. Members from across the country are being asked to vote on a plan developed by Wisconsin, without having the opportunity to review the plan. This would set a disastrous precedent as the American public did not send us to Congress to cast uneducated votes.

Furthermore, by passing this bill, we would effectively shut out the public from their part in this process. The Department of Health and Human Services allows a public comment period of 30 days, a comment period that allows for concerned citizens to have input on the plan. Why are we in such a hurry that we deny the public their right to make comments on this matter?

In the past, Wisconsin has come to the administration seeking various waivers, and each

time, the requested waiver was granted. The Wisconsin plan may prove deserving of the requested waivers, and should that be the case, I would fully support the plan. I believe that we should allow the administration and Wisconsin to work together to resolve this issue, not use this issue to score political points.

Unfortunately, the Republicans are not allowing us that opportunity. It is unfortunate that they have decided to attempt to portray the President and Members as opponents to welfare reform when the reality is that Congress is being asked to blindly cast votes on a plan that we have not had the opportunity to study.

Mrs. JACKSON-LEE of Texas. Mr. Speaker, I support welfare reform and I would like to see this body enact a meaningful and effective welfare reform bill during this session of Congress.

The bill we consider today, however, is not a meaningful welfare reform plan for the Nation but it is a political action intended to put Members and the President on the spot, and to paint them as opposing welfare reform. In fact, if this was not an election year, this bill would have never been scheduled for consideration.

H.R. 3562 was never considered by a committee. This bill was rushed to the floor without hearings in which the public would have an opportunity to express its views and have them considered. This bill would eliminate the 30-day public comment period routinely used by the Department of Health and Human Services [HHS] when considering waivers.

The Wisconsin plan may indeed be a plan worthy of study. I am pleased that the W-2 plan would provide child care and health care for participants, which is essential if we are to move people off of welfare and into work. I have spoken with welfare recipients in the 18th District of Texas and they have told me that they want to work and that they view welfare benefits not as a way of life but as a bridge to better times. The bill's sponsors, however, have not let the plan's merits speak for itself. Instead, they are trying to bypass the normal rules HHS has for approving a waiver, without allowing the agency and the public to fully examine the plan's components—normal procedures entail a 120-day review process.

The Kleczka substitute, on the other hand, would provide for an expedited review process to be completed by July 31, 1996, under the normal administrative rule procedures, while allowing for public input. The Kleczka substitute would require a 30-day public comment period to provide the citizens of Wisconsin and other interested parties with a voice in the process. HHS must also certify that the plan contains the features the Governor claims that it does.

The substitute would ensure that this is truly the best plan for Wisconsin and that certain individuals will not be left behind. Specifically, HHS should certify that the plan will help find the best self-sufficiency alternative, and there will be a place for everyone regardless of capabilities and that child care and health care will be available to all low-income families who need it to work. I also believe that job training is an essential component to any welfare plan.

We need comprehensive welfare reform but there are a myriad of interests and a diverse population that must be considered in enacting such reform. I appreciate the progress that Wisconsin has made on this issue but I would

caution that the Wisconsin plan cannot be made a prototype for the Nation.

We should applaud the States for acting on their own to reform welfare. Congress should not however, waive the rules and regulations that a State is required to follow in implementing its plan. The Federal Government has a responsibility to ensure that a plan will do what it says it will. I urge my colleagues to support the Kleczka substitute and allow HHS to consider the Wisconsin plan according to the normal administrative review process.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I think that we can all agree that the welfare system in this country needs to be reformed. I think we can further agree that it is our responsibility to make an attempt to reform that system.

But as we begin our deliberations on reforming welfare, I would caution my colleagues to be thoughtful and deliberate. For it is a fool who rushes a raging river to beard an angry tiger.

Presidential politics should not be the driving force behind any reform movement. H.R. 3562 is being fast tracked through this body by the majority in an attempt to embarrass the President.

How can we begin to consider waivers for the Wisconsin welfare plan when we have less than all the facts. I have not seen a copy of the Wisconsin plan, there has been no committee review, no hearings, no markup, and there has been no health and human services public comment period. What do the citizens of Wisconsin think about the welfare reform plan offered by their Governor? Mr. Speaker, the Congressional Research Service can't even provide Members with a summary of the bill.

I caution my colleagues that if we approve these waivers in this irresponsible manner, we will give a green light to every Governor who seeks waivers for similar reasons. Let's not circumvent the process—oversight and inquiry are our responsibility and public comment is the right of the taxpayer—let's hold hearings on the Wisconsin plan—let's hear from the people of Wisconsin—vote no on approving the waivers.

Mr. REED. Mr. Speaker, I rise in opposition to this Republican effort to bypass the normal 30 day comment period and approval process for the Wisconsin welfare reform plan and eliminate the ability of the people of Wisconsin to officially and publicly express their views on the plan.

I am a strong supporter of welfare reform and workfare. I am also a strong supporter of a truly bipartisan effort to fix the problems of the current welfare system.

However, I am not a supporter of purely political exercises on the House floor when we should be in committee working on a bipartisan welfare bill for the Nation, not just Wisconsin.

The Wisconsin welfare plan, known as Wisconsin Works [W-2], requires waivers of 88 provisions of Federal law and regulation in order to be implemented. However, the legislation before us does not enumerate or provide any information on these waivers. Indeed, I have received no letter from Governor Thompson of Wisconsin requesting that I or any other Member of Congress should approve these waivers—that letter went to the President where it should have gone.

In fact, this is only a political exercise which will not be considered in the Senate. It will,

however, have real ramifications for the welfare reform effort in my State of Rhode Island.

Rhode Island is currently debating two competing plans, one offered by Governor Almond and the other by a coalition of business people and antipoverty groups, to reform the State's welfare system. These plans have many provisions in common, including requiring work in order to receive assistance and providing expanded child care opportunities. Both of these plans, however, are miles apart from the Wisconsin plan.

The goal of welfare reform should be to instill individual responsibility and move people from welfare to work. However, a reformed system should continue to provide a safety net for those individuals who are unable to work, and most important, a reformed welfare system should protect children, who have little control over their parents' behavior.

With the information I have been able to find on this proposal, it appears that the Wisconsin plan does not meet these goals. Under W-2, no family would be entitled to benefits, child care, or other services. Families would receive help when parents are participating in work activities, but there is no assurance that there will be sufficient job placements available for all those in need of assistance. W-2 also places children and families at risk by ending the guarantee of health coverage through the Medicaid Program.

Mr. Speaker, I will oppose this legislation because I am concerned it moves us away from real bipartisan welfare reform in Rhode Island and the Nation. However, I will continue my efforts in support of flexibility, work requirements, and protecting children when the majority brings a real welfare reform proposal to the floor.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, it is now in order to consider an amendment by the gentleman from Wisconsin [Mr. KLECZKA].

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
OFFERED BY MR. KLECZKA

The SPEAKER pro tempore. Mr. Speaker, I offer an amendment in the nature of a substitute. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment is as follows:

Amendment in the nature of a substitute offered by Mr. KLECZKA: Strike all after the enacting clause and insert:

**SECTION 1. URGING IMPLEMENTATION OF WISCONSIN WORKS DEMONSTRATION PROJECT.**

Upon presentation by the State of Wisconsin of the document entitled "Wisconsin Works" as signed into state law by the Governor of Wisconsin on April 26, 1996, to the appropriate Federal official with respect to any Federal entitlement program specified in such document, such official is urged to waive compliance with the requirements of Federal law with respect to such program to the extent and for the period necessary to enable the State of Wisconsin to carry out the demonstration described in the document upon meeting these requirements:

(1) Such official shall publish a notice in the Federal Register describing the proposed changes to Federal programs contained in the document scheduled under Wisconsin law to go into effect in October, 1997, and provide for a 30-day comment period to receive pub-

lic comments from the citizens of Wisconsin and interested parties.

(2) Such official shall provide for expedited consideration of the demonstration project described in the document under the procedures otherwise required by law, except that such official shall complete such consideration not later than July 31, 1996, compatible with the State schedule established in such document.

(3) Such official shall certify that the plan does in fact contain the features described by the Governor of Wisconsin on page four of the document entitled Wisconsin Works, March 1996 (publication number PES893).

**SEC. 2. PROVIDING FUNDING AUTHORITY FOR IMPLEMENTATION.**

(a) The costs of carrying out the demonstration project which would not otherwise be included as expenditures under such program shall be regarded as expenditures under such program.

(b) LIMITATION OF COSTS.—Subsection (a) shall not apply to the extent that—

(1) the sum of such costs and the expenditures of the State of Wisconsin under all programs to which Section 1 applies during any testing period exceeds

(2) the total amount that would be expended under such programs during such testing period in the absence of the demonstration project.

(c) TESTING PERIOD.—For purposes of subsection (b), the testing periods are—

(1) the 5-year period that begins with the date of the commencement of the demonstration project, and

(2) the period of the demonstration project.

(d) RECAPTURE OF EXCESS.—If at the close of any testing period, the Secretary of Health and Human Services determines that the amount described in subsection (b)(1) exceeds the amount in subsection (b)(2) for such period, such Secretary shall withhold an amount equal to such excess from amounts otherwise payable to the State of Wisconsin under section 403 of the Social Security Act (relating to the program of aid to families with dependent children) for the first fiscal year beginning after the close of such period. The preceding sentence shall not apply to the extent such Secretary is otherwise paid such excess by the State of Wisconsin.

**SEC. 3. NO EFFECT ON CERTAIN OTHER WAIVERS GRANTED TO THE STATE OF WISCONSIN.**

This Act shall not be construed to affect the terms or conditions of any waiver granted before the date of the enactment of this Act to the State of Wisconsin under section 1115 of the Social Security Act, including earned waiver savings and conditions. The current waivers are considered a precondition and can be subsumed as part of the Wisconsin Works demonstration.

**SEC. 4. AUTHORITY TO PARTICIPATE UNDER SUBSEQUENT LEGISLATION.**

If, after the date of enactment of this Act, any Federal law is enacted which modifies the terms of, or the amounts of expenditures permitted under, any program to which section 1 applies, the State of Wisconsin may elect to participate in such program as so modified.

**SEC. 5. EFFECTIVE DATE.**

Sections 2, 3 and 4 of this Act shall become effective on the date that a waiver is approved pursuant to the conditions stated in Section 1.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin [Mr. KLECZKA] and a Member opposed, each will control 30 minutes of debate time.

Mr. KLUG. Mr. Speaker, I am opposed to this amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. KLUG] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I think it is time to start from the beginning of the debate, because I think we have gone off course, and look at what we are doing today.

The bill before us will pass at the end of the day, probably around 3 o'clock. It will not pass the Senate. So all this rhetoric will be for naught.

So if we think we are doing something to help the American people or even help the people of Wisconsin, we are fooling ourselves because as soon as this bill leaves this House, it is DOA in the Senate.

And so my colleague, the gentleman from Wisconsin [Mr. BARRETT], says this is Presidential politics, let us not kid a kidder, and he is exactly correct. I cannot change the fact that it is a Presidential political year, but I think this body could probably rise above that and act responsibly.

But that is not in the cards today, my friends. What we are being asked to do by the Republicans, what we are being asked to do by the majority party product, is to take 88 waivers that the Governor gave to this administration and President a week ago, and today, Thursday, at about 2 o'clock, rubber stamp them all.

Now, do my colleagues think Members of Congress come to Washington, DC, and rubber stamp things and do not read what they are doing? Today is a good case in point because today, my friends, we are going to see it happen.

We are told that in the CONGRESSIONAL RECORD, which is published every day, there is a listing of 88 points, 88 waivers. All right; let me read one to my colleagues: Elimination of child care disregard. We are going to eliminate the child care disregard. What does that mean?

It is not in here; that is all there is. One phrase. Do my colleagues know where it is contained? In here. It is contained in this voluminous document, which 5 Members in Congress out of 435 have and possibly read.

So we are going to, about in an hour-and-a-half, do something where no Member, or 430 Members of Congress, do not know what they are doing, and they are asking us to participate in that, and I for one say "no." If my folks back home taught that I was casting votes in important legislation without reading it, I would be recalled. I would be in Milwaukee, WI, today as I speak versus being in this historical Chamber. And that is what it is all about.

Let the Republicans defend how they can ask all their colleagues to vote for something they never read. Sad.

The President indicated in his remarks, and we have the copy of the radio address, that he favors the Wisconsin welfare plan. That is fine. Did

he ever say, "And I will, within 3 days, sign 88 waivers I never read"? No. That is not part of it.

But if we go through the history of this whole process, as I indicated before, the legislature in Wisconsin passed it, 5 weeks later the Governor signed it. If it was such a rush job, why did the Governor not sign it the next day after the Wisconsin legislators passed it? Five weeks later he signed it. Then he looked at it, and because we have line-item veto, which I support, he vetoed 27 items from the bill. And then he came to Washington and said, "And I need 88 waivers." The Governor also indicated; he said, "And I like to get this process started, so if you guys and ladies in Washington wouldn't mind, if you could get this done by August 1 of this year, that would be nice." But know for a while this program does not get up and running in the State of Wisconsin until October 1, 1997. Why not September 1, 1997, like the legislature told the Governor? Because he vetoed that. He vetoed that in the bill and moved it back a month. So now we have the program coming on line, August 1, 1997, or October 1, 1997, clearly a year and 5 months from now.

I have introduced a substitute amendment, which I appreciate is being made in order today, and what does it do? Does it talk about bureaucrats regressing the legislature, doing all sorts of nasty things? No. Does not do any of that. What it does is, very simply, even the 430 Members who have never read the waivers will understand this, but know for a while, and I am going to ask the folks in the gallery to stick around for the vote because at least 50 Members are not going to be voting. Do my colleagues know why? Because this is not a big deal to California, and it is a long flight home, this is the last day of session, and they are gone. They are at Dulles Airport and National Airport right now catching their flight home. And so what we have here is something akin to a special order, something we do at the end of the day and just talk to the cameras and to each other.

The only good that I see that has come out of this, my friend from Wisconsin, Mr. KLUG, is that in the last 4 years this is the most time the nine of us have talked together that I can recall, and so if there is a silver lining behind what is going on today, it has brought the nine of us maybe closer together, or at least we got to have some conversation. So that is good.

But the substitute does three major things. It does, No. 1, provide that the review and approval of these waivers shall be expedited. That is No. 1. No. 2, the substitute amendment we are going to be voting on shortly says that there shall be a 30-day public comment period because the public, many in Wisconsin and many from other States who have an interest in the legislative process, have not seen any of the waivers and want a chance to react.

Why would we close the public out? That would be akin to we are taking up the appropriations bills one day on the floor, and we lock all the Chamber doors and turn off the C-SPAN cameras because we do not want the public to hear and see what we are doing. Boy, would there be a riot this country, and there should be.

But I have letters, not only from constituents, Nancy Ann from Greendale, WI, who wants to be heard on this because she did not see any of the 88 waivers. Marjorie S. from Milwaukee, who lives on Superior Street, she wants to be here on this. Here is a group who has some interest in the entire issue of waivers and what is happening: The American Association of Women in Community Colleges, very educated group, knowledgeable group, they want to be heard on this. The Wisconsin Catholic Conference; now, they participated in the public hearings, but not all the changes and not the waivers. They want to be heard on this. But if we adopt the Republican measure, they are cut out of the process, the doors are locked, the lights are dimmed, we do not see what is happening. I think that is wrong.

So my substitute provides for expeditious consideration, 30-day public review period, and finally it says by July 31 of this year, by July 31 of this year the process shall be complete.

The Governor asked this Congress to do that by August 1; the substitute that I will ask my colleagues to vote on in a short time says October or—the substitute that I have introduced provides that July 31 the process is done. How fair. And at that point, even though 430 Members have not read this before they are approved, at least someone will, or at least the public will have their say recorded and their judgments listened to.

Mr. HEFNER. Mr. Speaker, will the gentleman yield for a question?

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

Mr. HEFNER. Mr. Speaker, for my own clarification, under ordinary circumstances, something of this magnitude, what would the process be? What committee would it go to that we would have hearings where everybody could talk about it, we could have witnesses or what have we, and the public would know exactly what we are voting on? Because I am not familiar with the welfare situation in Wisconsin. I am aware of some it in North Carolina. We have had some waivers, and the Governor has put in some changes in the welfare program.

What would be the process that we would go through under ordinary circumstances if this was not a dire emergency that we had to get done this week? What would be the process?

Mr. KLECZKA. The gentleman asks a excellent question. A lot of talk has been had today about how the State legislature of Wisconsin went out, had public hearings, and they debated the bill. This is a bill just like the Wisconsin

Legislature debated, and the normal operating procedures, as the gentleman well knows, is for the Committee on Ways and Means, which has control of the issue, it is in our jurisdiction, it is the committee I serve on, the bill would be introduced, we would have public hearings, members of the public could come before the committee and say we like this, we like that, this should be changed, and at this point, after the committee heard the public testimony, voted on whether or not we should recommend it, it would then be sent to the floor for debate like we are having today.

That process was totally skirted. The Committee on Ways and Means and the Members who serve on that committee do not know any more what is in this bill or the waivers than the gentleman from North Carolina.

Mr. HEFNER. Has there been 1 hour of hearings on this particular legislation?

Mr. KLECZKA. There has not been 1 minute of hearings, sir.

Mr. HEFNER. There have been no meetings on this at all?

Mr. KLECZKA. No.

Mr. HEFNER. So today the people that are proposing this legislation, I am as well informed as they are, basically?

Mr. KLECZKA. The gentleman is probably more informed because he is one of the few that is here.

Mr. HEFNER. Well, I have been here for quite awhile. I have never seen something of this magnitude, and we single out a State we are going to grant how many waivers?

Mr. KLECZKA. Eighty-eight.

Mr. HEFNER. Eighty-eight waivers that nobody knows what they are or what they do that absolutely affects the lives of millions of people—I do not know how many people are in Wisconsin.

Mr. KLECZKA. Four point eight.

Mr. HEFNER. Four point eight million people in Wisconsin, and it is going to directly or indirectly affect the lives of all the people in Wisconsin, and we are going to do it here when a lot of people are going to be gone, nobody knows anything about it. To me, this is absolutely an abdication of our responsibility, and it laughs in the face of a free society and government by the people and for the people.

This is absolutely totally repugnant to me.

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

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

I think this is an indication in the dialog we just saw, a very clear indication in the fundamental debate here. There were 30 hearings and townhall meetings in Wisconsin, and there were 120 hours of debate, there were 2,000 residents who participated in those townhall meetings and in those hearings as well. That is where the debate should take place, and that is where the debate has taken place and that is

where the vote was. The issue is whether my colleagues trust the Wisconsin State Legislature to run its own program or whether they think it is necessary for the Federal Government in Washington to rewrite it.

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I do not think it is. Again, as for waivers and waiver records, the Clinton administration has denied waivers in Illinois, Massachusetts, and Wyoming. Waiver requests have been withdrawn because of the administration's strings in New Mexico, Ohio, and South Carolina. The following States have waivers pending: California, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Michigan, Minnesota, New Hampshire, Oklahoma, Tennessee, and Utah.

Mr. Speaker, I think each one of those States is capable of making its own decision, and I think that is the fundamental question before us today: Do we trust the residents of Wisconsin or do we trust the bureaucrats in Washington, DC?

Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. KASICH], the chairman of the Committee on the Budget, whose home State, Ohio, had to withdraw its welfare plan because of Clinton administration objections.

Mr. KASICH. Mr. Speaker, I very much appreciate the gentleman yielding time to be because, frankly, Mr. Speaker, everybody who is observing this debate ought to recognize that this is the opening debate, or not opening, the budget resolution was the opening debate, but this is the very first few chapters in the debate about the next century, the debate about the future of our country.

Mr. Speaker, what we are trying to do in Washington as conservatives is we are drawing the conclusion that if in fact we can take people's power, money, and influence from this city and put it back into their hands and their pockets where they live, they will be empowered to develop better solutions, more effective solutions than we can develop in Washington. This is the perfect debate, to hear the definition of a liberal and a conservative at the end of the 20th century, into the 21st century, and I love the fact that we are going to debate this and the American people can decide for themselves.

The questions that every American citizen has to ask themselves is: Am I capable of doing a better job of solving a problem where I live than somebody in Washington who has never met me? Frankly, do I have to come trudging to Washington to ask permission and to have them evaluate my solutions in order for me to be given permission to fix problems in my neighborhood?

I am going to tell the Members, Mr. Speaker, conservatives are going to win that fight every single time, because in Washington we have not been getting it right. We have been sacrificing the future of our children by wasting money, we have been not solving problems.

When we take a look at this welfare situation, I could take 10 people out of the gallery today and sit them in an office, and within 24 hours they would design a more effective welfare reform plan than is being designed in this city today.

Mr. Speaker, the real question is, do we have faith in people, do we have faith in the American citizen? Because increasingly Americans are frustrated that Washington just does not get it. It takes too much of their paychecks, does not treat their money with respect, and they design programs that do not work.

Our goal as we enter the 21st century and leave the 20th century is to systematically let people have control of their lives, because we trust that they will do better than a Washington bureaucrat who, frankly, I would say to the gentleman from Wisconsin [Mr. KLUG], does not even know what time zone it is in Madison, WI, let alone what the problems are.

Mr. Speaker, this is just the beginning, because what is exemplified in this debate is not just who should control and determine the quality of welfare, but who should determine and write the programs of quality education for our children: Should it be Washington bureaucrats or mothers and fathers?

Also, should we as Americans believe that we can handle our disabled and our elderly better where we live than relying on the Federal Government? This is what we are going to see. In fact, should the Government continue to take more and more of what we earn to spend on what they think is important in this city, rather than what we think is important in our neighborhoods?

Frankly, Mr. Speaker, the question is real simple: Do we have faith that people in the great State of Wisconsin are able to design a welfare program that they are happy with, that they believe will solve problems more effectively, that they believe is more compassionate, and at the end of the day, will get people from welfare to work? Or do Members think we ought to keep the program in Washington and impose a system on Americans where we come on hands and knees and beg unelected Federal bureaucrats for permission to design local solutions to local problems?

This is a perfect debate, and I would suggest that when this rollcall vote is put up here, we are going to be amazed at the fact that the people of this country will win, because we are going to pass this bill because it reflects and represents a confidence in the American people. Power to the people.

Mr. OBEY. Mr. Speaker, I yield 30 seconds to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, I appreciate the fact that this is an ideal debate, but to me it is patently unfair, Mr. speaker, for people to ask people from every State in this Union to come

in and cast a vote on something that they know absolutely nothing about.

The committee system works here, where we have Democrats and Republicans go to committee, they talk, and they have hearings. They come and talk to our colleagues and explain what we are voting on. They are asking people here that know absolutely nothing about a tremendous document that is going to affect 4 million lives in Wisconsin, and the chairman of the Committee on the Budget made a very excellent speech here, a political speech, but he did not have the courtesy to enter into a colloquy. That is where we are. It is a political document. It is going nowhere and it is disgraceful. It does not speak well for this House.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. STENHOLM].

The SPEAKER pro tempore (Mr. BONILLA). Without objection, the gentleman from Wisconsin [Mr. OBEY] now controls the time in support of the amendment.

There was no objection.

Mr. STENHOLM. Mr. Speaker, I want to take time today to put in a plug for enactment of real welfare reform, something that the House and Senate can and will vote for and something the President will sign.

Let us be totally honest today, Mr. Speaker. This debate on the Wisconsin waiver is not about welfare reform, it is about scoring partisan points in an election year. We all know this is a terrible process, to be considering the Wisconsin proposal. It is not unreasonable to expect the Wisconsin plan to be subject to public comments and undergo review to determine whether it meets the goals it sets forth, whether it will increase Federal spending, which I cannot believe my chairman was speaking a moment ago without recognizing the potential of doing damage to the budget.

Regardless of whether we are talking about welfare proposals or health care grants or education plans or any other function of the Federal Government, I must say that circumventing the processes which have served both Democrat and Republican administrations, allowing time for public comment and review, is not a wise precedent.

The State of Texas had to undergo this process in order to implement a welfare reform proposal very similar to the Wisconsin plan. While it was frustrating at times for those of us who supported the Texas waiver to go through the process, we did not ask for special treatment such as we are being asked to give Wisconsin today. The Texas plan was approved because it was able to stand up to the scrutiny and questions and is now being implemented. I support the Kleczka-Obey amendment because it requires that the Wisconsin plan undergo the same reasonable scrutiny and the same valid questions to be asked that Texas did.

Instead of wasting our time with political games on waiver for one State,

we should be working on enacting a bipartisan welfare reform bill for the entire Nation. I agree that we should not be micromanaging the welfare programs of Wisconsin or any other State. There is an agreement on a bipartisan welfare reform proposal that can become law, that would allow Texas, Wisconsin, and all of the other 48 States to pursue innovative welfare reform proposals to move welfare recipients to work. It is called the Tanner-Castle Bipartisan Welfare Reform Act. The Tanner-Castle bill is an effort to put an end to the partisanship and the speech-making and all the rhetoric on this floor, and take constructive action on welfare reform.

The Tanner-Castle bill gives States the flexibility to implement welfare reform, initiatives like the Wisconsin plan. There is so much about the Wisconsin plan that I like. It is just like the Texas plan. The problem is, we do not know what is the rest of the story. What else is in this 600 pages? Why not subject it to a reasonable amount of scrutiny?

The more important thing for today's debate is to understand this is pure political partisanship. I hope that within the next 2 weeks when the welfare reform bill comes to the floor that we will sincerely have the discussion and the debate on asking and answering the questions, so Wisconsin or any other State does not have to come to the Federal Government for a request for waivers. We are that close to doing it, but believe me, Mr. Speaker, this bill today moves us in the opposite direction. I support the amendment offered by the gentlemen from Wisconsin, Mr. KLECZKA and Mr. OBEY.

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

Mr. Speaker, let me say that I understand the frustration of my colleague in Texas because of Texas' frustration in getting its own plan, which was delayed for a while with the Federal bureaucracy. He is right, we do need a national plan, but the question again is if we will give a green light to one very specific program that is ready to go, that the President said he liked, that was, again, passed by two-thirds in the House, three-quarters in the State Senate back home.

The question is can Wisconsin go ahead, in case we get held up in the national arena again? Not only is Texas inconvenienced at this point, and there is frustration from Georgia, Florida, and a number of other places, but California has been caught in this fight as well.

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

Mr. KLUG. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Speaker, I am just curious; do we have a CBO estimate of Federal costs of the Wisconsin plan?

Mr. KLUG. I will let my colleague, the gentleman from Wisconsin [Mr. NEUMANN], a member of the Committee on the Budget, respond.

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

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. NEUMANN. Mr. Speaker, it is cost-neutral on a 5-year period of time. It is on the second page of the bill.

Mr. SABO. If the gentleman will yield, what does that say?

Mr. NEUMANN. It says specifically that the cost has to be neutral over a 5-year period of time.

Mr. SABO. If the gentleman will yield further, I would ask, Mr. Speaker, is that for State and Federal Government combined?

Mr. NEUMANN. No, that is for the Federal Government and the impact on the Federal.

Mr. SABO. Is that a CBO estimate that that is achieved?

Mr. NEUMANN. No, it says very specifically in there that it must be budget-neutral over a 5-year period of time.

Mr. KLUG. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. RIGGS] to express his frustration with California's inability to achieve waivers here in Washington.

Mr. RIGGS. Mr. Speaker, I thank the gentleman for yielding time to me, and for his leadership on this very important issue.

Mr. Speaker, I want to point out to our Democratic colleagues what they have described here on this floor in the last few minutes as pure political partisanship, opportunism on our part, is not limited to Wisconsin. It also, to use their definition, would apply to our frustration in California, seeing our welfare waiver requests to the Federal Government held back here by the Federal Government bureaucracy for months and months and months.

This article from the May 28, 1996, San Francisco Chronicle pretty much says it all. It says "Welfare Overhaul Stymied in D.C., Critics Complain, California Officials Lament," I quote from the article: "President Clinton," and by extension congressional Democrats, "argue that he," his administration, the Clinton administration, "has granted States wide latitude to reform welfare, but California State officials maintain that the White House has stymied their attempts by delaying, refusing and amending requested changes in Federal rules governing Aid to Families with Dependent Children, the main welfare program financed half by the Federal Government and half by the States."

Listen to what Eloise Anderson, the director of the California Department of Social Services, has to say: "Clinton is out there publicly saying one thing, but his actions are quite different." This is a remarkable lady. She is an African-American, she is a former welfare recipient, she is very familiar with the Wisconsin plan, because she worked as a top welfare aide to Governor Thompson. She has patterned the California welfare reform proposals after the Wisconsin model.

She says that President Clinton says one thing and does another. That is a

real surprise, by now, I am sure, to the American people. Governor Wilson says that President Clinton had "failed to live up to his promise of four years ago to 'end welfare as we know it.'" So California has been absolutely stymied by the Clinton administration. What is the status with respect to their welfare waiver request? What is the status of those waiver requests?

Contrary to the statements of the President, President Clinton has thwarted California's efforts to reform welfare through the waiver process. On average, California waiver requests have spent over 300 days languishing in Washington, DC, awaiting approval; 300 days; Mr. Speaker, not 30 days.

On average, the Bush administration approved California's waivers within 60 days, and three major California waivers are still pending. The maximum family grant, 581 days and counting, 581 days. Did Members hear that figure? Not 30. This proposal was enacted by the California State Legislature in 1994 with bipartisan support. It would end the practice of rewarding irresponsible behavior by denying a grant increase for children born to families on welfare. As I mentioned, it was submitted in November 1994 and is still pending. Grant reductions, 91 days and counting; 91 days and counting.

Studies have found that California's high AFDC grant levels discourage work because receiving AFDC is more lucrative than working for the minimum wage. That is one reason why I sponsored the minimum wage increase amendment on this floor. But Federal law prevents California, which provides the fourth highest grants in the country, from reducing their grant levels.

Lastly, the teen pregnancy disincentive, 91 days and counting. This reform, approved by the State legislature, again with bipartisan support, would require teen parents to live at home, with certain exceptions, in order to receive aid. So it is crystal clear what is going on here, Mr. Speaker, particularly to the American people, and anybody who is wondering why efforts to overhaul welfare have been stagnated today need only look as far as this Chamber and how it has acted or how it will act on the Wisconsin welfare waiver request, and how this administration has handled the California welfare waiver request.

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Mr. KLUG. Mr. Speaker, I yield 4 minutes to my colleague, the gentleman from Missouri [Mr. TALENT], who is from the St. Louis area and who has been a real leader on welfare reform, generally, in this House.

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

Mr. TALENT. Mr. Speaker, let us look at this system that Governor Thompson and an overwhelming bipartisan majority in Wisconsin is trying to change. Let us look at what this system has given us.

In the immediate postwar era, Mr. Speaker, welfare in this country was taken care of, basically, by localities and private charities backed up by State resources. Let us look at how that worked.

In 1948, the poverty rate was about 30 percent. It declined steadily in the postwar era until in 1965, it reached 15 percent. What happened in 1965? The Federal Government declared war on poverty.

Now, the national impulse to help the poor was a good thing, but here is how the Federal Government did it. It conditioned assistance on people neither working nor getting married, and the two best antipoverty programs, the way people typically got out of poverty, is by work and by marriage. In effect, what the Government did over a period of about 30 years was take away kids' dads and give them Government instead.

We did not get a reduction in poverty. The poverty rate was 15 percent in 1965, trillions of dollars later, it is still 15 percent. What we got was an explosion in the out-of-wedlock birth rate. That is the system that Governor Thompson is trying to change.

What is he trying to do about it? He is trying to replace this failed system that nobody will defend, that nobody wants to even be close to defending. He is trying to replace that system with a system of assistance to people that encourages marriage instead of penalizing it, that encourages, and in many cases for able-bodied people requires work instead of penalizing it.

Everybody believes that that is the direction that we ought to go in. How much longer are we going to wait until we go in that direction? The existing system has produced hundreds and hundreds of thousands of instances of human tragedy and usually involving kids. I think of the story of Eric Morse who was raised in a Pittsburgh housing project, a 5-year-old boy. His mom taught him right from wrong, taught him not to steal, and there were some older kids in the project. They wanted him to steal. When he would not do that for them, they dragged him up to the top of that public housing project and they threw him out a window. There were no dads in that housing project, nobody to come out of a door and say what the heck is going on? Stop this.

That is the result of this welfare system that people here are trying to defend without appearing to defend it. How much longer do we need to wait? We hear all kinds of excuses.

Mr. Speaker, why are people devoting such energy in trying to defend or fight this covered retreat in order to prevent change of this system. We do not know enough about what Wisconsin is doing. We know our system, the federally imposed system is no good. We know that this State has been at the forefront of useful welfare reform. We know that this plan was approved by the huge bipartisan majority and endorsed by the President of the United States.

What else do we need to know? We do not have a CBO estimate. We do not know how much this change is going to cost the Government. We know what this system is costing the Government. We know what the existing system is costing, not just in money, but in terms of lives. They say we need more time to consider this. We have had 30 years of this existing system. Let us give some changes an opportunity. We do not need more time to know that this system is broken.

When President Clinton said at the beginning of his term, we need to end welfare as we know it, nobody stood up and said, no, let us keep welfare as we know it. Why are we preventing this change that everybody wants?

Mr. Speaker, this is a plan that has been endorsed by a huge bipartisan majority in the Wisconsin Legislature, endorsed by the President of the United States; it is fully consistent with the bill that passed this House last year. It is not only what we should do, it is the least we should do. It is less than the least we should do.

We should be having these principles nationally. Let us at least let the people of Wisconsin do this for the individuals in their State, the most vulnerable among the lower income Wisconsinites, and the children there, let us at least let them do this for their own communities.

Mr. KLECZKA. Mr. Speaker, I yield 3 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for yielding me this time.

I think it is important for us to come to some common ground. I do not think that those who oppose this legislation have in any way any desire to disturb, denigrate, deny, the people of Wisconsin to offer whatever solutions they see best for their State and for their community.

But we have a Federal law, and what they have to do if they have desires of participating within the Federal law and to have the benefits of 60-percent funding, which is what they received today, then they must go through the process, and the process requires that they file with the administration waivers that must be approved in order for their new plan to go through.

That is not to say that the Wisconsin people are not genuinely interested in change. They have not completed their process because the legislature still can act upon their vetoes, but nonetheless, we want to certainly accord the people of Wisconsin, California and my State the privilege of going to the administration and explaining to what extent they could do better with the funds that they are receiving by updating waivers.

Now, the waiver process may be difficult, but it is there because we are under a Federal law, which we have to reply to and be responsible to, to the rest of the taxpayers of this country. That is what it is all about.

It seems to me that to come to the Congress and to ask for special prerogatives, to establish a special precedent when anyone can come here and get a hearing with respect to their individual State's waiver on the grounds that our State desires to opt out of some Federal regulation is a very, very bad precedent to follow.

The second bad thing about this bill is that it denies open government, the open government principle which says, we must at least in the waiver process enable people to file comments; at least a 30-day comment period must be protected if we believe in open government.

The third principle which we are destroying today is the separation of powers. We have distinct authorities, legislative, executive, and judiciary. We have given the executive the prerogatives of waivers. It is not for this Congress to sit here and decide sight unseen which waivers we want to give to a law that we have enacted. None of us have seen the 88 waivers.

I certainly cannot explain any of them, because I have not read the documents, which have not been made available to us. It is really a denigration of our responsibility as national legislators to be called upon to vote on something that has occurred in another State.

Mr. Speaker, I do not wish to presume upon the intelligence and the judgment and the policies of Wisconsin, but I have a responsibility to reflect the integrity of this Chamber and the desires of my State. So regretfully, I must stand on principle today, the principles of open government, full discussion, and a separation of powers.

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

First of all, let me say to my colleague from Hawaii, who also has a waiver application pending with the Clinton administration.

Mrs. MINK of Hawaii. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. Mr. Speaker, in that sense, I hope that it is the policy of the majority to grant us this special hearing also whenever we see fit, because we too have waiver applications.

Mr. KLUG. Mr. Speaker, reclaiming my time, again I would encourage the gentlewoman as a member of the President's party to issue waivers more quickly. However, let me say fundamentally that waivers are not welfare reform, waivers are a lifeline for bureaucracies to rewrite and to change and negotiate and manipulate and modify documents that are written back at the State of Wisconsin.

Again, in terms of the subject of openness, 30 legislative hearings and town meetings, 120 hours of debate, 2,000 residents who participated. There was great discussion in Wisconsin, there was a recorded vote and majorities in both the assembly and the Senate, two-thirds in one, three-quarters

in the other, voted on and passed this piece of legislation and the Governor signed it into law.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. NEUMANN], the author of this important piece of legislation.

Mr. NEUMANN. Mr. Speaker, I rise to make it perfectly clear my opposition to the amendment in the form of a substitute, and I would like to make it clear exactly what is going on in this amendment in the form of a substitute.

What is happening here is they are trying to say that we need 30 days here in Washington to review this. Surely, we are not talking about Wisconsin people who want more time to review this, because after 18 months, my colleague from Wisconsin has gone through the list of how many different hearings they have had out there, but surely, after 18 months of hearings the people in Wisconsin have had their chance to be heard.

This legislation is not legislation designed to reform welfare all over the United States of America. This is legislation designed to reform welfare in the State of Wisconsin, the people that are going to be affected by this legislation, have had 18 months, they have had 18 months of chances to express themselves.

What came out of this 18 months of debate in Wisconsin? Why do we not need another 30 days of debate out here in Washington, DC? Well, first let us make it clear if we give them 30 additional days to debate this out here in Washington, DC, what we are really doing is giving the Washington bureaucrats the power, the time and the right to rewrite the Wisconsin plan and to Washingtonize it.

We do not want our Wisconsin plan Washingtonized. I do not know if the plan is right for every other State in the country, I cannot tell you that. But what I can tell you is that after 18 months of debate, two-thirds of the people in the assembly and three-quarters of our State senators, the majority of the Democrats and all of the Republicans in the State legislature voted for it. That is a pretty resounding endorsement for this.

They have made mention of the fact that maybe everybody does not understand all of the things in this. Well, our State legislature sure does. The Democrats in the State of Wisconsin that voted for it sure do, the Republicans in the State of Wisconsin sure do.

So I would just strongly oppose the amendment in the form of a substitute. We do not need 30 days for the Washington bureaucrats to pick apart the Wisconsin plan and rewrite the Wisconsin plan to their liking. The people in Wisconsin are perfectly capable of writing a plan that they know and understand and that serves the best interests of the State of Wisconsin.

There is one another point I would like to make.

After 18 months of debate, after a two-thirds vote in the assembly and a

three-quarters vote in the Senate, after the Governor signing the bill, what happened? You would think the bill would be enacted into law, but instead of enacting the bill into law, the next step was to prepare this document. As has been pointed out on the other side, 700 pages in this document, 700 pages.

I would like ask people in here just exactly how much they think it costs the taxpayers in the State of Wisconsin to hire their own Wisconsin bureaucrats to put this document together, to come hat in hand to Washington to beg for approval, and just exactly how much do we think it is going to cost the taxpayers of this Nation to hire the bureaucrats to sit out here in Washington, DC, and now review this document one page at a time?

That is an expense of the taxpayers' money. That money should be going to help the truly needy people in this Nation. It should not be spent bogged down in a bureaucratic process that just plain does not work, and if there is anybody that would like to argue that the welfare system in the United States of America today works, I would sure be willing to listen.

Mr. Speaker, I strongly oppose the amendment.

Mr. KLECZKA. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, the previous speakers indicate that we are giving 30 days. They know full well the law provides that 30 days shall be given to the public for comment, and the Governor by his own words and written sentences states to us that if you do this by August 1, that is fine with me. So I guess we are playing Governor here by knowing better than what Tommy Thompson needs.

The substitute provides the process will be completed by July 31. The Governor says do it by August 1. Everything is fine.

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

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

Mr. Speaker, my understanding, there is no CBO cost estimate, and the reason we do not have it is because the legislative process is again being diverted. If one followed the normal process and had a bill reported from committee, then the House rules require a CBO cost estimate. If he brings to the floor an unreported bill such as this, then the rules do not apply.

So we do not have a CBO cost estimate, and I must say to my friend from Wisconsin, I look at your language, and it does provide some cost limitations. But it applies to the totality of State and Federal costs. It does not apply if the State is doing things with the system, increase Federal costs and decrease State costs.

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

Mr. SABO. I yield to the gentleman from Wisconsin.

□ 1400

Mr. NEUMANN. Mr. Speaker, we have had extensive debate on this issue

over the course of the last week and a half. The language that is found in the bill on page 2, subsection (b), was developed in close consultation with CBO.

Mr. SABO. It does not do what the gentleman says.

Mr. KLUG. Mr. Speaker, I yield 1 minute to the gentleman from Janesville, WI [Mr. NEUMANN] to engage in a colloquy with the gentleman from Minnesota [Mr. SABO].

Mr. NEUMANN. Mr. Speaker, this is a very important concept here, and the gentleman understands just how concerned I am with the Federal deficit. I know, from serving with the gentleman on the Budget Committee, he understands just how strongly I feel about things that come to this floor being deficit neutral.

We spent an extensive amount of time and developed this language in consultation with the Committee on Ways and Means and CBO to make sure that at the end of the 5-year window, which is the normal window used out here, that we would in fact be at least neutral in terms of cost to the Federal Government, so that we do not have a bill on the floor that would make the deficit worse.

I think it is very important to understand that as people make the move from welfare to work, there are some initial up-front costs in the program but that we benefit down the road, as those people accept their normal role in society and become productive parts of the society, earning a living, paying taxes, doing all the rest of the things. So it is clear that there are some costs in the beginning but we do have the language in the bill that makes it neutral over the 5-year window.

Mr. SABO. If the gentleman will yield, I wish what the gentleman said was accurate.

Mr. KLECZKA. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I have been listening to the debate all day today, and one of the things I find most interesting in this debate is we have had a number of speakers from States other than the State of Wisconsin who have come up and told about the terrible horror stories of how their State has submitted a waiver request and the request has been pending for any number of months or any number of years. As I listened to those horror stories, I thought, well, why are we not dealing with that State's waiver request? Why are we not dealing with California's waiver request if it is so terrible? Why are we not dealing with Hawaii's waiver request?

Instead, we are dealing with the waiver request from the State of Wisconsin, a State which has had every single waiver request it has submitted granted and a State where the most stale waiver request, the one that is gathering all that dust here in this terrible city of Washington, District of

Columbia, has been sitting there for 8 days. That is right, 8 days it has been sitting there, and this terrible administration has failed to act in 8 days on this waiver request.

So I ask myself, what is going on here? Why, rather than dealing with Wisconsin's request that is 8 days old, from the State that has had the most success in getting waivers, why we are not dealing with California's or Hawaii's waiver request?

I keep going back to that press conference that Speaker GINGRICH orchestrated where Speaker GINGRICH said, "Well, we're just going to come and we're going to pass this waiver request for the State of Wisconsin." Why do it in the State that has the least amount of problems getting waiver requests? Because it is a State that is up for grabs in the Presidential campaign.

It is a State that President Clinton wants to carry and it is a State that Senator DOLE wants to carry. So rather than going into one of these other States, let us inject presidential politics into the State of Wisconsin's welfare reform practice.

Does that make sense? It does not make sense to me, because the State of Wisconsin has been successful. It has been successful working on a bipartisan basis. It has been successful with a Republican Governor and a Democratic President working together.

I know that that is anathema to my colleagues on the other side, that this is an issue where President Clinton agrees that there should be welfare reform. But I am also troubled by the fact that what we are trying to do here today is frankly circumvent the will of the State legislature in the State of Wisconsin and Governor Thompson, because in Governor Thompson's waiver request, what does he ask us? He asks us to approve these waivers by August 1, 1996. That is what Governor Thompson asks us to do in his waiver request.

Well, Speaker GINGRICH and his followers have decided that they know more than Governor Thompson and the legislature. Even though Governor Thompson and the legislature have asked us to approve these things by August 4, they are saying, no, we know more than that elected body in the State of Wisconsin. We know more than that elected Governor of the State of Wisconsin. What we are going to do is we are going to put our judgment—Speaker GINGRICH and his followers—are going to put our judgment in place of what the legislature and Governor Thompson have asked us to do.

Talk about arrogance, that is arrogance to me. If the Governor of Wisconsin in his own submittal asks us to approve this by August 1, well, then, let us do it. And that brings me to the substitute that has been offered by the gentleman from Wisconsin [Mr. KLECZKA] the gentleman from Wisconsin [OBEY], and myself.

What does that substitute have us to do? That substitute, believe it or not,

asks us to do exactly what Governor Thompson has asked us to do, and, that is, it urges the Secretary of the Department of Health and Human Services to approve the waiver request by August 1, 1996. We are doing exactly what the legislature has requested, we are doing exactly what the Governor has requested, and we are working with them on a bipartisan basis, hand in hand. That is not good enough for the Speaker and his followers.

So where does that leave us now? That leaves us with the amendment that has been offered by the gentleman from Wisconsin [Mr. KLECZKA]. It asks us to do several things. It urges the Secretary to approve the waivers, it urges the Secretary to approve those waivers by the exact date that is contemplated in the W-2 plan. And it also asks the Secretary to make sure that the plan complies with the statements that were made by Governor Thompson. Again, wholly consistent with working together, not making it a partisan issue, trying to get welfare reform done so that it helps people and does not inject Presidential partisan politics into the debate.

I think that the substitute that is being offered is a substitute that allows the Republicans to go home and claim victory, because we will not have these delays that we are hearing about, these horrible delays that are going to say that these delays are going to go beyond 60 days. It does exactly what they want us to do, and that is get these waivers approved quickly. It does so consistent with what Governor Thompson said.

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER], a member of the Committee on the Judiciary and ask him to yield for a fundamental question.

Mr. SENSENBRENNER. I yield to the gentleman from Wisconsin.

Mr. KLUG. In the substitute that has been offered by our colleague from Wisconsin [Mr. KLECZKA], the language says "urge."

Is it the gentleman's reading that it does not compel the Secretary to act by August?

Mr. SENSENBRENNER. Mr. Speaker, that is absolutely correct. This substitute is really a cop-out, because what it does is it punts the ball right back to the bureaucrats in the office of the Secretary of Health and Human Services. It does not compel the Secretary and the bureaucrats to approve the submittal that has been made by the Governor of Wisconsin. It allows the Secretary to cherry-pick and approve some and modify others and disapprove others, which means that the whole W-2 welfare reform plan that was passed by the State legislature does not get approved, and it does not even set up an automatic deadline as I read this. It just urges the Secretary to do it by the end of July.

There is precedent for legislatively approving welfare waivers that have

been requested by the States and I referred to 3 instances during my remarks in general debate: In 1987 Washington State welfare waivers were legislatively approved in a budget reconciliation bill as were New York waivers. In 1989 Minnesota had some waivers legislatively approved. That is exactly the same procedure that we are using here today with the waivers that have been requested by the State of Wisconsin. So we are not doing something unprecedented, despite what the previous speaker has said. We are following the precedents that occurred in 1987 and in 1988 with the 3 other States and simply saying that this Congress approves the waivers so that the decisions that have been made in Madison, WI by the elected representatives of the people will proceed rather than getting modified, delayed and confused by bureaucrats in the office of the Secretary of Health and Human Services across the street.

Mr. KLECZKA. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, I rise to support strongly the Democratic substitute offered by my colleagues from Wisconsin and to say that that delegation also knows what is best for Wisconsin as well as my colleagues from Wisconsin on the other side of the aisle.

I also want to comment to the last speaker who said there is great precedent because there were some 3 incidents. I would hope that those precedents were based on need. There is no demonstrated need, any congressional intervention need. Only 8 days have passed. So why is there this rush to judgment that we need to engage ourselves in? Only for political reasons.

Why should we support the substitute? Because it allows the will of the Wisconsin Governor and the General Assembly to go forward without any delay. More importantly, also, it has due process. Due process is one of the constitutional provisions that all citizens should have and certainly the citizens of Wisconsin should have, and at least those 30 days to comment. Nothing is delayed in allowing the alternate bill from the Democrats to go forward. You are getting the same thing. But you also will gain one other important provision, the constitutional provision of due process allowing the citizens to comment.

Mr. KLUG. Mr. Speaker, may I inquire as to the time remaining on both sides?

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from Wisconsin [Mr. KLUG] has 8 minutes remaining, and the gentleman from Wisconsin [Mr. KLECZKA] has 5 minutes remaining.

Mr. KLUG. Mr. Speaker, I yield 1½ minutes to the gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Speaker, I rise to urge my colleagues to vote for this waiver today. Just recently I had an

opportunity to talk in some detail with Governor Thompson about the Wisconsin plan. It is a bold plan. It is entirely in line with the principles that the majority of this Congress have voted on previously this year that would allow States to do innovations in the delivery of welfare so that we can finally find out a method for solving the welfare problem. The current system is not working to help the people that it is supposed to. We want to see some experiments around the country, and hopefully we can find a method that will work.

This plan from Wisconsin may not work. But I would like to give it the chance to do that. I know that it has been well thought out. I know that President Clinton, who has been described by many as something of a policy wonk, who looks at a lot of the details of plans, recently spoke to the benefits of this plan and the value of this plan and basically endorsed it.

So I think that we ought to go ahead today and give Wisconsin its waiver and get it on its way and see whether the Wisconsin plan will help us provide welfare better than we are doing now in the State of Wisconsin.

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, the legislation we are debating today deals with one basic and fundamental issue. Do we want to continue with the current welfare system, or do we want to make available to those people currently receiving these benefits a more promising and rewarding future?

I, for one, firmly believe that the vast majority of individuals currently receiving welfare would prefer cashing a pay check to cashing a welfare check. Not only is it counterproductive, it is also wrong. It is wrong because it locks people into a cycle of welfare dependency and does nothing to improve their quality of life.

This issue strikes at the very core of what we are trying to accomplish in this Congress. We need to turn back to the States the programs they must administer.

Today, we are simply trying to comply with the President's wishes. He said he would like to see Wisconsin granted a waiver and that we should look to this plan as a model for future national reform.

My own State of Florida was granted a waiver to conduct two welfare demonstration projects. While the Federal waiver was granted in a more timely fashion than other States requesting such a waiver; the time span was still 5 months long.

Wisconsin passed its waiver with bipartisan support by receiving a two-thirds majority vote. This waiver was agreed to by the State legislature after 18 months of public debate. It certainly has had a significant review.

Welfare robs people of their self-esteem and leaves them with little self respect. Let us put these people to

work and give them the dignity they want and will receive when they are no longer on the dole.

My colleagues on the other side should remember that it is the President who endorsed this plan. Now we are being accused to playing politics. Why don't we pass this legislation and allow the people of Wisconsin to make their own decisions about the future of its State in terms of the type of welfare program it would like to have.

□ 1415

Mr. Speaker, I would like to conclude by reciting a passage from Genesis in the Old testament which sums up what this debate is really all about. It reads, "If any would not work, neither should he eat." Welfare represents the antithesis of what this line from Scriptures states.

Mr. KLUG. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to thank my colleagues who have been listening to this debate back in their offices as well as my colleagues on the floor. We have a very important fundamental choice before us today. To what degree do we trust the citizens of Wisconsin to make their own decision about welfare reform and to what degree do we think that Wisconsin's plan needs to be modified, changed, stapled, amended, or put through a blender by Washington bureaucrats?

Here is the fundamental point. The plan passed in the Wisconsin legislature 73 to 25, an essentially two-thirds majority in the State assembly. Republicans and Democrats. All Republicans and a majority of Democrats.

The Wisconsin State Senate? Seventy-five percent of people in the Wisconsin State Senate voted for the plan; 27 yes, 6 no. Three-quarters Republicans and Democrats were for what President Clinton called Wisconsin's bold welfare experiment.

Supporters? The current senate minority leader, after a special election this week, perhaps soon to be the current Democratic majority leader in the Wisconsin State Senate, and last time opponent to Governor Thompson for Governor, Chuck Chvala, said in support of, and voted for W-2, he said, "The final vote on W-2 presents legislators a choice. We can continue along a seemingly endless path that has fostered an impoverished dependency on government aid, or we can try a new direction in the hope of leading all Wisconsin citizens to a more dignified, more prosperous life of self-reliance based upon work, because that is the fundamental point in the Wisconsin plan; that it is not welfare but it is work."

Who else supports the plan; this kind of crazy idea floated up by a Republican Governor? The Democratic mayor of Milwaukee, John Norquist. In fact, he says he is worried, and has told the Clinton administration that he thinks W-2 does not go far enough. "I want the W-2 waivers to be signed quickly,

but I want President Clinton to make sure that W-2 does not become welfare reform-like."

The Democratic mayor of the city of Milwaukee wants President Clinton to grant the waivers and wants Congress to act quickly to put the plan in the President's hands.

What did the President say again? "Last week Wisconsin submitted to me for approval the outlines of a sweeping welfare reform plan, one of the boldest yet attempted in America, and I am encouraged by what I have seen so far. I pledge that my administration will work with Wisconsin to make an effective transition to a new vision of welfare based on work."

Now, we have been accused on this side of misreading the President's words. All I can tell my colleagues is how the press read that. The press said that means that the welfare plan had been okayed by President Clinton. And we did not write this. That is the headline of the Wisconsin State Journal from Sunday, May 19, based on the President's radio address on Saturday that the Wisconsin welfare plan is okayed by Clinton.

Here it is one more time. "So the States can keep on sending me strong welfare reform proposals and I will keep on signing them. I will keep doing everything I can as President to reform welfare State by State if that is what it takes."

And that is what we are asking for here today in this body is to give Wisconsin the chance to reform welfare, to give us a chance to create a new vision of what welfare should be in this country; that we should reward work and not reward dependency. And that is what the President said on that Saturday that led to that headline.

Now, why are we trying to do this today? Because the fact of the matter is, despite the President's best intentions, despite speeches on both sides of the aisle, for far too long waiver applications come up here and they die. Twenty-eight welfare waivers currently pending involving 19 States, dating all the way back to September 20, 1993.

And under the Kleczka substitute what we say is, review it by the beginning of August. And then if we do not like it, we can review it longer and take our time; and then we will change waiver No. 8 and we will amend waiver No. 13; and we do not like waiver No. 16, so that is out altogether; and 32, well, we can talk about it and maybe it will take us to 1997 to get that done.

And along the way we will rewrite what Wisconsin wants to do. And pretty soon it is not Wisconsin's plan, it is a third Washington or a quarter Washington or a half Washington, and it is no longer what a bipartisan group in the Wisconsin State Legislature voted for after hundreds of hours of testimony and hearings and votes across the State of Wisconsin.

Wisconsin has a proud record, I would suggest to my colleagues, of innovation. We were the first place in this

country to use primary election laws. The Wisconsin Workmen's Compensation Act of 1911 was a model for the country, the first Unemployment Compensation Act in 1932. Give us a chance to again lead this country into a new form of government. I ask Members to give Wisconsin's welfare plan their approval.

Mr. KLECZKA. Mr. Speaker, I yield the balance of my time to the gentleman from Wisconsin [Mr. OBEY].

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

When the legislature passed the bill that we are now discussing, which is, after all, effective come late 1997, when the Governor made the 1997 changes he made in that legislative product, the law was clear: The Department of Health and Social Services was supposed to review that plan after giving every citizen of the State of Wisconsin 30 days to make a comment on it.

Now, much has been said about the President and the fact that it has been 8 whole days and he has not approved the waiver. The President did not say in his radio address I shall be a rubber stamp for Tommy Thompson. What he said is I am encouraged by what I have seen so far, and then he went on to say, Wisconsin has the makings of a solid, bold welfare plan and I pledge that I will work with Wisconsin to make it work. That is what he said.

I would point out that the President, in 3 years, has granted 61 waivers to 38 States, including Wisconsin on a number of occasions. That, by the way, is double the number of welfare waivers approved in the entire 12 years that Ronald Reagan and President Bush were President; 1,400 Bush, 1,500 Reagan.

Now, I think what has happened is simply this. Speaker GINGRICH evidently got irritated because the President indicated, a few days before Mr. DOLE went to Wisconsin, that he liked what he had seen so far about the welfare plan and would work with Wisconsin to get it approved. And so, because of the Speaker's irritation, and perhaps we could solve that, maybe the way Wisconsin can stop being a ping-pong ball in the Presidential campaign is to make an agreement that neither party's candidate will come to Wisconsin in the campaign. Maybe that will take the politics out of it and we can get serious again.

But, anyway, the bill before us today says that there will be no opportunity for Wisconsin citizens to comment; that the Congress is simply going to vote for it sight unseen, with virtually no one in this House having any idea what is in the package except perhaps some of us from Wisconsin.

I would ask my colleagues one question. How much do we think people have really learned from this debate today about what is in the Wisconsin plan as it affects human beings? I would venture to say virtually nothing.

All the substitute does that the gentleman from Wisconsin [Mr. KLECZKA]

is proposing is to guarantee that no action is taken before every Wisconsin citizen has a chance to comment for 30 days. And the amendment says that the department shall evaluate the plan not based on its own opinions but based on the seven key features which the Wisconsin Governor himself has asserted are in that plan. If they are, this resolution says approve it.

That is all we ask. What is wrong with that? What are we trying to hide?

I would also point out that the gentleman from Wisconsin [Mr. SENSENBRENNER] is wrong when he says there is not a hard date. The language of the Kleczka amendment makes quite clear that the agency "shall complete such consideration not later than July 31, 1996." That is pretty clear to me. And guess what, it is written in English. We can even understand it. That is the deadline, folks.

So all I would ask us to do is forget the politics, forget the maneuvering, please do not continue what has become, unfortunately, a day-to-day event where the House appears to be nothing more than a political extension of the Presidential campaign. This House is better than that, at least it ought to be. We have a lot of serious work to do, let us do it in a serious way. Let us not demean our processes by every day in every way being nothing but ventriloquist dummies for our respective Presidential candidates.

This House has a lot of work to do. Let us get on with it and let us stop the political games. This is a political game. Do it the right way, support the Kleczka amendment.

Mrs. COLLINS of Illinois. Mr. Speaker, I rise in support of the amendment offered by Representatives BARRETT, KLECZKA, and OBEY, all of Wisconsin. Since the Gingrich-Armey Republicans have forced us to divert from development of a Federal Budget for Fiscal year 1997 so that we might have a chance to avoid government shutdowns like the Republicans brought about last year, and other priority legislation, this amendment seems reasonable.

This Wisconsin delegation amendment addresses major deficiencies in H.R. 3562, the Republican effort to legislate a routine administrative procedure. The Barrett, Kleczka, Obey amendment would assure that a 30-day comment period be observed on the issues contained in the waiver request, and that the Department of Health and Human Services conduct expedited consideration of the waiver request and certify that the Wisconsin plan would, in fact, accomplish what the Wisconsin Governor advertises that it will accomplish.

The Department of Health and Human Services has a responsibility to the people of Wisconsin to review the Governor's request to waive the Federal protections and services in place and on which they have a right to rely. In fact, when the Clinton administration took office, one of the first things they did was institute a review of the process and procedures to provide for innovation by States to develop reform experiments—but also safeguarding people's rights and beneficial governmental services or programs. On September 27, 1994, the Clinton administration published in the Federal Register new waiver request procedures.

This Wisconsin delegation amendment protects the interests of the Wisconsin people while guarding the public interest in (1) not providing an automatic welfare check, (2) requiring parents who are able and qualified to work as they bring their families to self-sufficiency, (3) providing child care and health care to qualified families, and (4) collecting child support payments and putting them to use for the best interest of the children.

I urge my colleagues to support this amendment to provide for an expedited process to be completed by July 31, 1996, using normal administrative review procedures which allow for public comments to be received and considered. This is our normal and expected process. It's part of what Americans expect and deserve in getting due process from their government. I support this substitute amendment and urge my colleagues to vote for this amendment.

For the RECORD, I am submitting the official waiver process for the Department of Health and Human Services.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

OFFICE OF THE SECRETARY, HEALTH CARE FINANCING ADMINISTRATION, ADMINISTRATION FOR CHILDREN AND FAMILIES [ORD-069-N]

Medicaid Program; Demonstration Proposals Pursuant to Section 1115(a) of the Social Security Act; Policies and Procedures

Agencies. Office of the Secretary, Health Care Financing Administration (HCFA), and Administration for Children and Families (ACF), HHS.

Action. Public Notice.

Summary. This public informs interested parties of (1) the principles the Department of Health and Human Services ordinarily will consider when deciding whether to exercise its discretion to approve or disapprove demonstration projects under the authority in Section 1115(a) of the Social Security Act, 42 U.S.C. Sec. 1315(a); (2) the kinds of procedures the Department would expect States to employ in involving the public in the development of proposed demonstration projects under Section 1115; and (3) the procedures the Department ordinarily will follow in reviewing demonstration proposals. The principles and procedures described in this public notice are being provided for the information of interested parties, and are not legally binding on the Department of Health and Human Services. This notice does not create any right or benefit, substantive or procedural, enforceable at law or equity, by any person or entity, against the United States, its agencies or instrumentalities, the States, or any other person.

For further information contact. Howard Rolston, Administration for Children and Families, Department of Health and Human Services, at (202) 401-9220.

Thomas Kickham, Health Care Financing Administration, Department of Health and Human Services, at (410) 966-6503.

SUPPLEMENTARY INFORMATION

I. Introduction

Demonstration Proposals Pursuant to Section 1115 of the Social Security Act—General Policies and Procedures

Under Section 1115, the Department of Health and Human Services is given latitude, subject to the requirements of the Social Security Act, to consider and approve research and demonstration proposals with a broad range of policy objectives. The Department desires to facilitate the testing of new policy approaches to social problems. Such demonstrations can provide valuable knowledge that will help lead to improvements in

achieving the purposes of the Act. The Department also is committed to both a thorough and an expeditious review of State requests to conduct such demonstrations.

In exercising her discretionary authority, the Secretary has developed a number of policies and procedures for reviewing proposals. In order to ensure a sound, expeditious and open decision-making process, the Department will be guided by the policies and procedures described in this statement in accepting and reviewing proposals submitted pursuant to section 1115.

### II. General Considerations

To facilitate the testing of new policy approaches to social problems the Department will—

Work with States to develop research and demonstrations in areas consistent with the Department's policy goals;

Consider proposals that test alternatives that diverge from that policy direction; and

Consider, as a criterion for approval, a State's ability to implement the research or demonstration project.

While the Department expects to review and accept a range of proposals, it may disapprove or limit proposals on policy grounds or because the proposal creates potential constitutional problems or violations of civil rights laws or equal protection requirements. The Department seeks proposals which preserve and enhance beneficiary access to quality services. Within this overall policy framework, the Department is prepared to—

Grant waivers to test the same or related policy innovations in multiple States, (replication is a valid mechanism by which the effectiveness of policy changes can be assessed);

Approve demonstration projects ranging in scale from reasonably small to state-wide or multi-state, and

Consider joint Medicare-Medicaid demonstrations, such as those granted in the Program for All-Incentive Care for the elderly (PACE) and Social health maintenance Organization (SHMO) demonstrations, and Aid to Families with Dependent Children (AFC) Medicaid waivers.

### III. Duration

The complex range of policy issues, design methodologies, and unanticipated events inherent in any research or demonstration makes it very difficult to establish single Department of policy on the duration of 1115 waivers. However, the Department is committed, through negotiations with State applicants, to—

Approve waivers of at least sufficient duration to give new policy approaches a fair text. The duration of waiver approval should be congruent with the magnitude and complexity of the project (for example, large-scale statewide reform program will typically require waivers of five years);

Provide reasonable time for the preparation of meaningful evaluation results prior to the conclusion of the demonstration; and

Recognize that new approaches often involve considerable start-up time and allowance for implementation delays.

The Department is also committed, when successful demonstrations provide an appropriate basis, to working with State governments to seek permanent statutory changes incorporating those results. In such cases, consideration will be given to a reasonable extension of existing waivers.

### IV. Evaluation

As with the duration of waivers, the complex range of policy issues, design methodologies, and unanticipated events also makes it very difficult to establish a single Department policy on evaluation. This De-

partment is committed to a policy of meaningful evaluations using a broad range of appropriate evaluation strategies (including true experimental, quasi-experimental, and qualitative designs) and will be flexible and project-specific in the application of evaluation techniques. This policy will be most evident with health care waivers. Within-site randomized design is the preferred approach for most AFDC waivers. The Department will consider alternative evaluation designs when such designs are methodologically comparable. The Department is also eager to ensure that the evaluation process be as unintrusive as possible to the beneficiaries in terms of implementing and operating the policy approach to be demonstrated, while ensuring that critical lessons are learned from the demonstration.

### V. Cost Neutrality

The Department's fiduciary obligations in a period of extreme budgetary stringency require maintenance of the principle of cost neutrality, but the Department believes it should be possible to apply that principle flexibly.

The Department will assess cost neutrality over the life of a demonstration project, not on year-by-year basis, since many demonstrations involve making "up-front" investments in order to achieve one-year savings.

The Department recognizes the difficulty of making appropriate baseline projections of Medicaid expenditures, and is often to development of a new methodology in that regard.

In assessing budget neutrality, the Department will not rule out consideration of other cost neutral arrangements proposed by States.

States may be required to conform, within a reasonable period of time, relevant aspects of their demonstrations to the terms of national health care reform legislation, including global budgeting requirements, and to the terms of national welfare reform legislation.

### VI. Timeliness and Administrative Complexity

The Department is committed to minimizing the administrative burden on the States and to reducing the processing time for waiver requests. In order to accomplish this the Department has adopted a number of procedures, including—

Expanding pre-application consultation with States;

Setting, and sharing with applicants, a well-defined schedule for each application, with established target dates for processing and reaching a decision on the application;

Maintaining, to the extent feasible, a policy of one consolidated request for further information;

Sharing proposed terms and conditions with applicants before making final decisions;

Establishing concurrent, rather than sequential, review of waivers by all relevant units of the Department and with other relevant Departments and the Office of Management and Budget;

Expanding technical assistance activities to the States; and

Developing multi-state waiver solicitations in areas of priority concern, including integrated long-term care system development, services for adolescents, and services in rural areas.

The Department will continue to follow and development procedures, and commit internal resources to reviewing demonstration proposals, necessary for a sound and expenditures review process.

### VII. State Notice Procedures

The Department recognizes that people who may be affected by a demonstration

project have a legitimate interest in learning about proposed projects and having input into the decision-making process prior to the time a proposal is submitted to the Department. A process that facilitates public involvement and input promotes sound decision-making.

There are many ways that States can provide for such input. In order to allow for public input into the proposals, the Department expects States to ordinarily follow one (or more if the State desires) of the processes described in this section.

1. At any time prior to submitting a section 1115 demonstration proposal to the Department of Health and Human Services, a State may provide to the Department a written description of the process the State will use for receipt of public input into the proposal prior to its submission to the Department.

Within 15 days of receipt of such description, the Department will notify the State whether the described process provides adequate opportunity for public input. The Department will accept any process that—

Includes the holding of one or more public hearings, at which the most recent working proposal is described and made available to the public, and time is provided during which comments can be received; or

Uses a commission or other similar process, where meetings are open to members of the public, in the development of the proposal; or

Results from enactment of a proposal by the State legislature prior to submission of the demonstration proposal, where the outline of such proposal is contained in the legislative enactment; or

Provides for formal notice and comment in accordance with the State's administrative procedure act; provided that such notice must be given at least 30 days prior to submission; or

Includes notice of the intent to submit a demonstration proposal in newspapers of general circulation, and provides a mechanism for receiving a copy of the working proposal and an opportunity, which shall not be less than 30 days, to comment on the proposal; or,

Includes any other similar process for public input that would afford an interested party the opportunity to learn about the contents of the proposal, and to comment on its contents.

The State shall include in the demonstration proposal it submits to the Department a statement (a narrative of several sentences) briefly describing the process that it followed in implementing the process previously presented to the Department. The Department may find a proposal incomplete if the process has not been followed.

2. A State that has not followed the procedures described in paragraph 1. must submit a description of the process that was used in the State to obtain public input, at the time it submits its demonstration proposal. The Department will notify the State if the process was adequate within 15 days after the application is submitted, applying the same criteria as in paragraph 1. If the process was not adequate, the State can cure the inadequacy by—

Posting a notice in the newspaper of widest circulation in each city with a population of 100,000 or more, or in the newspaper of widest circulation in the State if there is no city with a population of 100,000, indicating that a demonstration proposal has been submitted. Such notice shall describe the major elements of the proposed demonstration and any changes in benefits, payments, eligibility, responsibilities, or provider selection requested in the proposal. The notice shall indicate how interested persons can obtain

copies of the proposal and shall specify that written comments will be accepted by the State for a period of thirty days. If a State follows such a procedure, the State should respond to requests for copies of the proposal within seven days. The State should maintain a record of all comments received through this process.

All HHS commitments with respect to times for responding to demonstration proposals shall be tolled until this process is completed.

VIII. Federal Notice

The Department of Health and Human Services intends to publish a monthly notice in the Federal Register of all new and pending proposals submitted pursuant to section 1115. The notice will indicate that the Department accepts written comments regarding all demonstration project proposals.

The Department will maintain a list of organizations that have requested notice that a demonstration proposal has been received and will notify such organizations when a proposal is received.

IX. Comments

The Department will not approve or disapprove a proposal for at least 30 days after the proposal has been received, in order to receive and consider comments. The Department will attempt, if feasible, to acknowledge receipt of all comments, but the Department will not provide written responses to comments.

X. Findings

The Department will prepare a decision memorandum at the time a demonstration proposal is granted or denied, discussing why the Department granted or denied the proposal and how an approved demonstration meets the criteria established by statute.

XI. Administrative Record

The Department will maintain an administrative record which will generally consist of: the formal demonstration application from the State; issue papers sent to the State and State responses; public and Congressional comments sent to the Department and any Department responses; the Department's decision memorandum regarding the granting or denial of a proposal; and the final terms and conditions, and waivers, sent to the State and the State acceptance of them.

XII. Sub-state Demonstrations

When a demonstration is to be implemented in only part of a State, the State will be required to provide information on the likely demographic composition of populations subject to and not subject to the demonstration in the State. When relevant, the Department will require that the evaluation component of a project address the impact of the project on particular subgroups of the population.

XIII. Implementation Reviews

As part of the terms and conditions of any demonstration proposal that is granted, the Department may require periodic evaluations of how the project is being implemented. The Department will review, and when appropriate investigate, documented complaints that a State is failing to comply with requirements specified in the terms and conditions and implementing waivers of any approved demonstration.

XIV. Legal Effect

This notice is intended to inform the public and the States regarding procedures the Department ordinarily will follow in exercising the Secretary's discretionary authority with respect to State demonstration proposals under section 1115. This notice does not create any right or benefit, substantive or

procedural, enforceable at law or equity, by any person or entity, against the United States, its agencies or instrumentalities, the States, or any other person.

(Catalog of Federal Domestic Assistance Program, No. 93.779; Health Financing Research, Demonstrations and Experiments.)

Dated: September 16, 1994. Bruce C. Vladeck, Administrator, Health Care Financing Administration.

Dated: September 16, 1994. Mary Jo Bane, Assistant Secretary for Children and Families.

Dated: September 19, 1994. Donna E. Shalala, Secretary.

Ms. PELOSI. Mr. Speaker, I rise in support of the Kleczka-Obey-Barrett substitute calling for a 30-day comment period and administration certification for the Wisconsin welfare plan.

Mr. Chairman, I am concerned that the Wisconsin Works Welfare Program may result in greater poverty for children and families. I am concerned that Wisconsin Works eliminates the safety net for the State's working poor families. It is possible that it would eliminate child-care guarantees and Medicaid coverage. I am concerned that parents who cannot find jobs despite sincere efforts will be left destitute.

These questions remain because this legislation was never considered by a committee and was rushed to the floor with little notice.

The Kleczka-Obey-Barrett substitute would provide a public comment period and require the President to certify that this system can work and the plan meets the standards defined by the Governor. I urge my colleagues to support this substitute.

The SPEAKER pro tempore (Mr. BONILLA). Pursuant to the rule, the previous question is ordered on the amendment in the nature of a substitute offered by the gentleman from Wisconsin [Mr. KLECZKA] and on the bill, as amended.

The question is on the amendment in the nature of a substitute offered by the gentleman from Wisconsin [Mr. KLECZKA].

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

Mr. KLECZKA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 194, nays 233, not voting 7, as follows:

[Roll No. 220]

YEAS—194

Abercrombie	Bryant (TX)	Dicks
Ackerman	Cardin	Dingell
Andrews	Chapman	Dixon
Baesler	Clay	Doggett
Baldacci	Clayton	Dooley
Barcia	Clement	Doyle
Barrett (WI)	Clyburn	Durbin
Becerra	Coleman	Edwards
Beilenson	Collins (IL)	Engel
Bentsen	Collins (MI)	Eshoo
Berman	Condit	Evans
Bevill	Conyers	Farr
Bishop	Costello	Fattah
Blumenauer	Coyne	Fazio
Bonior	Cramer	Fields (LA)
Borski	Cummings	Filner
Boucher	Danner	Flake
Brewster	de la Garza	Foglietta
Browder	DeFazio	Ford
Brown (CA)	DeLauro	Frank (MA)
Brown (FL)	Dellums	Frost
Brown (OH)	Deutsch	Furse

Gejdenson	Martinez	Rose
Gephardt	Mascara	Royal-Allard
Geren	Matsui	Rush
Gibbons	McCarthy	Sabo
Gonzalez	McDermott	Sanders
Gordon	McHale	Sawyer
Green (TX)	McKinney	Schroeder
Gutierrez	McNulty	Schumer
Hall (OH)	Meehan	Scott
Hall (TX)	Meek	Serrano
Hamilton	Millender-	Sisisky
Harman	McDonald	Skaggs
Hastings (FL)	Miller (CA)	Skelton
Hefner	Minge	Slaughter
Hilliard	Mink	Spratt
Hinchey	Moakley	Stark
Holden	Montgomery	Stenholm
Hoyer	Moran	Stokes
Jackson (IL)	Murtha	Studds
Jacobs	Nadler	Stupak
Jefferson	Neal	Tanner
Johnson (SD)	Oberstar	Taylor (MS)
Johnson, E. B.	Obey	Tejeda
Johnston	Olver	Thompson
Kanjorski	Ortiz	Thornton
Kaptur	Orton	Thurman
Kennedy (MA)	Owens	Torres
Kennedy (RI)	Pallone	Towns
Kennelly	Pastor	Traficant
Kildee	Payne (NJ)	Velazquez
Kleczka	Payne (VA)	Vento
Klink	Pelosi	Visclosky
LaFalce	Peterson (FL)	Volkmer
Lantos	Peterson (MN)	Ward
Levin	Pickett	Waters
Lewis (GA)	Pomeroy	Watt (NC)
Lipinski	Poshard	Waxman
Lofgren	Rahall	Williams
Lowey	Rangel	Wilson
Luther	Reed	Wise
Maloney	Richardson	Woolsey
Manton	Rivers	Wynn
Markey	Roemer	Yates

NAYS—233

Archer	Diaz-Balart	Hostettler
Armey	Dickey	Houghton
Bachus	Doolittle	Hunter
Baker (CA)	Dornan	Hutchinson
Baker (LA)	Dreier	Hyde
Ballenger	Duncan	Inglis
Barr	Dunn	Istook
Barrett (NE)	Ehlers	Johnson (CT)
Bartlett	Ehrlich	Johnson, Sam
Barton	Emerson	Jones
Bass	English	Kasich
Bateman	Ensign	Kelly
Bereuter	Everett	Kim
Bilbray	Ewing	King
Bilirakis	Fawell	Kingston
Bliley	Fields (TX)	Klug
Blute	Flanagan	Knollenberg
Boehlert	Foley	Kolbe
Boehner	Forbes	LaHood
Bonilla	Fowler	Largent
Bono	Fox	Latham
Brownback	Franks (CT)	LaTourette
Bryant (TN)	Franks (NJ)	Laughlin
Bunn	Frelinghuysen	Lazio
Bunning	Frisa	Leach
Burr	Funderburk	Lewis (CA)
Burton	Galleghy	Lewis (KY)
Buyer	Ganske	Lightfoot
Callahan	Gekas	Linder
Calvert	Gilchrist	Livingston
Camp	Gillmor	LoBiondo
Campbell	Gilman	Longley
Canady	Goodlatte	Lucas
Castle	Goodling	Manzullo
Chabot	Goss	Martini
Chambliss	Graham	McCollum
Chenoweth	Greene (UT)	McCrery
Christensen	Greenwood	McDade
Chrysler	Gunderson	McHugh
Clinger	Gutknecht	McInnis
Coble	Hancock	McIntosh
Coburn	Hansen	McKeon
Collins (GA)	Hastert	Menendez
Combest	Hastings (WA)	Metcalfe
Cooley	Hayes	Meyers
Cox	Hayworth	Mica
Crane	Hefley	Miller (FL)
Crapo	Heineman	Molinari
Creameans	Herger	Moorhead
Cubin	Hilleary	Morella
Cunningham	Hobson	Myers
Davis	Hoekstra	Myrick
Deal	Hoke	Nethercutt
DeLay	Horn	Neumann

Ney  
Norwood  
Nussle  
Oxley  
Packard  
Parker  
Paxon  
Petri  
Pombo  
Porter  
Portman  
Pryce  
Quinn  
Radanovich  
Ramstad  
Regula  
Riggs  
Roberts  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Roukema  
Royce

Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer  
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  
Torrice  
Upton  
Vucanovich  
Walker  
Walsh  
Wamp  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)  
Zimmer

Ehlers  
Ehrlich  
Emerson  
English  
Ensign  
Everett  
Ewing  
Fawell  
Fazio  
Fields (TX)  
Flanagan  
Foley  
Forbes  
Fowler  
Fox  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Funderburk  
Gallegly  
Ganske  
Gekas  
Geren  
Gilchrest  
Gillmor  
Gilman  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Greene (UT)  
Greenwood  
Gunderson  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Harman  
Hastert  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hefner  
Heineman  
Herger  
Hilleary  
Hobson  
Hoekstra  
Hoke  
Holden  
Horn  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Johnson (CT)  
Johnson (SD)  
Johnson, Sam  
Jones  
Kasich  
Kelly

Kim  
King  
Kingston  
Klug  
Knollenberg  
Kolbe  
LaHood  
Largent  
Latham  
LaTourette  
Laughlin  
Lazio  
Leach  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Linder  
Lipinski  
Livingston  
LoBiondo  
Longley  
Lowey  
Lucas  
Luther  
Manzullo  
Martini  
Mascara  
McCollum  
McCrery  
McDade  
McHale  
McHugh  
McIntosh  
McKeon  
Metcalf  
Meyers  
Mica  
Miller (FL)  
Minge  
Molinari  
Montgomery  
Moorhead  
Moran  
Morella  
Myers  
Myrick  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Orton  
Oxley  
Packard  
Parker  
Paxon  
Payne (VA)  
Peterson (MN)  
Petri  
Pickett  
Pomeroy  
Porter  
Portman  
Poshard  
Pryce  
Quinn  
Radanovich  
Ramstad  
Regula  
Riggs

Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Roukema  
Royce  
Salmon  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaefer  
Schumer  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shays  
Shuster  
Sisisky  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Spratt  
Stearns  
Stenholm  
Stockman  
Stump  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thornberry  
Thurman  
Tiahrt  
Torkildsen  
Torrice  
Traficant  
Upton  
Visclosky  
Vucanovich  
Walker  
Walsh  
Wamp  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wilson  
Wolf  
Wynn  
Young (AK)  
Young (FL)  
Zimmer

Meehan  
Meek  
Menendez  
Millender-  
McDonald  
Miller (CA)  
Mink  
Moakley  
Murtha  
Nadler  
Neal  
Oberstar  
Obey  
Olver  
Ortiz  
Owens  
Pallone  
Pastor  
Payne (NJ)

Pelosi  
Peterson (FL)  
Rahall  
Rangel  
Reed  
Richardson  
Rivers  
Rose  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Schroeder  
Scott  
Serrano  
Skaggs  
Slaughter  
Stark  
Stokes

Studds  
Stupak  
Tejeda  
Thomson  
Torres  
Towns  
Velazquez  
Vento  
Volkmer  
Ward  
Waters  
Watt (NC)  
Waxman  
Williams  
Wise  
Woolsey  
Yates

NOT VOTING—7

Allard  
Jackson-Lee (TX)

Lincoln  
Mollohan  
Quillen

Schiff  
Zeliff

□ 1445

The Clerk announced the following pair:

On this vote:  
Ms. Jackson-Lee of Texas for, with Mr. Quillen against.

Messrs. BERMAN, DOGGETT, TEJEDA, and HILLIARD changed their vote from "nay" to "yea."

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the engrossment and third reading of the bill.

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

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

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

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device and there were—yeas 289, nays 136, not voting 9, as follows:

[Roll No 221]

YEAS—289

Ackerman  
Andrews  
Archer  
Armey  
Bachus  
Baesler  
Baker (CA)  
Baker (LA)  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bentsen  
Bereuter  
Bevill  
Bilbray  
Bilirakis  
Bishop  
Bliley  
Blute  
Boehlert  
Boehner  
Bonilla

Bono  
Brewster  
Browder  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cardin  
Castle  
Chabot  
Chambliss  
Chapman  
Chenoweth  
Christensen  
Chrysler  
Clement  
Clinger  
Coble  
Coburn

Collins (GA)  
Combest  
Condit  
Cooley  
Costello  
Cox  
Cramer  
Crane  
Crapo  
Cremeans  
Cubin  
Cunningham  
Davis  
Deal  
DeLay  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dooley  
Doolittle  
Dornan  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards

Abercrombie  
Baldacci  
Barrett (WI)  
Becerra  
Beilenson  
Berman  
Blumenauer  
Bonior  
Borski  
Boucher  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant (TX)  
Clay  
Clayton  
Clyburn  
Coleman  
Collins (IL)  
Collins (MI)  
Conyers  
Coyne  
Cummings  
Danner  
de la Garza  
DeFazio  
DeLauro

NAYS—136

Dellums  
Dingell  
Dixon  
Doggett  
Durbin  
Engel  
Eshoo  
Evans  
Farr  
Fattah  
Fields (LA)  
Filner  
Flake  
Foglietta  
Ford  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt  
Gibbons  
Gonzalez  
Green (TX)  
Gutierrez  
Hastings (FL)  
Hilliard  
Hinchev

Jackson (IL)  
Jacobs  
Jefferson  
Johnson, E. B.  
Johnston  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Klecza  
Klink  
LaFalce  
Lantos  
Levin  
Lewis (GA)  
Lofgren  
Maloney  
Manton  
Markey  
Martinez  
Matsui  
McCarthy  
McDermott  
McKinney  
McNulty

NOT VOTING—9

Allard  
Jackson-Lee (TX)  
Lincoln

McInnis  
Mollohan  
Quillen

Schiff  
Zeliff

□ 1507

The Clerk announced the following pair:

On this vote:  
Mr. Quillen for, with Ms. Jackson-Lee against.

So the bill was passed.  
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DIXON. Mr. Speaker, during consideration of H.R. 3322 on May 30, I inadvertently voted "aye" on rollcall votes 205 and 206. I intended to vote "no" on these rollcall votes.

MOURNING THE PASSING OF E. CHARLES GUSTAFSON, FORMER CHIEF REPORTER OF DEBATES

Mr. TRAFICANT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous material.

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

There was no objection.

Mr. TRAFICANT. Mr. Speaker, one of the great friends of the House and a loyal servant to the House, Charles Gustafson, the former chief reporter of debates for this House, passed away June 1 in Annandale, VA. Many of us remember Gus sitting down here at the well. He was just a beautiful guy. At age 74 he passed away of emphysema.

Gus had joined the debate reporting staff in 1973, and retired in June 1995. At his retirement, Members will recall Gus was the last of the breed, the last of the pen shorthand writers to work in our well. Gus was born in West Parksville, NY. He graduated from high school at the age of 15. He then studied shorthand court reporting at Gregg College in Chicago, and worked as a court reporter in Cleveland.

During World War II, Gus served his country and the Navy aboard the battleship *New Jersey*, where he performed reporter services for court-martial activities. After the war Gus returned to Cleveland as a court reporter. Before moving to Washington and joining the staff here, he was a court reporter at the Mahoning County Court in Youngstown, OH, my hometown. Then Gus operated a freelance reporting office of his own in Youngstown, OH.

Survivors include his beautiful wife, Betsy, of Annandale, whom he married in 1946, and his two sons, Charles B. Gustafson of Annandale and Richard G. Gustafson of Seattle, and two grandchildren. For those Members interested, the calling hours are this evening from 7 to 8:30 p.m. at the Demaine Springfield-Annandale Chapel, and funeral services are set for tomorrow. If there are any Members wishing to attend, they can give the office of Official Reporters a call at 225-0331 for such arrangements. "Gus" Gustafson was just a great friend of all of ours, and we send our deepest sympathies to his family.

Mr. Speaker, I include for the RECORD a copy of the obituary for "Gus" Gustafson printed in the Washington Post on Wednesday, June 5, 1996.

The material referred to is as follows:

[From the Washington Post, June 5, 1996]

E. CHARLES "GUS" GUSTAFSON, REPORTER

E. Charles "Gus" Gustafson, 74, former chief reporter of debates at the U.S. House of Representatives, died June 1 at Sleepy Hollow Manor Nursing and Convalescent Home in Annandale. He had emphysema.

Mr. Gustafson joined the debate reporting staff of the House in 1973 and retired last June. At his retirement, he was the last of the pen shorthand writers to work in the House.

A resident of Annandale, he was born in West Clarksville, N.Y., where he graduated from high school at age 15. He studied shorthand court reporting at Gregg College in Chicago and worked as a court reporter in Cleveland.

During World War II, he served in the Navy aboard the battleship *New Jersey*, where he was a reporter for courts-martial.

After the war, he returned to Cleveland as a court reporter. Before moving to the Washington area and joining the House reporting staff, he was a court reporter at Mahoning County Court in Youngstown, Ohio, and then operated a freelance reporting office in Youngstown.

Survivors include his wife, Betsy, of Annandale, whom he married in 1946; two sons, Charles B. Gustafson of Annandale and Richard G. Gustafson of Seattle; and two grandchildren.

#### WELCOMING PASTOR TRAVIS BARRICK, AND PAYING TRIBUTE TO THE PAGE CLASS OF 1996

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

Mr. HUNTER. Mr. Speaker, I am proud to cohost, with my colleagues, Travis Barrick as our guest chaplain who this morning led our prayer in the

House. It is especially appropriate that Pastor Barrick could give the prayer on the eve of the page graduation, since his son, Jesse, and the other pages of this class are graduating tomorrow.

Pastor Barrick is pastor at Calvary Chapel in El Cajon, CA, and now pastors Koinonia Christian Fellowship in San Diego County. We want to thank Pastor Barrick for joining us in wishing all of our pages Godspeed.

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

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

Mr. COBLE. Mr. Speaker, I just want to reiterate what the gentleman from California said. These pages have done a great job. We hear oftentimes, Mr. Speaker, about pages running amok, engaged in drugs and assault and batteries, et cetera. These pages have done a great job here. If I think they are a good example of the young people across our landscape, we have little about which to worry. We thank you, pages, for what you have done.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2745, SHIPBUILDING TRADE AGREEMENT ACT

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104-606) on the resolution (H. Res. 448) providing for consideration of the bill (H.R. 2754) to approve and implement the OECD Shipbuilding Trade Agreement, which was referred to the House Calendar and ordered to be printed.

#### LEGISLATIVE PROGRAM

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

Mr. FAZIO of California. Mr. Speaker, I rise to inquire of the distinguished majority leader the schedule for next week.

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

Mr. FAZIO of California. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I am pleased to announce that the House has finished its legislative business for the week. Next week, Mr. Speaker, we will meet on Monday, June 10, at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We have a number of suspension bills slated for consideration. I will not read through the list now, but a complete schedule will be distributed to all Members' offices. Members should note, however, that recorded votes will be held at 5 p.m. on Monday.

On Tuesday, June 11, the House will meet at 9 a.m. for morning hour and 10 a.m. for legislative business. We will consider H.R. 2909, a bill regarding the Silvio O. Conte National Refuge on the Corrections Day calendar. The House will then resume consideration of H.R. 3540, the foreign operations appropria-

tions bill. Mr. Speaker, it is also our hope to consider the conference report for the budget resolution on Tuesday.

For Wednesday, June 12, and the balance of the week the House will consider the Department of Defense appropriations bill and the agriculture rural development and FDA appropriations act.

□ 1515

Both bills of course will be subject to rules.

Mr. Speaker, I would also like to add that it is my understanding that H.R. 2754, the Shipbuilding Trade Agreement Act, has been reported by the Committee on National Security and the Committee on Ways and Means. It is my intention to bring that bill to the floor as soon as our appropriations schedule allows, Tuesday next week, if possible.

Next week, Mr. Speaker, we should conclude legislative business and have Members on their way home by 2 p.m. on Friday, June 14.

I thank the gentleman for yielding.

Mr. FAZIO of California. Mr. Speaker, I wonder if I could yield further to the majority leader and ask if he could clarify what votes are going to occur on Monday. There is some question as to whether or not we might request that those votes, however few there may be, be rolled to Tuesday.

Mr. ARMEY. I thank the gentleman for yielding. We expect votes to be ordered on the suspension bills that I had mentioned earlier on Monday. Unfortunately, we will not be able to roll them this Monday evening.

Mr. FAZIO of California. Do we have any idea as to how many suspensions we may actually have on Monday? There is only one listed so far.

Mr. ARMEY. If the gentleman would yield, we are in the process of collecting them. There are some others. As I advised earlier, we will have the list in the gentleman's office certainly as soon as we can.

Mr. FAZIO of California. I wonder if the gentleman could tell me, and I would be happy to yield for the response, when he expects the Kennedy-Kassebaum health care bill to go to conference. I understand that there was some possibility that that might have occurred this week, and I know Members are interested to know.

Mr. ARMEY. If the gentleman would yield, we wait with great anticipation for the conference report on the health care bill. I will certainly have it scheduled for the floor as soon as I can upon reporting the conference report.

Mr. FAZIO of California. What about the possibility of perhaps, since that bill passed the Senate 100 to nothing, just offering the Senate version. Is there any possibility that that might occur? I would be happy to yield to the gentleman.

Mr. ARMEY. No.

Mr. FAZIO of California. Not surprisingly.

On immigration, we have not gone to conference on that bill yet. Is there

any possible update the gentleman could give us on the progress or lack thereof on that bill? I would be happy to yield for a response.

Mr. ARMEY. If the gentleman will yield, I appreciate the concern about that bill. We are hopeful that we can get that conference together. Again, I am anxious to do so as soon as possible, as soon as we resolve a few minor details. We hopefully will be able to bring it back to the floor soon. I will announce it as soon as I can.

Mr. FAZIO of California. Is there any word on the gas tax and minimum wage bill? I will be happy to yield to the gentleman. Are those coming back from the other body at some point soon? I mean, there is an interest obviously as the gasoline crisis continues that we deal with that problem.

Mr. ARMEY. If the gentleman will yield.

Mr. FAZIO of California. I will be more than happy to.

Mr. ARMEY. I can only say that my, what is the word I am looking for, my intelligence reports from the other body tell me that Democrat Members of the other body are for some reasons I do not understand holding up both of those bills. We would try to see what could happen.

Mr. FAZIO of California. I thought there was an agreement on the other side to take them up in tandem.

Could I just simply ask in closing, is there going to be a night in the coming week that we can anticipate being here beyond, say, 8 o'clock? Does the gentleman have any late night in mind as we go into the week?

Mr. ARMEY. If the gentleman would yield.

Mr. FAZIO of California. I would be happy to yield.

Mr. ARMEY. I think in all fairness we should advise Members that we would expect to be in later on both Wednesday and Thursday night, given the appropriations bills coming to the floor, depending upon the bill managers' success on both or either bill.

Mr. FAZIO of California. It is the intention to bring up the foreign operations bill, complete it, before we would go to the defense bill and follow with the agriculture bill? Is that the order in which they come?

Mr. ARMEY. Yes.

Mr. FAZIO of California. I appreciate the gentleman informing the House, and I yield back the balance of my time.

#### HOOR OF MEETING ON TOMORROW

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourn today it adjourn to meet at 10 a.m. tomorrow, June 7, 1996.

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

There was no objection.

ADJOURNMENT FROM FRIDAY, JUNE 7, 1996, TO MONDAY, JUNE 10, 1996

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday, June 7, 1996, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

#### APPOINTMENT AS MEMBERS TO WATER RIGHTS TASK FORCE

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 389(d)(2) of Public Law 104-127, the Chair announces the Speaker's appointment to the Water Rights Task Force the following Members on the part of the House: Mr. Robert S. Lynch, Phoenix, AZ; and Mr. Bennett W. Raley, Denver, CO.

#### 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 Tennessee [Mr. CLEMENT] is recognized for 5 minutes.

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

#### HOOSIER HERO—SHELBY COUNTY YOUTH SHELTER

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

Mr. MCINTOSH. Mr. Speaker, I rise today to give my Report from Indiana. Every weekend, my wife Ruthie and I travel the Second District of Indiana. So often we meet good people doing good things. These individuals strive day and night to make a difference. It's their hard-work and dedication that make our communities a better place. In my book, these individuals are Hoosier Heros. Hoosier Heros because it's their mission in life to reach out and lend a helping hand to their friends and neighbors.

Today Mr. Speaker, I'd like to recognize Judy Runnebohm, Ola Smith, the 19 member staff and 22 board members of the Shelby County Youth Shelter as Hoosier Heros.

Now, Judy is a good friend of mine and she has shared with me on many, many visits to Shelby County about her efforts to help troubled teens

Under Ola Smith's leadership as the director and Judy's leadership as the safe place coordinator, the youth center has provided help to hundreds of children—runaways, homeless, and misguided youths.

For nearly two-thirds of these children, their lives have been turned around and they have been given hope for better lives. One young girl, Danielle, who stayed at the shelter shared her story: "When I was 12-years-old, I was a holy-terror. My step father mentally, physically and sexually abused me. I began to drink and get into a lot of trouble." Danielle wanted to turn her father in but he threatened to kill her. Finally 3 years later she turned him in. And she was placed into the shelter because he still roamed the streets. There, Danielle received the love she needed. Now today, at age 18, she is working, living on her own, and supporting herself. She is taking charge of her own future. And to this day she is telling others, like her, that if she didn't get placed in the shelter she would have turned to alcohol and drugs.

There are so many more touching stories from the young people who stay at the shelter. These are the so-called 'bad' children that society wants to overlook. Not too many folks will say: "Hey, I want to help the kids from the Juvenile Halls," but if we don't help these children now, who will?

At the Shelby County Youth Shelter, children receive a safe place to stay. And caring and sturdy hands are there to guide them through the rocky waters of their adolescence and sometimes, lonely and troubling times.

Mr. Speaker, Judy, Ola, the 19 workers and 22 board members at the Shelby County Youth Shelter are Hoosier Heros for this week.

Mr. Speaker, if I may, I'd like to include in my report from Indiana an inspiring story that a young intern shared with me about a young lady who has beaten the odds, because of her personal courage. That person is Jody Kammer.

Jody, an 18-year-old from my hometown Muncie, is known throughout Delaware County for her awesome ability to play volleyball. She spent many school days and weekends practicing and playing in tournaments, as well as playing volleyball for her school, Yorktown.

Jody was a member of the Munciana Volleyball Club which is an inner city team that travels throughout the Midwest. As a member of the club, she spent her summers traveling and playing in tournaments because of her love and dedication to the sport.

Jody has become an inspiration for her teammates, and all of us because of her struggle with a personal tragedy in her life. Last spring, Jody was diagnosed with Hodgkin's disease. This form of cancer is not necessarily fatal with the proper treatments. But it requires a great deal of courage and strength to beat the disease. Jody Kammer had this strength and courage.

Once a month, Jody had to go for chemotherapy. She was left feeling weak, sick to her stomach, and sometimes it seemed overwhelming. She still challenged herself to keep on playing, no matter how tired or weak she became. Even when she was too sick, Jody still attended practices to help encourage the rest of her team.

Jody Kammer never gave up during her lengthy treatments. She had the courage to never give in. Jody knows the true meaning of teamwork.

Thanks to the support and prayers of her friends and family, miracles of modern medicine to fight the cancer, along with her own courage, she successfully fought the disease and it is now in remission. I am happy to report that Jody was able to participate in Yorktown High School's graduation ceremony. She has also been able to return to the normal club schedule for the remainder of the playing season.

In the fall, Jody will continue her education as a freshman at Colorado College.

Jody Kammer is an inspiring young lady, who has overcome a tremendous hurdle. Jody's bout with cancer is a story for all of us to remember. Her hard work and determination displays how one young lady's courage can give hope in following one's dreams.

Mr. Speaker, that is my report from Indiana. One of courage and hope. One of helping others less fortunate. To have hope for a better life.

STAFF AND BOARD MEMBERS OF SHELBY COUNTY YOUTH SHELTER

Don Passwater, President, Michael Vaught, Vice-President, William Ancil, Treasurer, Judy Michael, Secretary, James Beyer, Rita Mohr, Marilyn Bushfield, Floyd Montgomery, Lynn Fishburn, Mike Gerrish, Mary Jo Phares, Doug Highway, Rev. Alan Rumble, Sheriff Michael Herndon, Phil Kaster, Jerry Lux, Michael Whitfield, Mary McQueen, Mary Bertotti, and Richard Craft.

Kelly Frazier, Betty Goff, Tisha Harrod, Teddy Holloway, Susan Hood, Odas Kaster, Cara Lian, Kathy Marsischke, Shirley Martin, Melinda Moore, William Newton, Gloria Richey, Judy Runnebohm, Maggie Scott, Carol Shaw, Ola Smith, Auda Tevis, and Rhonda Van Gorden.

TRIBUTE TO THE PAGES

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

Mr. KOLBE. Mr. Speaker, just a few moments ago on the floor we cast what would be for this group that is standing around the back of this Chamber here the last vote for their page careers,

not, I trust, the last vote for their careers. I suspect some of them we will see back here again in some capacity.

Today and tomorrow, today from the business of the House, tomorrow when they hold their graduation exercises from the page school class marks the end of yet another milestone, another class of our page group.

I rise today to make this special order as the vice chairman of the page board, a former page myself. I do so with making my remarks on behalf of myself and the gentleman from Missouri [Mr. EMERSON], whose therapy for his illness has made it difficult for him to be in the Chamber at this hour, but asked that I especially say to the young people that he joins me in my remarks and joins in wishing them all the very best. I suspect that each of the comments that will be made by others here, that he also would join in those.

Let me, if I might, begin by yielding to a classmate in another class, another page member from a later class, I should say, the class of 1967, the gentleman from Mississippi [Mr. WICKER].

Mr. WICKER. Mr. Speaker, I thank the gentleman from Arizona for yielding me the time.

I am addressing the House today, Mr. Speaker, from the Democrat side of the aisle, which is unusual, but I do so for a purpose. That purpose is to recall that, when I was appointed a page in 1967, I received that appointment from a Democrat, the Honorable Jamie Whitten, who served as my predecessor for some 53 years in this House of Representatives.

□ 1530

No sooner had I arrived than I was assigned to the Republican page desk. Who knows, Mr. Speaker, that may have made all the difference.

I want to congratulate these pages, to tell them, Mr. Speaker, how much we appreciate them and how much we realize that they contributed with their hard work. They have been part of a very, very proud tradition in this House of Representatives, and I congratulate them on their accomplishments and wish them well. They will take with them many valuable memories.

I look back on my time here in 1967 and I recall some of the people who I regarded as giants in this House, leaders like Jamie Whitten; Gerald Ford, then the minority leader; John Rhodes; Mel Laird; John McCormick who served as Speaker, a Democrat, during my time here as a page. Who knows what names this group will take with them. Certainly GEPHARDT and GINGRICH. But it might be that they look back on the giants of KOLBE and DAVIS and ROHRBACHER. Who knows who they will look back on years from now?

I hope they will take other memories with them as well, including addresses by Presidents and Prime Ministers. They were here, Mr. Speaker, on the day that BOB DOLE announced his res-

ignation from the U.S. Senate. They were here during poignant times to hear the announcements of the death of a Cabinet member, the death of a member of the Joint Chiefs of Staff. They will recall fiery debates, all-night sessions, Government shutdowns.

I also hope, Mr. Speaker, that they will take with them the memory of times of comity and civility and bipartisanship and good will, because there were also those times during their service here in the U.S. Congress.

I hope they will remember that they worked with able men and women of goodwill from all across the country, of both political parties, doing their best to represent their constituencies. And that we are doing our best as Members of this Congress to make sure that their generation, and their children, will be able to enjoy a brighter future.

I salute these pages, and I wish them the very, very best.

Mr. KOLBE. I thank the gentleman from Mississippi for his very warm remarks. I think it especially comes from the heart when you have been a former page yourself and have a feel for the experience that all of us that were pages have had here. I appreciate very much the gentleman's taking the time to be with us. I know, like myself, he needs to be in the Committee on Appropriations and I will be headed there soon but I thank the gentleman very much for joining us in this tribute to our pages.

Mr. Speaker, I yield to the gentleman from Michigan [Mr. KILDEE], who is a member of the Page Board with me, and with whom I have served for the last 2 years in this capacity, and it has been a great honor for me to serve with him.

Mr. KILDEE. I thank the gentleman for yielding. Tomorrow night we will bid our formal good-byes, farewells, but you will come back to the pages who have served us so well in the 104th Congress. I see them standing back there with the former Clerk of the House, Donn Anderson, who still wears his page ring with great pride.

The pages here operate in three different areas, here on the floor of the House on Capitol Hill; in the school in the Library of Congress; and in the dorm. The pages have operated very well in all three of those areas this year, and I am very, very proud of them. The pages really see Government like no one else sees government. As a matter of fact, they see through eyes that I have not seen. I have talked to pages before, and they observe things that I would not have observed had I not talked to some of the pages. They have seen Congress at its best and its not so best at times. They have seen Government close up, more close up than those who have participated in a program called by that.

Albert Einstein once said that 100 times every day I remind myself that my inner and outer life depend upon the lives of others, living and dead, and that I must exert so I may give in the same proportion as I have received.

You really have received a great deal and you have given a great deal here in the floor of the House. But I also ask you when you go back home to give and share that experience which you have had here in the House of Representatives.

You have seen heads of State, you have seen the President of the United States, you have seen changes in Government, changes here in the Congress of the United States that are historical.

I commend you to go back and do that. Because at the beginning of the third millennium, which will start just 5 years from now, in the year 2001, at the beginning of that third millennium, you, the pages of today, will begin to take control of the institutions in this country and in this world. It is very, very important. You will be beginning to reach out and take control. Some day some of you may return here. You may be involved in science and in business, but whatever capacity, looking at you, I know that you are the ones who can take control and shape the future of this country and of this world.

Franklin D. Roosevelt about 60 years ago uttered these words and I think they are as appropriate today as they were when he uttered them years ago. He said, this generation of Americans has a rendezvous with destiny. I have look at you, talked with you, and I am confident that you, the pages of the 104th Congress, can meet the challenges of that rendezvous. You give me great hope for the future. Thank you very much and God bless you.

Mr. KOLBE. I thank the gentleman from Michigan for those words that he said on behalf of our pages. I must say that it has been a great pleasure for me to work with DALE KILDEE as a member of the Page Board as we have gone through some of the trials and tribulations this year, through the certification of the school, its accreditation. It has been a great experience to work with somebody who has such a commitment to this program and to the young people who are with us here today, and I thank the gentleman for joining us.

I would like now to yield to another member of the same class of 1967 that we heard from earlier, the class of the gentleman from Mississippi [Mr. WICKER], another page from that class, the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. I appreciate my friend yielding. I, too, rise to pay tribute to the retiring pages. They are part of a proud tradition that has brought many Members back into this body either as Members or as legislative aids or to the Clerk of the House.

When I was a page, 1963 to 1967 was the 4-year period that I served, and I ended up graduating in a class of 18. I could always brag I was in the top 10 in my class. I was able to say that for my life. I do not know if I would have been able to do that or say that had I gone anywhere else.

We do not always appreciate the work ethic and the discipline it takes

to be a page, to be able to keep up the academic side of being a page, their studies, their regular high school courses, and at the same time come to work on the House floor, often staying until very late in the evening and not having time to get to the books until much later. I hope this has been good training for them. I think this should put them in good stead throughout their life, if they can learn that kind of discipline and balancing.

This group of pages has really performed in an outstanding manner. They have witnessed and been a part of a number of the historic changes that this Congress has undergone. They have witnessed, as the gentleman from Mississippi [Mr. WICKER] noted, the longest Government shutdowns in our history, probably not one of the proudest eras in the relationship between the Congress and the President, but they were a part of that, a part of some of the toughest budget battles in our country's history.

I am very proud of the job that they have done and been very proud to be associated with them. I think they leave a good legacy for the next group that will come in. I hope they will come back and visit us often. I hope some of them are inspired maybe to go into elective office or serve as public officials. I cannot think of a better way to help one's fellow man. For this Member and for, I think, many others who could not be here this afternoon, they not only have our good wishes, but we wish them good luck and God-speed.

Mr. KOLBE. I thank the gentleman for his comments, and appreciate very much the fact that we have two of our freshman class, outstanding Members, who have been former pages. That can be a challenge to our pages that are here with us today.

They have been with us for the better part of this last year, for the school year. They have seen, as has been already pointed out, a lot of things that have gone on on the floor of the House of Representatives, and I expect those experiences are things that they will remember, if they are like the rest of us, that they will remember for a lifetime.

I would be happy to yield to the gentleman from California for some comments.

Mr. CUNNINGHAM. I thank my friend. First of all, I have been honored, two great honors in this House, and both of those are being selected as a guest speaker for the pages going away at their class party. I call them critters, because they are critter power, and we could not do this job around here without their assistance.

My favorite speaker is a guy named Will Rogers. He tells stories. I would like to give you a story I think is important.

I would say to my friend from Michigan [Mr. KILDEE], with whom I serve on the Education Committee, I am the world's worst baseball player. I grew up

in a little town of 2,133 folks in Shelbina, MO. To tell you how bad I was in baseball, we did not even have a baseball diamond at the school. We had to go to the fairground to play.

At that fairground, to show you how bad in baseball I was, I was sitting on the bench during practice, and we did not have too many people to pick from in Shelbina, MO to play, but we had to field two teams for practice. I remember walking up to the coach, taking my baseball glove. I looked at the coach and I was mad because I was not out there playing, and I threw my glove and I hit the coach right in the chest and I said, "I quit."

I walked all the way through the length of Shelbina, which took about 30 seconds, and walked into my house. My dad said, "RANDY, what are you doing?" I said, "Coach won't let me play." I said, "I quit." That was the wrong thing to tell my dad.

My dad literally picked me up by the ears and walked me back out to that baseball diamond. I did not want to see that coach at that moment, or my peers. But I remember the words of my dad, whom I lost a year and a half ago, when he said, "Coach, my son may never play another second on this baseball team, but quitting becomes a way of life, and I don't want my son to be a quitter."

The coach let me back on that team. I did not play very much, but I at least learned a lesson from my dad, and I hope you take a lesson from this: Never, ever, ever quit. Take back a positive response, whether you are a Democratic side critter or you are a Republican side critter. God bless you, and if any of us can ever be the wind in your sails, please give us a call.

Mr. KOLBE. I thank the gentleman from California for his remarks, and if the gentleman from Florida would like to add something to this, we would be happy to hear his comments.

Mr. MICA. I did want to come out and make a couple of comments about our page class. We have been really honored to have these young men and women come among us. They have served the Congress and their country so well. I think each of the Members know that. They have also had to endure some long speeches, some great speeches, and some terrible speeches, but they have learned a part of the process. Hopefully I have given some of both.

But I did want to come out and say how much we appreciate every one of them. They are just like our own children, our own young men and women in our own homes. They come here to serve the Nation. They are really a little bit like the Congress, because we all came from so many different parts of the country, and you have your viewpoint as to what the Congress is like, you have your thoughts about what it will be like when you get here, and then you get here and you serve.

The pages are reflective really of this Nation. They come here from every

walk of life, and they have had so many experiences, like we do. We get to learn from each other and the Congress. They have gotten to learn from us and from each other in their service.

So it has been a learning experience for them, an exciting experience for me. I have had two pages from my district here at exciting times, and they have shared them and I have shared them, and we will miss them as they leave now.

But I also wanted to take just a minute, there are people behind the scenes, too, that they have grown to respect, and love and admire and who each of us love, respect, and admire, who oversee this flock. These young men and women just do not come here and are left on their own.

Perry Sampson has done such an incredible job; Tim Harroun; Joelle Hall is just a treasure; and Jim Oliver in the Republican cloakroom on our side have done so much. I could not come up and recognize the pages on our side without recognizing them.

But on either side of the aisle, we thank you for your service, we congratulate you as you graduate and go on, and we hope that as you graduate, you have found this as great an experience as I have in serving the Congress and the country in this fashion.

□ 1545

Mr. KOLBE. I thank the gentleman for his kind remarks and especially the comments he made about the staff that supervises the pages on both sides of the aisle and in our cloakrooms, as well as the teachers in the school and the monitors in the dorms who really make this program a success for these young men and women.

I am very pleased to yield a couple of moments to the gentleman from California.

Mr. DORNAN. Mr. Speaker, I thank my friend from Arizona. You have as great an inspiration as anybody will ever have at your age in Peggy Sampson from the cloakroom on our side. I know there are great folks in the other cloakroom. She was a lady cop, a police officer, for a long time.

I know that some of you just said some nice things to me about talking about heroes on this House floor. The amazing thing is how often in our lives we pass heroes all the time and never notice that they are any different than anybody else. It is just that they volunteered. They were a vanguard. They extended themselves.

We used to have sitting here for the first 10 or 15 years I was in this House, for the first 10 or 12 years in the time of the gentleman from Arizona, [Mr. KOLBE], a gentleman named Chris Highly. He was small in stature, had pure white snowy hair and the face of an angel even as he approached retirement. One day he passed me in the hall and thanked me for mentioning D-day, and today is the 52d anniversary of D-day. I said is that day special for you? He said, yeah, I was there. I said you

were not in the first or second wave, were you? No, no I was not. Well, did you go in like leader Bob Michel a few days later, that afternoon? He said, no, I went in at 3:30 in the morning. I said, 3:30 in the morning? I said, the first wave hit the beach after 6 o'clock. He says, well, I was a combat engineer; we had to go on the beach early to make it safe for the invasion forces in the morning, safer, to blow up the tank traps.

Donn Anderson, who is a legend around here, was the cause of one of the greatest ceremonies ever in this beautiful building. Down in the crypt area one floor down he arranged to display, I hope forever, as long as this free country survives, the first Medal of Honor ever given to a young enlisted man who had been captured. Eight of his friends, hung by their neck and killed by the opposing forces in the South, had stolen a train. There were prisoner exchanges in that early part of the Civil War, so they exchanged a few of them and a group got the Medal of Honor. The first went to a man named Parrot, and Donn arranged for Adm. Bulkeley, who just died a few weeks ago, some of you remembered my tribute to him, Adm. John Duncan Bulkeley, who had taken MacArthur off Corregidor, he arranged for Admiral Bulkeley to come into the building, down to the crypt area, and say a few words about a time of heroes, which 52 years ago certainly was.

I have signed some of your books. Godspeed in all your endeavors. Try to be different. Try to find some way as a man or a woman to make a mark, to respect that fireman. I know some of you saw Back Draft, and what is the name of it, the movie that was on this week? That was based on fact. More firefighters die in this country than police officers and too many men and women are dying wearing blue and khaki defending us from a crime wave that involves so many young people.

Billy Graham was in that Rotunda May 2. He said some frightening words to all the leadership of the House and the Senate. He said we are a Nation on the brink of self-destruction. How can that be in a Nation of such wealth and bounty and physical beauty and so many charging young people like yourselves?

Do not let it happen. Make a difference. Stand for something and never forget your wonderful days here at the seat of our Government. The Presidency is important, but they put that White House down in the swamp. They put us on the high ground of Jenkins Hill that we now call Capitol Hill. This is first among equals of our tripartite Government, and this is the people's House where all the money bills start, all the taxing starts and where most of the legislation begins that has to do with our domestic scene.

Godspeed again. Go out there and let them know that you were alive for a while in this great country. God bless you.

Mr. KOLBE. Mr. Speaker, I thank the gentleman from California for his stirring remarks and words about heroes in our lives.

I would like to yield to one of our distinguished new freshmen Members, the gentleman from Oklahoma [Mr. Watts].

Mr. WATTS of Oklahoma. Mr. Speaker, I thank the gentleman from Arizona for yielding time to me.

I too want to say my good-bye, my official good-bye, to the pages from both sides. I have served in this body now for about 17, a little over 17 months, and I have worked with many of these young people and have learned from them, and I hope that they are taking something positive and that they have learned something from this distinguished body.

Before I came to Congress one of the things I did was I was a youth minister at my local church, and I must say that you guys have represented the youth of America very, very well. I know there were times when I have worked with the youth in our community around the State of Oklahoma and around the country when I have gone into some community to speak and sometimes I have worked with some young people that I have kind of wanted to take them and hang them out the second story of the church building and kind of drop them on their head. They would do things and say things that I would just kind of think, well, are they worth working with, and I would want to give up on them. And my pastor several times would remind me that what we build and nourish and encourage the youth of America to be today is what this country is going to be 20 years from now.

As I have worked with you guys over the last 17 months, I am encouraged that America's tomorrow is going to be very, very bright because of what you guys have represented. You have represented your families well, you have represented your respective cities very well, and you have been a real knight in shining armor, a real star in the 104th Congress.

Again, I hope that you have taken something positive from this body, from this experience. You have been a delight to work with. I appreciate your efforts on behalf of the 104th Congress. And on behalf of myself, again, I wish you well. I wish you Godspeed. Keep the chin up and keep smiling. Thank you.

Mr. KOLBE. I thank the gentleman from Oklahoma for his wonderful words. And let me just conclude with a couple of thoughts of my own.

The gentleman from California, Mr. CUNNINGHAM, spoke about the lesson he learned about not being a quitter, and Mr. DORNAN spoke about the heroes in our lives. I can say from having worked with this class during the course of this year, they are not quitters. The class knows, as well as I do, that it has been a tough year.

There have been some ups and downs within the page school group, but that

will not be the defining thing they will remember. They will remember, I think, the more positive experiences that they have had here, and none of them have been quitters. They have stuck with this.

It has been tough at times and not just tough physically to do this job, and there are times when you wonder about whether you should quit. I can remember when I started this experience I dreamed of becoming a page, and then the day came and suddenly I was flying off to Washington, DC, and I was a scared little kid. But I am glad I stuck with it because I think it has been one of the defining experiences of my life.

I hope you take away from this an understanding of the complexity of our Government; that it is a very complex place. I hope you take away from it the understanding, as was said earlier by BOB DORNAN, that this is truly the people's body; that you have spent the better part of a year in probably the most important place on the face of this Earth for democracy.

This has been the model, the dream, the hope of hundreds of millions of people all over the world that they could emulate our democracy, and it is the House of Representatives, the people's body in the legislative branch of our Government that is the symbol of this democracy for this country, and really for the whole world, and you have been privileged to spend your time here and work here. I hope you will take that away with you and I know you will.

I think you have also learned a great deal. If my experience is any measure, you have learned a great deal about yourself as well, about your own capabilities, your own limitations, your own hopes and dreams. You have probably gained a lot in your own self-esteem.

Most of you will not go into politics, I suspect, but there will be some of you that will. Whether or not you go into politics, the experience that you have had here is one, I think, that will last for an entire lifetime, because I think these experiences go with you regardless of the career or the profession that you have. They are experiences not about Government, not about our Congress but about life itself and about the meaning of this country and the meaning of our democracy.

I think it is for that reason that this program is so important and that we not ever say that we are going to end this program. Many people have said it would be so much easier to hire people to be pages, to hire graduates, to hire people who were older; that you do not have to worry about a school and a dorm and things like that. But we would be missing something. We would be missing the challenge of having young people in our midst, and we would be missing giving this experience to so many, to more than 100 people in the course of a year and a summer that has this experience and that goes out and carries this message to the rest of the country.

So that, in conclusion, is the challenge to you, to take the message, to go out and to talk to others when you go back to your school next year, when you go off to college, when you go into life, about what this country means, about what democracy and freedom and liberty and the legislative process means for all of us.

Mr. Speaker, at this point I want to insert in the RECORD a list of all pages who have been with us for this spring semester, and I know that they will all want to get a copy of the CONGRESSIONAL RECORD tomorrow so that they will have that available to them.

I wish them well in their future endeavors. I congratulate them on the completion of this event. Godspeed and God bless each of you.

The information referred to follows:

HOUSE PAGE SCHOOL SPRING SEMESTER 1996

Tobin Addington, C.J. Albertie, Cheryl Arensdorf, Jesse Barrick, Theda Browdy, Beth Burhenne, Melissa Chesnov, Camrin Christensen, Rachael Clark, Matt Claypool, Chris Creaghe, Charlotte Coffee, Lisa Dang, Karyn Dest.

Chris Finnegan, Alice Ganier, Geoffrey Gismondi, Jennifer Hall, Thea Handleman, Kim Harrington, Nancy Hogan, Dan Hughes, Amy Johannes, Mark Johnson, William Johnston, Richie Jones, Jessica Kirk, David Kizler, Melinda Knox.

Bonnie Kress, Robert Leandro, Chris Legett, Tim Lipke, Greg Lundell, Kristen Marconi, Megan Marcus, Kate Martin, Travis Martin, Angie McKinney, Sarah Metthe, Stephanie Moore, Michael Morrow, Jennifer Mueller, Jacquelyn Nash.

Greg Newburn, Matt Patton, Tonya Petty, Lyandra Retacco, Philip Ross, Trese Ruffino, Rebecca Sage, Rachel Schatz, Brian Sells, Kris Soma, Bethany Spencer, Jessica Stults, Matt Tenney, Kathryn Watts, Emily Wengrovius, Julia Whitley, Melissa Young.

Mr. EMERSON. Mr. Speaker, today marks the last day of service of our current class of pages. For those who may be unfamiliar, we have a system here by which most pages serve for the school year, commencing their activities in September and ending in June, and then from June until September we have what we call summer pages. But the pages who are here with us for the school year are all juniors and tomorrow they will have their going away ceremony.

As the current chairman of the House Page Board, I wish to pay particular tribute to this very wonderful group of young people who have rendered distinguished service to the 104th Congress.

Mr. Speaker, I hope that this experience has been for them everything that we hoped that it would be. As many folks here know, I am a former page and personally know that the House Page Program is a great learning experience, one which I hope this class of pages will remember and benefit from all of their lives. I can truly say that for me in the 83d and 84th Congress being a page was probably the finest, most objective, educational experience of my life. I've said many, many times that you learn as a page by doing and observing and participating, and that is just an awfully lot different than reading about it in the textbooks.

So, on behalf of the entire House, I wish all of our departing pages well in their personal endeavors. Some of you will go off to college, others to the military, and others to perhaps a

myriad of other pursuits. Hopefully, this experience will serve as a constant point of favorable reflection throughout their lives and that it begins a path of much success and happiness and good health in all understandings.

Finally, Mr. Speaker, I want to say to the pages a hearty thank you for all that they have done this semester and this past year. In going forward, I want to extend to them my own best wishes, the best wishes of the entire House, and wish them Godspeed in life's future course.

#### PRIVATE MORTGAGE INSURANCE

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

Mr. HANSEN. Mr. Speaker, if I told you that you owed me \$50 a month for 30 years would you pay it if you did not have to? If you answer yes, I have some private mortgage home insurance [PMI] for you. But if no is your answer, then why are thousands of people doing it?

Private mortgage insurance [PMI] is to provide lenders—or the ultimate purchaser of a loan—protection against a home owner's non-payment. The insurance typically insures a percentage of any potential loss. The majority of people buying homes nowadays put down less than the traditional 20 percent of the home purchase price. As a result, many of these homeowners have accepted the fact that they have to commit a part of their monthly home mortgage payment—typically \$50 to \$90 to pay for mortgage insurance.

The problem arises when the homeowner overpays private mortgage insurance; can't cancel the PMI; or is not told that they have the right to cancel it. It is not a new problem, but one that has made many servicers and insurers rich. It has been going on for years. What makes private mortgage insurance even more sinister is that those who are mostly taken by it are the ones that need the money most, once they are not required to pay it.

Nineteen years ago, a secretary in Dallas, TX, purchased her home for \$26,000. She financed \$22,950 and was required to purchase private mortgage insurance [PMI], which is required as a condition of making a loan to a homeowner with less than 20 to 25 percent down on a home. At no time was she told that she had a right to cancel the mortgage insurance. Over 19 years later, she and her husband are still paying PMI. Why? Her current loan to value ratio is almost 90 percent, which means that her debt is 10 percent of the value of her home.

Her home mortgage servicer continues to charge these premiums every month even though it knows that the PMI is unnecessary when it passes a certain amount. In fact, her home mortgage servicer has been charging her for PMI, even though the owner of her home mortgage requires zero insurance. Moreover, she has been required to overinsure her home mortgage for

years. As the investor's insurance requirement decreased, her servicer continued to keep the original coverage amount in place. So, she has been a victim of paying insurance for too long. Her servicer has been overinsuring her home loan, and failing to cancel the insurance when it knew she had the right to, and failed to even tell her that she could insist on the cancellation of the insurance.

She is not alone. The above example is just one of the 315,000 homeowners that her lender services. Her lender, even at the more conservative fee of \$50 a month for PMI, could theoretically collect tens of millions of dollars a year in PMI charges for the home mortgages it holds. It is time that we stop the scam.

It is time to stop sticking it to hard-working homeowners. I have introduced H.R. 3556 that will correct this problem and will: First, require the lender or person making or arranging the loan to disclose to the homeowner that PMI is and how it can be canceled and second, provide the homeowner with the right to cancel PMI. If the borrower has met the mortgage owners requirements for cancellation, i.e., a good payment history and if once the equity in the property has reached or exceeded 20 percent of the original appraised value of home.

This bill will continue to protect mortgage lenders, insurers and mortgage servicers, while at the same time protecting thousands of people throughout the United States who have PMI long after all requirements for release are met.

□ 1600

#### REBUILDING IN OKLAHOMA CITY

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

Mr. LUCAS of Oklahoma. Mr. Speaker, last Thursday, I addressed the House about a situation very important to the rebuilding efforts in Oklahoma City following last year's bombing of the Alfred P. Murrah Federal Building. Eight days later, the clock continues to tick, and money desperately needed by the people of Oklahoma City continues to not be fully utilized for disaster relief purposes.

I am here today to remind the President that he, and he alone, has the statutory authority to follow up on his declaration of the bombing as a national emergency, by suspending the Davis-Bacon Act for these funds. I stress the word "remind" because I have already sent him two letters on this subject, and this is now my second speech on the floor of the House. The President witnessed first hand the devastating destruction caused by the bombing and had the chance this past April to see how little progress has been made in rebuilding Oklahoma

City despite enactment of the \$39 million in CDBG funds last July.

If the President agrees with me that the people of Oklahoma City should be able to fully utilize the funds we granted them, then he should agree to suspend the Davis-Bacon Act and treat this situation as nearly all other disasters and emergencies have historically been treated. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as utilized by FEMA, makes no mention of Davis-Bacon, meaning that these requirements do not apply to FEMA funds. Oklahoma City should not be treated any differently. As long as small contractors are forced to spend more time filling out paperwork and computing the correct wages than actually completing their job, this goal cannot be accomplished. Every dollar that is spent in excess of original estimates due to Davis-Bacon, is a dollar that is essentially taken away from the rebuilding efforts.

Mr. President, as you know, this can all be resolved today. By stating that you intend to suspend Davis-Bacon for these DCBG funds, you will be siding with the people of Oklahoma City who are working hard to rebuild their city despite all obstacles. We should all be doing everything we can to make their job easier. In fact, I believe that the Federal role in disasters such as this is to empower the communities affected. The national response to Oklahoma City after the bombing was truly special, and I am forever indebted to all those who acted quickly to assist Oklahoma City. Now, I believe we must continue this cooperation and suspend Davis-Bacon so that the relief efforts are not hindered and so that Federal relief funds are not taken away from those attempting to rebuild this great city.

Despite your silence on this matter, Mr. President, I trust that you too want these funds to be properly used, and I sincerely hope that you will take the necessary action to ensure this.

At this time, I ask unanimous consent to enter into the RECORD a letter from Oklahoma Governor Frank Keating, and the mayor of Oklahoma City, Ronald Norick, supporting my efforts and urging the President to use his authority to suspend Davis-Bacon.

THE CITY OF OKLAHOMA CITY,

June 5, 1996.

Hon. WILLIAM J. CLINTON,  
*President of the United States, The White House, Washington, DC.*

DEAR MR. PRESIDENT: Congressman Frank Lucas recently made a request on behalf of The City of Oklahoma City for further assistance in rebuilding our community after the bombing of the Alfred P. Murrah Federal Building. The request was for a suspension of the Davis-Bacon Act requirements as it relates to the CDBG funding for bombing relief.

As you know, the damage to our city was extensive and recovery efforts are in the early stages. We must maximize the relief funds provided to Oklahoma City in order to rebuild the north area of downtown. You could save our community some \$15 million by suspending the Davis-Bacon wage rates

for the federal funds we received for this disaster. This \$15 million could be used to provide additional assistance to those impacted by the bombing and to further rebuild the area around the Murrah site. (Specific examples of savings were included with the request from Congressman Lucas.)

We realize you have the authority to suspend the Davis-Bacon Act's requirements in times of national emergency, and on April 19, 1995, you declared a national emergency for Oklahoma City. This tragedy continues to be a national emergency in Oklahoma City, and the impact on our local economy is much greater than we originally estimated.

Your support of Oklahoma City and assistance with the revitalization of the bombing area is greatly appreciated. We hope you will seriously consider this request and continue to help us as we rebuild our community following last year's tragedy. Thank you for your attention to this issue.

Sincerely,

RONALD J. NORICK,  
*Mayor.*

STATE OF OKLAHOMA,  
OFFICE OF THE GOVERNOR,  
May 28, 1996.

Hon. WILLIAM J. CLINTON,  
*President of the United States, The White House, Washington, DC.*

DEAR PRESIDENT CLINTON, I am pleased to write in full support of the request Congressman Frank Lucas has made regarding executive suspension of Davis-Bacon Act provisions in connection with CDBG funding to restore bomb damage to our community. As Congressman Lucas notes, there is precedent for such action, and I would encourage you to move swiftly and positively in response to the initial request made by the City of Oklahoma City.

As we discussed during your visit to the bomb site in April, much remains to be done to restore property in the downtown Oklahoma City area. The available funds will do more good if contractors are exempt from Davis-Bacon provisions. It is vital that every possible dime of these funds flow directly to property repairs and restoration, since many of the business properties awaiting repairs are also significant employers in the downtown area. The more we can accomplish with the funds, the quicker will be Oklahoma City's return to economic health.

I appreciate your attention to this important issue.

Sincerely,

FRANK KEATING,  
*Governor.*

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 Florida [Mr. MICA] is recognized for 5 minutes.

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

#### PATENT LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr.

ROHRABACHER] is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, in the next 2 weeks a vital issue will be coming to the floor of the House of Representatives for a vote. We will be deciding whether or not America will continue to have a strong patent system or whether our country will obliterate what has been the strongest patent system in the world.

Because the patent legislation is by its very nature a complicated concept, powerful forces have been able to undermine America's patent system with very little public attention. Who is opposed to a strong patent system, someone might ask. Well, how about foreign powers that do not like the United States being the dominant economic and military power in the world? Yes, foreign powers do not like a strong American patent system because they do not want us to have what is America's greatest economic and competitive edge, the genius of our own people being brought to play in the marketplace. Especially countries in Asia which tend to, instead of create new ideas, copy; they instead copy American ideas. These powers in Asia would prefer that America's patent system be weakened.

Those are the people who might have an interest in weakening America's patent system, also multinational corporations who have little or no loyalty to the American people. These huge corporate interests who also would like to use the ideas of ordinary Americans and not have to pay royalties to the inventors. These people have an interest in weakening America's patent protection as part of what they view as a global evolution in terms of the marketplace. They want to have a global marketplace, and they see the weakening of America's patent system as part of that.

You see, consistent with this idea, the head of America's patent office 3 years ago, his name is Bruce Lehman, went to Japan and agreed to harmonize America's patent law with Japanese law. What they did is agree to make America's patent law, which had been the strongest in the world in the protection of individual rights, they had agreed to totally change our system and make it exactly like the Japanese system. It was a sellout of the interests of the American people.

The first step in Lehman's harmonization scheme has already been implemented through this body. As part of the GATT implementation legislation, a provision was included in the GATT implementation legislation that was not required by the GATT treaty itself. They knew when they put this provision in changing our basic patent law that then those of us opposed to weakening our patent system would have to vote against the entire world trading system in order not to vote to change America's patent law. They had their way and they won.

However, during my battle against that provision, the House leadership

agreed that I would have a chance on the floor of the House to change this provision back because it was not required by GATT. And that is what will be happening in a few weeks from now. H.R. 359, my bill, which is designed to restore the patent, the length of the patent term, the guaranteed patent term that we have had, to Americans that we had for 130 years until this agreement with Japan, will be on the floor as a substitute to another bill.

That bill, H.R. 3460, is a bill which is coming to the floor under the guise of patent reform. That bill, my colleagues, is what I call the steal American technologies act. It must be defeated if America is to remain the No. 1 technological power in the world. This bill, I will give you, would complete the process of harmonizing our patent system to be like Japan's. To show how transparent it is, let us take a look at just two provisions of H.R. 3460, the steal American technologies act.

First, it would require all Americans who apply for a patent, whether or not they have been issued the patent, after 18 months their entire application, every last detail of their invention, of their idea would be published for the entire world to see and the entire world to steal. Who could defend an idea like that? But that is being presented to us as patent reform, and the people that are behind this are hoping the Members of Congress will not ask about the details.

The second provision in H.R. 3460 is a measure to basically destroy the Patent Office, turning it into a private post office-like corporation, stripping our patent examiners of all of their Civil Service protection so they can be influenced by the other side.

It is imperative we defeat H.R. 3460. I would ask my colleagues to join me in voting to substitute H.R. 359 for H.R. 3460. Stop the steal American technologies act.

#### MEDICARE

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

Mr. PALLONE. Mr. Speaker, this afternoon I want to talk again about the issue of Medicare and my concern over what the Republican leadership is trying to do to the Medicare Program and in the context of the budget or the budget resolution which is likely to be voted on between the two Houses sometime in the next week or two.

I wanted to point out again the reason that I feel so strongly about Medicare and the changes, the negative changes that I see the Republican leadership proposing, is because I believe that Medicare is really one of the best programs that we have in the Federal Government. When it was established in the early 1960's by then President

Johnson and the Democratic Congress that was in the majority at the time, it was established because of the realization that so many senior citizens did not have health insurance and that it was very difficult for them to either obtain health insurance, either because they could not afford it or because of their condition.

And now, today, and certainly for the last 30 years, we have had Medicare on the books and those who are over 65 or even others in some cases are able to know that they will be guaranteed a health insurance, that if they go to a hospital or if they go to a doctor, that most of the services that they need for health care purposes will be provided in a relatively high quality way.

That is a significant fact and when those on the other side of the aisle, when Republican leaders get on the floor and propose changes that I consider very radical in the Medicare Program, the reason that I and a lot of the other Democrats are opposed to those is because we think that Medicare works, and we do not want to see it downgraded to a second class program or perhaps not even exist for many senior citizens.

I point that out today by way of introduction, because I think it is important to note that many of the Republican leaders have actually expressed themselves on the floor of this House or in the Senate or on other occasions over the years as actually being opposed to the very idea of Medicare.

One of the things that we often quote is the statement by the Republican Presidential candidate on Medicare, which he made in October 1995. He said, I was there fighting the fight, voting against Medicare, 1 out of 12, because we knew it would not work in 1965. So he is making reference to the time back when he was in this House of Representatives, when Medicare first came up and he voted against it. Again, a very strong indication of the fact that in this case the Republican Presidential candidate and many of the Republican leaders are very much opposed to the very idea of Medicare.

We also had another quote, which we frequently cite, from Speaker NEWT GINGRICH on Medicare. This one is from October 24, 1995, last year, where he says, and I quote,

Now we don't get rid of it in round one because we don't think that that is politically smart and we don't think that is the right way to go through a transition period. But we believe it is going to wither on the vine, because we think people are voluntarily going to leave it.

Once again, a strong indication, in this case the Speaker of the House of Representatives, that Medicare as a program is not something that they support. That is why many of us on the Democratic side of the aisle feel very strongly that we must continue to speak out on the issue of Medicare, because this is a program that has worked, that protects America's seniors so that they know that they have

health care insurance, they have health care coverage. If we let the Republican leadership basically do what they will with the Medicare Program, we are very concerned, a lot of us, that it may simply wither on the vine or not exist for many senior citizens.

□ 1615

Now, yesterday the Medicare trustees came out with their annual report where they talk about the financial state of Medicare, and once again the Republican leadership and many Republicans on the floor have taken advantage of that report which came out and indicated that Medicare would be insolvent by the year 2001.

Well, I said before that many times when the trustee's reports come out, they talk, in the past they have talked, about insolvency for even a shorter period than that, in some cases maybe 2 or 3 years.

So this is not a new phenomena, and Democrats in the Congress have traditionally dealt with that by making some changes in the Medicare Program so that it remains solvent in future years. And, in fact, we have already, both last year as well as this year, voted on Democratic proposals, most recently the President's proposed budget, that actually would continue the solvency of the Medicare Program well into the next decade; I believe at least until 2005.

So we, as Democrats, know how to deal with the Medicare trust fund; we have had to tinker with it in the past. But the Republicans, instead of saying, OK, we will support President Clinton's proposals and we will make some changes that are necessary in the Medicare Program to keep it solvent, instead they have been proposing very radical changes in the very substance of the program and also deep cuts, deeper cuts than are necessary for Medicare to remain solvent.

In fact, the level of cuts right now in the Republican proposal are \$168 billion in cuts in Medicare, whereas President Clinton, talks in the proposal, in his budget, about \$116 billion. The difference basically goes to pay for tax cuts for the wealthy; that is what the Republicans have in mind.

But, in addition to that, they have been talking about major changes in the Medicare Program that would push seniors into managed care, that would make it so that they cannot choose their own doctor and even, in some cases, their own hospital, and also those who refuse to go into managed care, those who stay in the traditional fee-for-service program, the current Medicare program, would be basically faced with tremendous over charges.

Right now the most that your doctor can charge you beyond the Medicare reimbursement rate is 15 percent of the bill. But this under the Republican proposal would be unlimited, and basically the doctor could charge you essentially whatever he or she wanted beyond what Medicare pays. Those types of

overcharges would essentially force people into HMO's or managed care because they would say, well, how can I continue to stay in a traditional program where I can choose my own doctor if I face those kinds of unlimited charges?

Another thing that the Republicans have proposed is to basically break down the Medicare Program and the insurance pool, if you will, so that the wealthy and the healthier senior citizens could opt for what we call medical savings accounts, which basically allows them to take a catastrophic health care coverage and then to pay out of pocket, if you will, for health care needs that are not of a catastrophic nature. Well, the problem with that is that people who do not have a lot of money and cannot pay a lot of money out of pocket will not opt for the catastrophic health insurance, and as a result the insurance pool which depends on the healthier and wealthier people being part of it in order to be solvent essentially would be broken up and the people that would be left in the pool who did not get the catastrophic coverage would tend to be the poorer people and the less healthy people, and the result would be that Medicare would end up costing more because the insurance pool would have a much poorer and sicker group of people in it.

Some of these things get a little complicated, and I do not mean to complicate things, but the point I am trying to make is the Republican proposals not only cut Medicare a lot more than is necessary under the President's proposal, but also make major changes in the Medicare Program that ultimately are going to cost seniors a lot more money out of pocket and are going to make it so they cannot choose their own doctor or again, in many cases, their own hospital.

I would like at this point, if I could, to yield to the gentleman from Connecticut [Ms. DELAURO] who has been on the floor of the House over the last 18 months repeatedly pointing out how the Republicans are trying to basically destroy Medicare, and I know that she has been a leader on trying to bring this issue to the attention of the American people.

Ms. DELAURO. I want to thank my colleague from New Jersey for all of his efforts on the issue of Medicare-Medicaid and more generally for the whole issue of working families in this country and what they are going to be faced with if some of the cuts are made; and particularly in the Medicare Program you said something at the outset of your remarks, I think I just want to expand on it a second.

Today, 99 percent of seniors have health care, health insurance. That was not the case before Medicare. Now that happened before Medicare was that families had to take care of their loved ones, as families will do, because there was no opportunity to have health care coverage, so you went in with your children.

What is one of the big issues that we are very, very concerned about today if we are going to see these incredible cuts in Medicare and in Medicaid, which as my colleague knows, that takes care of about two-thirds of the costs of Medicaid, has to do with seniors who are in nursing homes.

In my State of Connecticut almost 70 percent of the seniors who are in nursing homes, getting nursing home care, that care is paid for in part or in whole by the Medicaid system. So that if today, if these programs are unraveled, if we do not—we need to fix them, but if we destroy them the way it is being suggested by our Republican colleagues, then this is not only an issue for older Americans, it is an issue for their families.

I have a mother who is 82 years old, and, you know, thank God and knock on wood, she is in good health. I am not going to let my mom go without health care if somehow Medicare is unraveled and less people are being covered or it is more expensive for her to be able to get health care coverage. That is going to be my responsibility. I am an only child. I am going to make sure my mom has the best health care that is possible.

So this is a system that has not been created for seniors, people who are over 65. This is meant to be first-rate health care so in fact there can be that dignified, secure and decent retirement for seniors without—and that maintenance of their independence—without having to have them be dependent on their families. And I think younger people are very concerned about what happens here as well.

Another point that my colleague made that I just want to talk about is no one has ever suggested, and the trustee's report did come out, as it did last year, and they confirmed what truly has been known for more than 6 or 8 months, that the fund will be exhausted by the year 2001. The fact of the matter is that no one has ever suggested that we do not fix the Medicare Program. We could have a bipartisan commission, the same way that we did with Social Security, to allow so that we insure the solvency of the Social Security system; we could do the same kind of thing today. However, yesterday the gentleman from Texas [Mr. ARMEY], the majority leader of the House of Representatives, on a television show said "no to a bipartisan commission to look at the long-term solvency of the Medicare system."

It was just last year in February, in 1995, that the ranking member of the Committee on Ways and Means introduced the bill that would have appropriated \$90 billion, which was the amount of money that the trustees that our Republican colleagues are holding up their report, but it was the trustees last year who said \$90 billion could deal with the solvency of the Medicare Program.

Well, there was a bill on this floor. We got a chance to vote. That is the

beauty of this place: We vote. And 233 Republicans said thumbs down, no, to insuring the solvency of the Medicare system through the year 2006.

So, they are a little bit disingenuous when they are holding up the report here, because we have known what the issue is going to be.

Now, if we are going to fix the program, if we are going to fix this program, I just submit to my colleague, and you brought up two of the quotes that were not made, I mean that are just unbelievable in terms of where people want to see the Medicare Program going. But if you want to fix the program, and we agree that it needs to get fixed, into whose hands do you want to entrust this program to be fixed? Do you want to go to BOB DOLE, the current Presidential candidate for the Republican Party, who is proud of his vote against Medicare? He cheers and lauds the fact that he voted against it, it is a program that does not work. Now that, I mean it tells you something about into whose hands you want to trust it. Into Mr. GINGRICH's hands, who says that he wants to see it wither on the vine, to go one step further?

Now we are talking about leadership here; we are not talking about any comment made on the floor of the House. These are the people who have taken on the leadership of the Republican Party and who want the opportunity to lead the country. They do not believe in the Medicare program.

Let me give you one further; again, the gentleman from Texas [Mr. ARMEY]. This was July 11, 1995: "Medicare is a program I would have no part of in a free world." Again in July 1995: "Hundreds of thousands of seniors rely on Medicare; I am sorry they do, but they do."

Again I mention Mr. ARMEY, who does not want to see a bipartisan commission to do something about the long-term solvency of the system.

Let me have one more quote from the budget director, the gentleman from Ohio [Mr. KASICH], who said again in February 1995 that their budget, the Republican budget, quote, "would require Medicare cuts unlike any this town has ever seen before."

Now, the numbers are not so much the issue, as my colleague from New Jersey pointed out. The issue is Medicare or no Medicare and the policies that the Republican proposals, if they were enacted, what they do to the Medicare system. They do not control costs. They shift the costs to seniors by encouraging doctors, as my colleague pointed out, to charge seniors extra billions for the basic Medicare package. They herd seniors into managed care plans without adequate consumer protections. They destroy the Nation's safety net and academic research hospitals. They spend an extra \$4.6 billion on the medical savings account that my colleague pointed out are for the wealthy healthy, and they weaken, something that is not talked about too much, major antifraud loss.

The dollar difference is significant, but more significant is the policy difference, and, as you pointed out, the difference in the dollars is not to make the Medicare Program solvent, but in fact to deal with tax breaks for the wealthiest Americans.

Let me just make one more point because I think it is important. This is something that a number of my colleagues on the other side of the aisle talk about all the time. They talk about only in Washington is an increase a cut and that there is not a cut in the Medicare Program.

□ 1630

Mr. Speaker, let me just say this. I want to quote the Speaker of the House, again, the gentleman from Georgia [Mr. GINGRICH]. This has to do with the defense budget. This was in 1987. "The 4-year budget includes a 10-percent real cut in defense spending." This is NEWT GINGRICH describing a decline in the rate of growth of the defense budget in 1987.

They are going to stand here and tell us that this is slowing the rate of growth. It is just a boondoggle. There is no accounting for the increased numbers of the people who enter the Medicare system, there is no accounting for inflation, and there is no accounting for the increased costs in medical care.

So they tell us that we need \$150. We have \$100 today, we need \$150 in order to take care of the increase of people, the increase in inflation and the increase in technology, but they are going to give us \$125 and they will tell us that it is not, in fact, when we need \$150 to make it, except they are willing to say that when it comes to the defense budget, which they have talked about, the gentleman from Georgia [Mr. GINGRICH], in 1987.

The chairman of the defense authorization bill says that "The bill provides \$2.4 billion more than the current fiscal year, but when adjusted for inflation, it represents a real decline of 1.5 percent in spending, and not an increase." You cannot talk out of both sides of your mouth. These are real cuts in Medicare, real pain in the Medicaid system. What we cannot allow that to do is to happen. We have to make the same kind of fight, the same kind of arguments that we did in the last year of this Congress, so that in fact they cannot destroy a system which they truly do not believe in. I think my colleague for letting me join with him this afternoon in this special order.

Mr. PALLONE. Absolutely, Mr. Speaker. There is absolutely no question that what the gentlewoman is saying is correct. I think the bottom line is that the policy changes that the Republican leadership is proposing are all money driven in some way.

When we talk about this whole notion of the Speaker saying that this is not really a cut, we are actually increasing the program, but it is not a cut. The reason for that, there is this new book out, I do not think the

gentlewoman made mention of it. It is called, "Tell Newt to Shut Up," a new book by award winning Washington Post Journalist David Marins and Michael Westkopf, which says that avoiding the word "cut" became part of a coordinated Republican strategy after pollster Linda Duvall said that the public reacted negatively when told that the Republicans would cut Medicare.

Basically what these two people are saying, that the Republicans vowed from then on that they would not allow reductions in the rate of growth to be called cuts. But it is nothing but semantics. We all know that if you do not allow a certain amount of money to be available, and you have to go out and buy the same thing because of inflation or because more people are in the program, that not allowing a significant level of growth essentially is a cut. That is what the Speaker, what the gentleman from Georgia [Mr. GINGRICH], actually said in the context of the defense budget when he wanted to use it for his own advantage.

Mr. Speaker, the other thing that I think is really crucial also in that respect is where are these costs being shifted to? That is why I think the issue of the overcharges is so important, because basically last year, when they wanted to shift costs, they essentially raised the part B premium. I think we had some figures that last year's Republican proposal actually doubled the Medicare part B premium from \$46 in 1995 to about \$89 in 2002, so it would have increased the Medicare premium by \$440 per couple per year.

That did not work, because seniors became aware of the fact they were going to have to pay these incredibly high premiums, so they dropped that. Now, this year, they are coming back with the overcharges, and they are saying that if you stay with the traditional Medicare system and do not move into managed care or HMO's, then the doctors can charge you whatever they want.

Mr. Speaker, we had some statistics from the Physician Payment Review Commission, which is a nonpartisan panel of experts that advises Congress on Medicare policy, and they said and I quote, that:

This could lead beneficiaries to be exposed to substantial out-of-pocket liability in the range of 40 percent of the bill.

So if you essentially go into this for a certain operation or procedure, you could end up paying 40 percent right out of your pocket.

Ms. DELAURO. Mr. Speaker, if the gentleman will continue to yield, on that point what is really important to know, and truly people know, today doctors do, doctors and hospitals, there are restrictions on this overcharging. What is very central and very simple here is those restrictions are eliminated. They are eliminated, so therefore they cannot do the overcharging.

Just a final number which I think is important on this inflation issue, when

they keep talking about how these are not cuts, what they are doing with Medicare is they are holding it at about 16 percent below the rate of inflation. That represents a real decline. That is no increase. We cannot let them get away with talking about these as not being cuts, because the numbers are real. I thank the gentleman.

Mr. PALLONE. Mr. Speaker, I yield to the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I appreciate the contributions that both the gentlewoman from Connecticut [Ms. DELAURÓ] and yourself have made in this constant battle to explain what it is that the Republican majority is attempting to do, and the obfuscation of the truth that constantly you can read in their press conferences and in the statements that they make across the aisles. So I appreciate what the gentleman is doing, and I hope that the seniors across the country are getting the real message.

Mr. Speaker, there is absolutely no doubt in my mind that what the Republicans are trying to do is to completely dismantle the Medicare Program. We deal with this issue in terms of big numbers, like a \$290 billion cut versus a \$168 billion cut now. And they have moderated their position. But the reality is the issue is not a monetary issue.

We cannot get into a box of deciding, well, who is cutting less in terms of the dollar amount, because what they are really trying to do, in my estimation, is to completely dismantle the Medicare Program as it was enacted in 1965. That is the message I think we have to tell the seniors: What are they being left with if we restructure Medicare? They are going to be shoved into a private insurance kind of program which does not have the protections that Medicare now offers.

One of the things that the gentleman just discussed is about this balanced billing. The current law does not allow it, so therefore there is this protection for the seniors who are in the program now under Medicare, that they will not have to suffer these overcharges. If the Republican plan were enacted as it has been proposed, we are going to have to see these seniors being billed way beyond what it is that Medicare has approved in terms of the costs of these expensive surgeries. I think that is what the seniors have to be told.

The restructuring of it is going to be severely expensive and demoralizing. In other words, we are going to go back to the old system before 1965, where the children of the families are going to have to make these hard decisions as to whether their parents are going to have the important, necessary medical attention, surgery, or whatever.

Mr. Speaker, I had an orthopedic surgeon in my office, that is why I could not come to the floor promptly, and

they are apparently having a conference here in Washington. The first thing he said to me is, "We as physicians are concerned about free access to medical care. We feel that the proposals that are now being discussed are going to severely damage access, freedom of choice of the seniors as to what kind of services, what doctors they can obtain."

One of the things that he pointed out to me is that under the HMO and these new ideas that are coming across by the Republican majority, there might be limitations on the specialty services, for instance, that their particular profession of orthopedics could offer. They feel that that is extremely dangerous.

Second, he pointed out that many of the insurance companies and other kinds of group practices that they are in are already gagging them and saying that they cannot even talk about options, optional kinds of care that they might obtain. So these people in the medical profession are really concerned about freedom of choice, access to the necessary kinds of medical services that are required, and this terrible kind of pressure, that when they sign onto these group practices, that they are being restricted by the insurance companies that are servicing them from even discussing with their patients open and available information as to what their choices ought to be in terms of their medical services.

Mr. Speaker, I think all of this suggests that if we go the private insurance route, which obviously is part of this dismantling, and force everybody into the private market to let the market control or HMO's or whatever, that the seniors are going to be very, very severely impacted.

Compounding on that is this medical savings thing, which in my estimation favors the wealthy and the healthy, and the people in the middle are then going to have to bear the burden and costs of the Medicare system. So, Mr. Speaker, I think in going back to my seniors in my district, I am going to have to try to move away from this discussion of dollars, their focus on this idea whether the program is going to become bankrupt, or we are going to have to find the money, and they are all money-oriented right now. But I think that the Congress is going to have the responsibility to find ways to make sure that the system is fiscally sound.

But in doing so, we must not allow the program itself to be restructured and broken and completely torn apart so that the idea of universal protection for seniors will be completely disrupted. That is what I came to the floor to contribute today, and to hope that that point can be explained to the seniors as we debate this issue.

Mr. PALLONE. Mr. Speaker, I think the gentlewoman makes her point very well, particularly with regard to what happens if seniors become shifted to managed care HMO's. If I could just

make one point, and then I will yield further, following up on what the gentlewoman said, a lot of times the Members of the other side, the Republican Members, get up and say, "Under our plan, there is still going to be choice. You do not have to go to an HMO, you can stay in the traditional system of Medicare where you can stay in the traditional system of Medicare where you can stay in the traditional system of Medicare where you choose your own doctor, choose your own hospital."

But the key there are the overcharges, because if you say to someone, "You can stay in your traditional Medicare system but now the doctor or hospital can charge you whatever they want as a copayment," then most people cannot afford to do that. Then they are forced essentially to move to the managed care, the HMO, whatever the alternative is.

Then the other thing is that by cutting and constantly reducing the reimbursement rate for the HMO or the managed care system, the Republicans essentially forced those systems to do the types of things that the gentlewoman mentioned; in other words, they do not allow people to get specialty doctors or specialty care unless they go through some bureaucratic rigamarole because they do not want to pay the cost of that specialty care.

At both ends of the spectrum, essentially, people are being squeezed. They either stay in the traditional system and then they have these tremendous out-of-pocket expenses, or they go into the managed care HMO where the dollars are constantly squeezed, and therefore the level of care and the type of care that you can get is more limited.

Mrs. MINK of Hawaii. If the gentleman will continue to yield, Mr. Speaker, I think the thing on point is what is happening to women who deliver their babies in a hospital. They are just being pushed out the door within time limits of 24 hours or whatever, so now we have to engage in that debate to protect women, to make sure that these kinds of harsh procedures to save a few dollars are not going to prejudice the health care of these women. It is exactly the same situation with respect to our seniors, who are going to have to face those kinds of brutal decisions.

Mr. PALLONE. Mr. Speaker, that is a perfect example.

Mrs. MINK of Hawaii. I think we have to constantly remind our seniors that this is not just a dollar, they should not mount this debate on whose money plan sounds better, because it is the policies behind those money decisions that are going to end up bringing sorrow to them and grief, grief to their children, who are going to have to pay the bills. I thank the gentleman.

Mr. PALLONE. Mr. Speaker, I thank the gentlewoman for joining us. I yield to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, I appreciate the observations of our colleague,

the gentlewoman from Hawaii, and the gentleman's response, because I think as you described how Medicare would be eventually destroyed, what the gentleman is really getting to is, to use the Speaker's own words, Speaker GINGRICH, saying that he was going to let it wither on the vine. That is, I suppose, an indication.

We have the Republican majority leader quoted down in Houston the other day, and my colleague, the gentleman from Texas [Mr. ARMEY], saying that he views Medicare as an imposition on his freedom. But they recognize that the Medicare Program, which it is now almost 31 years of existence since President Johnson signed it into law, we now have, instead of more than half of America's seniors having no health insurance, we have 99 percent covered.

So they realize that they cannot have a direct assault to just abolish and vote against the program. That is what they want to do. Simply, as the majority leader so candidly admitted, their philosophy is "Medicare is an imposition on our freedom." Most Americans, I think, believe that Medicare is one of the best things that this Congress has ever set up, just like Social Security, which our Republican colleagues have also questioned, but in lieu of a direct, frontal assault to just abolish Medicare, to do as BOB DOLE in fact said here just a few months ago, that he was so proud that he was one of those who stood and voted against, on the floor of this House before he ever got over to the Senate, who voted against creating Medicare in the first place, they would let it wither on the vine.

□ 1645

Mr. Speaker, we got a lot of things down in Texas that are withering right now. We have a little bit of a drought down there. But barring those unusual circumstances, I think most of the people that I know that are commonsense folks around central Texas, if they have something that is withering on the vine that they have entrusted to a gardener, they know the best thing to do is to get another gardener, and I think that is what we are going to have to do here if we do not want Medicare to wither on the vine.

I came across a book this week concerning this so-called Gingrich revolution and I wanted to know if my colleague from New Jersey has seen the part of this book that is written by two Washington Post reporters who have been studying this revolution and apparently getting behind the closed doors, which are really the signature of this revolution, all the secret meetings that go on, the secret task forces. This particular one is on page 72 of this new book, and I just want to quote from it.

It says, at a leadership meeting over dinner in GINGRICH's office, that is the Speaker of the House, NEWT GINGRICH, the fellow who wants Medicare to wither on the vine, on February the 15, that

is February 15, 1995, KASICH, that is the chairman of the Republican Committee on the Budget, JOHN KASICH, our colleague from Columbus, OH, and his aids, expressed concern that a 7-year balanced budget would require Medicare cuts "unlike any this town has ever seen before." KASICH was hoping to have more flexibility. "Who said we have to do 7 years," he asked? GINGRICH remained adamant.

That is from this new study about Medicare cuts, the fact that they would, in the words of the House Republican Committee on the Budget chair, have to be unlike any this town has ever seen before.

Are you familiar with this new study?

Mr. PALLONE. Mr. Speaker, I am familiar with it, and I was making mention of some other aspects of it before. But I really appreciate the gentleman bringing that particular section up, because I think it points out one of the things that I and I know you have been saying from the beginning, which is this whole idea of dealing with Medicare in the context of the budget. That in itself is wrong. In other words, if we are going to restructure or make changes in the Medicare Program, why is it that we are dealing with it in the context of the budget?

In my opinion, the reason for that is very simple: Because they want to use the cuts in Medicare for tax breaks for wealthy Americans. They want to be able to use the money for that to achieve whatever their other goals are. It is not because they are trying to save Medicare or restructure Medicare in a way that is actually going to help the program. They are funneling that money into tax breaks. So every time we deal with the budget, we get the Medicare cuts once again.

Mr. DOGGETT. Instead of a trust fund, a slush fund. Instead of furthering and strengthening the trust fund, they would raid that fund in order to provide these special tax breaks.

Mr. Speaker, I know you have focused already on this trustees' report, and the key word there is trust. Who do the American people trust to ensure the long-term solvency of Medicare so it will be there not only when we retire, but when our children and our grandchildren retire, so provide them the kind of health care security they need.

I would just want to add one other thing. I see our colleague and one of the few physicians in this body, the gentleman from Washington, Dr. MCDERMOTT, is here who has worked so hard on this. But I think as we consider the millions of people that are going to be adversely affected if the Speaker is successful in letting Medicare wither on the vine and shrivel up and go away for middle-class Americans, I just wanted to bring a picture of a couple of Texans, hard-working Texans that are going to be impacted, because I think we have to bring this down to human scale.

Lewis Kerclusky is a fellow I met at a senior activity center in Austin. He is 94 years old, and he told me that he was there because he worked with old people. I was mighty impressed with the tact that he is still involved in working with old people in trying to help them get services and have the benefit of his assistance. Unfortunately, since all he has to rely on is his Social Security check and his prescriptions total almost \$200 a month, he had to move in with his son, Ed. Ed is still working, but he is only about 3 years away from having to rely on Medicare himself.

These are the kind of hard-working people that built this into the greatest Nation in the world. And if he let Medicare and Social Security simply wither on the vine, if he says, as you were just discussing with our colleague from Hawaii, that they are suddenly now going to have to pay all that a health care provider would want to charge them above the Medicare payment, if we continue a system where he cannot even get coverage for his prescriptions, there is no protection under existing Medicare for those, and instead of strengthening Medicare and fulfilling our trust to America's seniors, we are going to weaken that system and let it be used as a slush fund, then people like Lewis and Ed are going to still be impacted in a very, very significant way.

I think it is important, even for people that are not as old as Ed or Lewis, or as old as you or I, or even the young man from Washington State who is joining us here, young people that are out there trying to start a family, trying to get kids through the public school, who is it that a senior who cannot make it, who cannot even pay his prescription, is going to turn to if they have a medical emergency and Medicare is not there to stand by them?

It is going to be those middle-class families that are having a hard enough time just making ends meet for themselves and their kids. They are going to be called on, instead of providing a college education, to take care of an unexpected surgery, instead of being able to do things for their family and get ahead and provide their kids the same future that they want for themselves, they are going to be called on to provide for long-term health care.

I appreciate your focusing attention on what is really happening here, this trust issue, the trust of America's seniors and those who will be seniors in our Medicare system and our responsibility to stand there and see that that system does not wither on the vine, as much as Speaker GINGRICH might be determined to let it wither.

Mr. PALLONE. I appreciate the gentleman's comments. Mr. Speaker, before we move to the gentleman from Washington, I just wanted to say it is particularly important, and I thought that you mentioned, I guess it was Ed, one of your constituents who you said had a very large prescription drug bill.

Mr. Speaker, I naively thought when we started to deal with Medicare in this Congress and the possibilities for some changes that we would actually look towards positive changes such as preventive measures, like covering prescription drugs, because I have always felt that if we add certain services to Medicare, like prescription drugs, like home health care, that we actually would save money in the long run, because they are preventive measures that prevent people from having to go to a hospital or be otherwise institutionalized.

But we do not get any of this from the Republican proposals. Everything that they propose basically would cut the program, reduce services, force seniors to pay more out of pocket.

So when I hear statements from them about how they want to save Medicare or change Medicare, it is never in a positive way; it is always in a way that is actually going to make it more difficult, in my opinion, to get health care and to get quality health care.

I appreciate the gentleman's comments.

Mr. DOGGETT. Actually, it is Lewis, who has almost \$200 a month in prescriptions not covered now. And I know the gentleman and Dr. MCDERMOTT will remember that when Republicans put out their big strategy, their PR plan on Medicare. They told their own Members, do not use the word "improve," because that is going to raise expectations that we might really do something to help seniors. They were supposed to use other words to create the impression that there was some immediate crisis, which there is not, that there was some immediate danger of bankruptcy, which there is not.

There is the need for long-term, bipartisan planning. But the only bankruptcy we face today is the kind of political bankruptcy they have when they insist on letting Medicare wither on the vine. I thank the gentleman.

Mr. PALLONE. I thank the gentleman and I would now yield to the gentleman from Washington, Dr. MCDERMOTT.

Mr. MCDERMOTT. Mr. Speaker, I want to thank the gentleman from New Jersey for coming out here day after day and bringing this issue to the attention of the American people, because I think there is lots of confusion. I was just sitting in the Committee on Ways and Means today, and we had before us the Secretary of the Treasury, Mr. Rubin, and the Secretary of Health and Human Services, Dr. Shalala, to talk about the trustees' report. And everybody is waving the trustees' report around now and talking about that this is the end of health care for senior citizens and everybody should be worried.

A little history needs to be brought out, people need to understand. Since the program was started in 1965, there have been 27 trustees' reports. Every year, a trustees' report, that is the job of a trustee, is to say how much money

do we have and how long will it last? So each year, they look at the money, they look at what they are spending, and say this is how long it is going to last. At one point we had only 2 years to go, and it would be all gone. At another time, it was 17 years. So there have been all kinds of reports. They never were a crisis until last year when the Republicans took over the House of Representatives and said, we need some money for a tax break. So they grabbed this trustees' report and instead of doing what we had done since 1965, which was to say there is a problem, we are going to have to make some adjustments. And we made them. Every year, no fanfare, nobody ever heard about the trustees' report, nobody ever heard that the sky was falling. On a bipartisan basis, we made changes in the Medicare structure that would have carried it on as we intended to do.

In fact, the Democratic members of the Committee on Ways and Means came up with a proposal last year that for \$90 billion in adjustments in a variety of different places, without hurting the basic program, we could protect Medicare until the 2005, for 10 years out into the future.

Now, the Republicans insisted that it be only their way of adjusting the program or there is going to be nothing. It is sort of their way or the highway. And in insisting on that, we have not done anything. So now we come to the trustees' report that was released yesterday, discussed in the Committee on Ways and Means today; everybody is going around acting as though the Earth is ending, because it is now 1 year less. Instead of 7 years last year, we only have 6 years worth of money in the pot to pay bills to 2001.

Now, if they have made the changes last year that we recommended for \$90 billion, we could have been out to 2010. But their delay has actually made it worse. It is sort of like if you have a problem in your car, you hear a clanking noise and say, well, it is still running, I am not going to bother checking the oil and you just keep going until finally the motor freezes up, and then you say, oh, my goodness, if we had put the oil in last year, we would have prevented that. They have not done the preventive things that last year they could have done for \$90 billion.

Now, to make this problem worse, or to make it even more laughable in some ways, last year they wanted \$270 billion out of Medicare so that they could have a \$245 billion tax break. They needed the money. Some of it was for Medicare, but most of it was to be spent on a big tax break. This year they say, you should be grateful. We are only going to take \$176 billion out of Medicare. It is obviously way more than is necessary to do the job. The President has made a proposal of \$124 billion in changes. So if you want to talk money, they are still asking for money that they are going to use in the tax break.

But the really insidious thing is the kind of changes that you have been talking about in the Medicare Program. If you take a senior citizen, the average senior citizen on Medicare is living on \$11,000 a year. Now, there is not a whole lot of slush in \$11,000 a year in this society. There are 11 million widows living on less than \$8,000 a year. Their husbands have died, they are living on a Social Security check. The minimum is about \$8,000.

□ 1700

What the Republicans are saying is we are going to give you \$4,800 this year to go out and buy a health program. That is about what it costs. This year they could buy exactly what they have had.

Next year the inflation by the insurance industry, they expect it to go up by 7 percent. But the Republican proposal says, "We're only going to give you a 3-percent increase." That 4 percent that they do not give them has to come from somewhere. It either has to come out of that widow's \$8,000, or she has to turn to her children and say, "I can't afford to buy the same health care package."

This argument about whether it is an increase or a cut, yes: they are increasing it 3 percent. But they are not giving you enough to buy it. It would be as though I said to you, "A quart of milk is 99 cents, here is 99 cents, go buy a quart of milk." Next year a quart of milk is \$1.10. I say, "Well, Frank, I'm going to give you \$1.05. Go buy a quart of milk." You obviously cannot buy a quart of milk if you do not have the amount of money that is necessary to pay for it.

The cut is that they are not giving them enough to keep up with inflation. By the end of 5 years, it is going to cost \$1,000 more out of pocket. That means grandma has to open her purse and find another \$1,000 to put with her Medicare money to buy the same program.

That is by the insurance companies' estimates. That is not some wild group out there that is trying to prove the Republicans are wrong. The insurance companies are very tightfisted actuaries who look at that and they say that is what it is, and they are not providing enough money to buy the same package.

So now that you have that picture in mind, the Republicans offer them an alternative. They say, "Why don't you go into an HMO. An HMO will take whatever we give you and then you won't have to pay any more money out of your pocket."

So they have financially jerked those people around. They have either got to take \$1,000 out of their pocket or join an HMO or get it from their kids. Those are their three choices. If you go into an HMO, I do not think everybody has agreed that you are going to be able to choose your own doctor. There is every indication in HMO's that if your doctor is not on the list, you are going to have to quit seeing that doctor.

For somebody who is 25 years old, that does not seem like a big deal, because when you were 25, who had a doctor? I did not have one when I was 25. At 45, maybe you see a doctor once in a while. At 55, you see him a little more often. I see him a little more often. When you are 80 or 90 like my father, and he has had a doctor following his heart medication for 20 years, to suddenly say to him, "Well, Mr. McDermott, you cannot have your doctor, you're in this HMO and your doctor isn't a participating doctor, so choose a new doctor."

If you are 90 years old, that means you have got to sit down with somebody and tell your whole history and explain it, and what medications have you been on and how did it affect you. All of your past in a doctor's head is lost. That is why being able to choose your own doctor is important. What you want is somebody who knows your history. You do not want to go to somebody who never saw you before when you are 90 years old and have to explain your whole history and what has happened to you.

So that financial incentive that says, "You can stay in the regular Medicare Program, it's going to cost you \$1,000 out of your pocket, or go to this HMO and you might not get your own doctor," those are the choices that the Republicans are offering senior citizens.

My view is that is not necessary. I looked very carefully at the Medicare Program when I put a bill in cutting \$90 billion. I am a physician. I would not put together a program that I thought would hurt the quality of health care that people get. But you do not need more than \$90 billion in cuts. All the rest of that money is being cut so that they can use it to give away in a tax break.

The issue that you were talking about as I came in here is one that I think is even more difficult to understand, and that is this whole question of pharmaceuticals. When you get to be old, you go to old people's houses, you will find on the dining room table a plastic box that has a bunch of little boxes in it. One is for in the morning, one is at lunchtime, one is in the evening and one is at bedtime, and they have their pills in them.

If they are like my father and mother, they spend \$220 each month at the pharmacy. They have no way except to pay that out of their pocket. They are already paying enormous amounts out of their pocket. That is why this \$1,000 coming in out of their pocket to get this same benefit package to pay the doctor, to pay the hospital, to pay the x ray, to pay the blood work in the laboratory and so forth is such an impact. It is not as though they are not paying something now.

If your father is paying \$200 a month for pharmaceuticals, and then to pay \$1,000 more a year, now \$1,000 a year, divide that by 12, that is like \$80 a month more that they have to reach in their pocket. What does \$80 mean? Well, if you make \$100,000, \$80 is not all that much. You could probably absorb

\$80. But if you are living on \$8,000 a year, like 11,000 widows are in this country, \$80 is about 3 bags of groceries. It is a question. Do you want to go to the grocery store and get nutritious food, or are you going to have to send it off to buy your health care plan?

Those are the kinds of choices. And the baby boomers in this society, the people in the generation under me, I am 59. So, if you are about 55 or so, below, you are going to have your mother coming to you asking, or maybe not telling you and then you will find it out some other way that she is not going to the doctor, not buying the medication, or she will ask you and you are going to be between the vise of helping your mother and helping your own kid in the community college.

I mean, people in their forties, their thirties, forties, fifties are caught between their parents and their children. You care about them both. Which one are you going to help if you can only help one? "Well, mother, I'm sorry, you're old, you will have to deal with it yourself because I have got to help my kid." No; you cannot say that. Then you say to your kid, "I can't help you through college, you're going to have to make it on your own, good luck, because I have to help my mother."

That is the vise that this proposal puts middle-class, middle-aged, people in. People in my generation have never spent a dime, I have never had to give my parents one single dime for their health care. Medicare for 30 years has taken that issue right off the table. Along comes this proposal and says we are going to put it back on the table and each family can find it themselves.

Now some can find it. My mother and father have four kids, all of whom went to college, all of whom have good jobs. We can find a little extra to help our mother, but what about people that do not have that? Think about that. Think about the guy who is just laid off at 50 and his mother is 80. He cannot help her.

So it is this kind of thing, and I think that you are doing a real public service by coming out here and raising these issues, because the trustees' report is simply an annual report and we are going to correct it. We are not going to walk away from this. The Republicans would not dare walk away from this without fixing this program. They have no chance with the American public if they do not step up and fix it. They ought to drop the whole business of cutting taxes and deal with Medicare.

Mr. PALLONE. I appreciate the gentleman's comments because you really managed to put a lot of this in common sense terms and explain it for the average person, which is what we really need to do. I thank the gentleman for joining us tonight.

Again, as I said in the beginning, the reason why we are here is because we do believe that the Medicare Program is so important and we believe that the promise of Medicare, which is to provide quality health care coverage for

senior citizens, the promise that a Democratic Congress and President Johnson made over 30 years ago must be continued, and that it really is not fair for today's seniors or future seniors to suggest to them that they cannot have the same kind of quality health care that we have now for senior citizens.

That is what we are afraid as Democrats will happen with this Republican leadership plan to change Medicare, that it will be so drastically changed that eventually it will simply disappear as a valuable program to provide health care coverage for all of America's seniors.

#### TRIBUTE TO A GREAT IRISH-AMERICAN, AND THE TERRIBLE TRAGEDY OF AIDS

The SPEAKER pro tempore (Mr. STEARNS). Under the Speaker's announced policy of May 12, 1995, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes as the designee of the majority leader.

Mr. DORNAN. Mr. Speaker, I am actually going to discuss two things:

one, a short tribute to a good friend of mine, a political acquaintance who has developed into a good friend because of his good heart and what he and his whole large family has tried to do about the agony in Northern Ireland. His name is Thomas Tracy.

I put this little tribute to him in the Extensions of Remarks a month ago, but for some reason I felt that it was important enough for me to rise today and say it to the whole Nation through the wonders of C-SPAN, that million-plus audience of ours, and through you, Mr. Speaker, to the world.

And then I want to discuss the terrible tragedy of AIDS and how it is growing exponentially and almost unnoticed in our society. First to Mr. Thomas Tracy.

#### TRIBUTE TO THOMAS TRACY: DISTINGUISHED IRISH-AMERICAN LEADER

I just want to recognize, Mr. Speaker, Tom's honorable achievements for the Irish-American community. He gives to umpteen charities as most good businessmen do. But Tom recently was recognized for his service. He received the 1996 Distinguished Leadership Award by the American Ireland Fund in the beautiful city of St. Francis by the Bay and I was just heartbroken that our unrelenting pace around here, this all-important budget fight that we are engaged in, kept me from flying up with my Sally and some of our older children up there to San Francisco to add our congratulations to Tom's tribute.

Here is what this award acknowledges, Mr. Speaker. That an American of Irish heritage, to quote partly from the award, whose lifetime accomplishments personify the spirit of the Irish immigrants who contributed to making our Nation the greatest in the history of mankind.

If you take the troubled North and the Republic of Ireland and combine them, you are still not going to get to 5 million people. Far short of it. But in the United States of America, right through a primary grandparent, at least 25 percent of blood, is over 45 million Americans. On St. Patrick's Day, we know it reaches all 265 million. But some people say that that is a low figure, that it is realistically closer to 60 million out of the 260-plus million Americans.

I am especially proud of Tom because I am one of these rare Irishmen whose all 4 grandparents, came directly from Ireland, it is just becoming more rare, and I do not get too puffed up about it because I remember a cute story that John F. Kennedy looked at his own beautiful children, young John and his beautiful older sister Caroline and he said, "It's too bad that they're not 100 percent Irish like me."

And Jackie is supposed to have said to him, "Oh, you mean they're mixed breed" or something? And he never ever said that again.

My own five are half Danish and since my wife says she is Heinz 57, there is an extended Dornan family with, and I do not think I told you this, an 11th grandchild is on the way—my colleague from Florida did not know that—that there is none in that great gang of 11, and they all know about their Irish heritage, that is Irish on both sides. My mother's name was Mickey McFadden and her mother was Katie McDonough and my dad's mom was Mary Highland. It goes back to O'Donnells and just keeps on going.

So as a 100-percent Irishman, and I say that humbly, I am especially proud of Tom. I value my ancestry, because it has given me a feeling of being connected to a long history of people in love with life. The French have coined this beautiful phrase, Mr. Speaker, *joie de vivre*, the joy of life, and I have seen it in France from north to south, east to west but never have I seen it in any greater depth than in Ireland itself.

The Irish have suffered mightily through history. That is why their hearts have gone out to African Americans. It was probably one of the main motivating factors in my registering voters in a dangerous period of our country in the beautiful State of Mississippi and marching as I did with Martin Luther King on August 28, 1963 proudly in my Air Force captain's uniform, was all I had to offer.

□ 1715

But I identified as an Irishman with an 800-year turbulent history with the multcentury history of the suffering of those of African heritage in this Nation.

The essence of life is to persevere and conquer the challenges that God presents to us in life. An Irish Americans, like Thomas Tracy of southern California, they have excelled at that task. Tom has been associated with about 28 different issue-related organizations,

including many devoted to achieving peace in Northern Ireland. Over the last 5 years Tom has spent much time and just so much generosity with his own financial resources trying to work toward that peace. Just so many trips to Northern Ireland and to Dublin that I lost track of them. Over just the last 5 years he has just donated himself with great energy toward that goal of peace in that troubled beautiful little Emerald Isle.

I share one of Mr. Tracy's other passions, our love for our Christian faith, our Catholic faith. We have both been dedicated to strengthening and protecting the church, and in particular our own diocese. Mr. Tracy has been deeply involved in the diocese of Orange, CA, where he served at key committees, numerous Catholic organizations to help people of every level in society, and he has been the leader in the effort to gain sainthood for Father Junipero Serra, who has already reached the first plateau of being referred to as Blessed Father Serra. His statue is one of the two statues representing the State of California in this beautiful rotunda area, the other being the great freedom fighting Reverend King, Protestant Minister, during the period in California leading up to the Civil War.

I thank Tom Tracy for his many contributions. He honors all of us who are Irish Americans for his dedication, his good will, and his brave heart.

Now, if I was going to put a title on that, I would ask our recorders to make it "Tribute to a Great Irish American, Thomas Tracy."

Then I would draw a line through the CONGRESSIONAL RECORD and start on a not so happy note.

Mr. Speaker, do you remember the legionnaires disease? Remember the American Legion was having a convention in the City of Brotherly Love, Philadelphia, and some got sick at the convention, and a few who were older went into respiratory failure, could not be saved, some died after they got home, and it began to hit the evening news coast to coast, night after night after night? It was a terrible tragedy.

You say legionnaires disease and doctors still come to attention and think about that frightening period. Part of it was frightening because it involved infectious spores getting into the air-conditioning system, and I would not even mention the hotel if I thought of it, because they probably had to rename it and refurbish the hotel. But here is my point. The death toll, the total death toll, Mr. Speaker, was 34 human beings. Thirty-four souls on their way to god earlier than their families had planned. Thirty-four.

I just got back from the Center for Disease Control, doing research for a point of personal privilege to answer our colleague, STEVE GUNDERSON of Wisconsin, on the charges, the horrible charges that he made against me on the House floor on May 14, and I will do it in the middle of the day. I am sorry

to interrupt legislative business, but on Wednesday or Thursday of next week I will do it. If Thursday is a get-away Thursday, I will ask, demand, as is my right, I will ask the leadership, to coordinate with the leadership, because I do not have to ask their permission to do it, it is a right, a wonderful treasured right in this House, I will ask for the time on Tuesday or Wednesday.

But I have been doing research on AIDS, along with researching the circumstances surrounding that wild abuse of Federal buildings, so-called Jubilee Party that took place on Thomas Jefferson's birthday in April, April 13, and here is what my current research on AIDS is causing me to believe: That a homosexual lobby, does not want us to discuss the enormity of this death toll. They do not want anybody, frankly, to discuss this greater health problem in the history of our Nation unless they are the ones doing the discussing. They want to define all the parameters of the discussion so as never to put a tough edge on it, that this is basically a medical nightmare driven by behavior and conduct.

Keeping in mind that 34 death toll figure of legionnaires disease, and I do not have the time to go back to 1981, which by the way was Mr. GUNDERSON'S first year, Ronald Reagan's first year, it has been an amazing 16 years, but the cumulative figure as of the end of this month for deaths in this country is 360,000.

Now, anybody listening on C-SPAN, if they want to go get a pencil, I would tell them, Mr. Speaker, to go do it. But if they are too lazy to get up out of the chair and get a pad and pencil, this one is easy. Just think of a circle; 360 degrees. Three hundred sixty. That is how many have died, 360,000.

And it is probably a little low because in 1981 and 1982 and 1983 and 1984, the then Surgeon General, Dr. Everett Koop, told me that they were not counting many AIDS deaths that out of understandable and totally understandable empathy for families, rather than say that their young man or any family member had died of a fatal venereal disease, AIDS, they would say only on the death report the proximate cause; lung failure, dementia, Kaposi's sarcoma. They would just write down deceased of cancer.

And then all doctors, all doctors worthy of the name, decided that it did no good to fight this major public health problem, to hide the true cause, the breakdown of the immune system that brought about the pulmonary problems, the heart problems, the stroke, the cancer, the dementia, and we started keeping accurate figures by the middle of the 1980's. So according to Dr. Koop, about 20,000, maybe double that, were lost. I will say 20. Add it to the 320,000 dead as of New Year's Eve last year, 1995, that would be 340. And then this year, I am low, I am saying 20,000 dead by the end of this month, and that brings us to 360, when the truth is I am probably 5 or 10,000 low, but 360,000.

A third of a million is a good figure to try to memorize so you can discuss this intelligently with people. So, 34 legionnaires disease, 360,000 for AIDS.

Now, here are the figures just for the last 3 years. Dead in 1993, now there are lots, thousands of drug users in here, thousands of people that do both homosexual activity and drug use, and hemophiliacs are in here, a very small figure, an infinitesimal cause of infection unknown, the overwhelming figure, somewhere always between 65 and 75 percent is homosexual activity, basically sodomy of some kind.

1993: 42,992. Death toll per week, I just divided it by 52 a minute ago, 827 per week. What a horrible death toll. Not 34 in the entire course of legionnaires disease, but 827 a week.

1994: 46,050. That is 886 a week. And last year, the year when I enjoyed myself so much traveling around this country debating with good men like Senator BOB DOLE reaching for that secular holy grail of the Presidency, 1995, wonderful year for me and my family, a tough year, but while that year, those 12 months were slipping by, 48,979 people died of AIDS.

And children in here. It is horrendous. We have lost 4,000 children to AIDS over the years. Now, the homosexual lobby hates it when you call the children innocent victims because they all want to say they are innocent victims. But the children not one of them got it from behavior they got it from childbirth or from hemophilia or from the bad blood transfusion or some blood byproduct. Some 4,000 innocent little children over the course of this nightmare.

Now, I just now added up those 3 years. That is 138,021 out of the last 15 years. Out of the 360,000, in round numbers, almost half just in the last 3 years.

What is the half year figure going to be at the end of this month? I said 20. Well, if I look at 1995, it is going to be closer to 25,000. Where are we going?

I do not know if I will have time in my point of personal privilege to put these figures into the RECORD, so I am going to do it now for the wars of our Nation to give a balance of how large that figure of 360,000 dead people are.

Here are the figures, and then I will be able to refer to them in my point of personal privilege. I would hope that every youngster who has ever studied American history would memorize the Revolutionary War as I have and that will teach them something about their Congress.

Take the number of this House, 435 men and women, and add 4,000. That is how many died under George Washington, the Father of our Country, in the Revolutionary War; 4,435. Well, at the rate people are dying of AIDS, in 4.5 weeks, 5 weeks, we averaged a whole 6.5 years, from Concord Bridge April 19 of 1975, hardly a man is now alive, all the way up to Yorktown, October 19, a precise 6.5 years, 4,435. But not in 6.5 years, in less than 5 or 6 weeks we equaling that now in AIDS deaths.

I will go more quickly here but I hope somebody is writing it down. It took me a lot of time to research the this. The war of 1812: 22,060. I have that memorized since I was a little kid. I do not know why. And the Mexican War, 1,733—1,733 for manifest destiny, reaching out toward the heights of Chapultepec in Mexico.

The Civil War, the War Between the States, or for my southern friends here the war of northern aggression. I do not want to politicize this. They are all Americans, we know that. We do not know how many young southern lads died from other causes, like disease or Northern prison camps. We have a Northern figure on that, so that is a mystery forever, but in the North 224,097 died of the diseases associated with men coming together who had never lived in an urban environment and catching diseases that they had no immune system operating for, the thousands that died at Andersonville, 10,000 there alone, it is 224,097.

But set aside those extra deaths. In the Mexican War 11,500 died outside of battle combat. I want to talk battle deaths. Billy Yank, the blue of the North. Battle deaths. Gettysburg, Antietam, Stone Mountain, Murfreesboro, TN, all of it, Shiloh, 140,414. Johnny Reb fought Billy Yank with a great ferocity, because the death toll in battle is much lower. Under Robert E. Lee and the rest of the southern generals it is only 74,524.

Now, you do not have to add those together, people that are taking this down, I will do it for you: 214,938. Fair to round that off at 215,000. There it is, Mr. Speaker, 215,000 combat deaths. That is only adding 62—215,000 combat deaths.

Let me come back to my AIDS figure: 360,000. It is 145,000 more than we lost in the Civil War, and nobody talks about it here, because the homosexual lobby does not want us to talk about these horrible figures.

□ 1730

They just want money. I will give them more than they are asking for. Because it is a tragedy beyond cancer, heart disease, or stroke or the things that begin to bedevil us in our 60's and 70's and 80's. These are young people, mostly males, taken out in the prime of life when they should be returning God's creative gift of life and contributing most to this society, to this society.

The Spanish-American War, this is getting down toward Legionnaire's disease size, not quite, 385,000—excuse me, 385—385 people, less than 400 died in combat in the Spanish-American War, including a few people under Teddy Roosevelt, running up San Juan Hill because the Rough Riders horses had not arrived at Cuba in time. On Kettle Hill, now called the charge up San Juan Hill, just a few dozen men, taking Manila Bay in the Phillipine Islands, not a single man lost. Dewey said, "Fire when ready, Gridley," and killed

hundreds of Spanish on their ships, not a single American sailor lost. Disease in that war, even that is not too horrible, given the change of climate for a lot of American soldiers, 2,061. But back to the combat deaths, 385.

Now we get into some serious killing in the name of making the world safe for democracy, my father's war, where he was on a train that was derailed by German fire and rolled down a hill with a hot stove that they had purloined from a little French railroad station, rolling around with all the hot coals burning men and the stove itself killing men. My dad got up, stood up, thought every bone in his body was broken, covered in blood and realized it was the blood of other men. My dad was poison gassed twice, shrapnel, small wound in his face. And in that war, 53,513. It was ferocious combat, mostly in the last 6 months, after we declared war, April 6, 1917. There was a long, slow period in the beginning there, and Black Jack Pershing refused to have French officers over our men so it took us a long time, till basically the spring. And then serious fighting in the summer of 1918, all over at the 11th hour, the 11th day of the 11th month of 1918. Combat deaths, most of them loaded toward the end, 53,513, very close, by the way, to Vietnam, although not over 10 years, all in six months, 53,513, AIDS 360,000 plus.

Now let us go to World War II. I am sure that anybody who even has a clue of how many people were killed in battle from the Aleutian Islands to the North African deserts, under the sea, on the sea and every battle from Santa Cruz to Guadalcanal, all the way up to Okinawa and the invasions before that from Tarawa to Iwo Jima and then of the fighting cross Europe, General MacArthur's island hopping campaign, death from Bataan and Corregidor right down to the prisoners who died after the cessation of hostilities in mid-August of 1945. What was the combat death toll of World War II? It was 292,131. So AIDS has already killed 68, 70, 75,000 more than all the battle deaths on every continent of the world, even bombing in Australia in 1942, Japanese bombing. It has now eclipsed World War II.

Korea, 3 years of fighting, in 3 years and one month, compared to Vietnam's almost 10 years, 33,651 in Korea, one-tenth of the death toll of AIDS.

In Vietnam, a figure that changes tragically every quarter, every half a year by the finding of some remains or the solving of some mystery, Vietnam, hard figure to memorize because I had memorized it recently as 47,366 because that was the great fighter wing at Da Nang, the gunfighters, I see 3 more is added, 47,369. Compare that 10-year struggle that tore our Nation apart. There is another almost 11,000 there of people who died in plane crashes, all the poor flying safety situations that are always involved with a combat area, but Vietnam has torn this country apart. And given the course of the

Clinton administration, it is still tearing our country apart. We are still lying through the bureaucracy to the American MIA wives who come to town with the aging mothers and fathers and brothers and sisters who are now double the age of their siblings that are still missing in action with the built-in bias, pro-Hanoi bias of this administration because of its leadership at the top. We are still suffering Vietnam.

But the death toll, including the missing in action, 47,369. All the names on the wall, including those 11,000 automobile and plane crash accidents during the course of that decade, it is 58,000 names on the wall, 58,000, add 302,000 and you have got the AIDS deaths.

What are we doing about this AIDS death toll? We have thrown \$35 billion into research, Mr. Speaker. It has already cost our Nation \$107 billion. Because I am going to deliberately restrain my innate passion during my point of personal privilege in the middle of next week so that people focus on my words and not on my delivery style or anything, I will not constrain my passion tonight. Let me tell you what is causing this unbelievable health nightmare, Mr. Speaker.

Homosexual activists refuse to apologize for or give up the wild, promiscuous lifestyle that is the main driving, evil engine of this public health catastrophe of 360,000 dead people. Here is what I learned in one of my many trips around the world to educate myself on this issue.

I have studied this trip in Bangkok, this nightmare trip of AIDS contamination worldwide, AIDS infection. I have asked about it in Arab countries where the figure is very low and they are loath to speak about it. I have asked about it in Beijing, where they said it, contemptuously, that is was a Western decadence problem, and they never would have a problem in China, and, oh, do they have a problem building now. Fascinating front page section story in the Washington Post, New York Times, I think, just a few weeks ago about how China is a nightmare ready to explode, way beyond our third of a million death toll.

Here is what I learned last week up at NIH. I have been up there several times. I have been to the Centers for Disease Control in Atlanta. I do not know that Mr. GUNDERSON has ever been up to Bethesda. I know he has not been to the World Health Organization in Geneva. I took my wife there. She was stunned when they told her 55, 60, 70 million worldwide would die before—no, 100 million or more would die before the thing even peaked.

My wife turned to me and said, how many died in World War II? I said 55 million. She turns back to Dr. James Chin and Dr. Jonathan Mann and said, you are wiping out 100 million and that is almost double World War II? I have researched this all over the world.

My last trip last week up to NIH tells me this? I said to a man I greatly ad-

mire, Dr. Tony Fauci, I cannot, God could not design a better research doctor and dedicated person to fight this problem. He was at the table in the cafeteria at NIH in Bethesda when he and Dr. Bob Gallo looked at one another and decided they had a fatal virus among homosexual males in LA and New York. They called it GRID, gay related immunodeficiency. I do not know why they would use that adjective "gay." There is nothing happy about 360,000 people dead. There is no gaiety here, no cheerfulness, mirthfulness. It is the saddest thing I have ever encountered healthwise or anybody has encountered in the history of our Nation.

Tony Fauci, as you may recall, Mr. Speaker, came up during the debates of 1988 between George Bush and Gov. Michael Dukakis, Vice President Bush. And Bush was lucky enough to go second.

I was sitting next to the future Secretary of Commerce Bob Mosbacher and his wife Georgette and the—who was the narrator then? Was it Bernie Shaw? Was it a panel? Was it Tom Brokaw? I think it was Tom Brokaw. He asked Governor Dukakis, who are your heroes? There was this long, painful pause. I remember I turned to Bob Mosbacher and I said, "He is thinking right now, other than myself, Michael Dukakis." That is how long the pause was.

Finally he said, "Dr. Jonas Salk." That was a quarter of a century ago, over polio. I thought, come on, Mr. Vice President, respond with Tony Fauci. It was like mental telepathy. I hope he says Tony Fauci. And there was no one else for a follow-up by Dukakis, just Jonas Salk.

So it comes to George Bush and he had the advantage. He had time to think about it. He said, there is a doctor, and he could not think of his first name, and he said, Dr. Fauci at NIH. And Mosbacher says to me, nice job of mental telepathy. I said more, more. Then he hit the ball out of the park. Probably won the election. This was his defining moment in 1988. He says, "And any cop on the beat anywhere in America." That did it for George Bush.

But that is how far back Tony Fauci goes in my mind. That is 8 years ago this coming October. Fauci is great. So at the end of this tremendous tour, where he introduced me to some wonderful HIV-infected people that are fighting for their lives in a program, I hope they have changed their conduct. I hope they tell other people not to engage in the high risk politics, in the high risk political and homosexual movements and the high risk sexual activity that is shortening their lives.

After it was all over, I walked through the tremendous labs and I met people from Palermo, Sicily, a young lady doctor working with Tony Fauci. I met people from northern Italy, from Bologna, from France, from all over the world. What a team they put together. And, Mr. Speaker, none of them have the money anywhere in Europe,

let alone the rest of the world. It is not up to European or American medical standards. Nobody has the money that they have at NIH and the Centers for Disease Control that we in this Congress without any hesitation have given of the taxpayers' money that we are supposed to guard to try and find some kind of a—there never will be a cure, Dr. Fauci tells me, you cannot get an infinitesimal retrovirus out of the T cell that it has worked its way into. That is impossible. It keeps replicating as they attack it anyway.

What we need is a vaccine to hold off the onslaught, to build up the immune system, to prevent the infection or, once they have it, to keep the T cell count up and extend the life into another decade beyond the decade or so that some stronger people have been able to fend off the onslaught of full AIDS.

We are out in the hall and we are about to leave. I said to Dr. Fauci, I said, "Tony, I am hearing some bad rumors. I am hearing that in the homosexual communities in the hot spots of America, Key West, Miami, New York, LA, San Francisco, that young homosexuals are doing two things—get this, Mr. Speaker—"they are playing Russian roulette with deliberate high risk unsafe sex because it adds to the erotic thrill to play roulette with the HIV virus." And he nods in affirmation. "Yes," he says, "that is happening."

And I said, and then I hear that there is kind of a communal thing that when you get hit a with a positive test on the HI virus, it is almost like you joined a greater community. You get to see Whoopi Goldberg or Barbara Streisand wearing a red ribbon at the Academy Awards or you see these great tributes paid to theatrically talented people who died at the Tony Awards, the award system for Broadway plays, that it is somehow or other a shared experience to get the virus and be on a greased path to dying of AIDS. He said, yes, that is true.

Then there is a third thing—imagine this, Mr. Speaker—he says, there is a third thing beyond deliberately playing high risk Russian roulette and wanting to join a bigger community of sufferers. He says, a lot of them, paraphrasing Dr. Fauci very closely here, a lot of them have a sort of exhaustion, a mental exhaustion, a frustration over trying to beat the HIV virus, and they are just sort of giving up and saying it is going to get me eventually anyway.

You put those three things together, high risk erotic sex, telling yourself that lie, two, the shared community, that we are all in this together and, three, I cannot stand this ugly game of trying to avoid it so I am throwing caution to the wind. I am abandoning hope. Abandon hope, all ye who enter here.

□ 1745

William F. Buckley once recommended that as a cruel joke, I assume as a tattoo on high-risk practitioners.

So there it is. It is starting to go back up. I honestly thought when I got the figures on 1995 from the Centers for Disease Control about an hour and a half ago, I was sure it was going to go 43,000 in 1993, 46,000 in 1994, and drop back to 42,000 or lower last year, but it almost breaks 50,000. So I can—I can feel it coming for the end of this month. Around the middle of July I will call the center down at the six Centers for Disease Control that handles this, or I will call Sharon Katz, who does a great job trying to keep me informed on this up here in D.C. She is congressional liaison for—legislative liaison for CDC, and say, OK, because they are only going to a yearly report.

Can you believe that, Mr. Speaker? When this thing started, I could get a weekly report, a published monthly report. Every month I could find out—I will show you what it looked like. I would get this: Table 13, monthly cases diagnosed during the interval of 1 month, case fatality rate, deaths occur in the interval. Then they went to quarterly, and they stayed that way until about 2 years ago, and they went to semiannually. Now they tell me no more semiannual report on June 30, you got to get a report once a year. Why? The reports are higher than ever. More people are dying than ever before, and now they are only going to tell us once a year.

So they told me informally we will give you round figures at the mid point of the calendar year on June 30, and if it breaks 50,000, then this has not peaked yet in spite of killing off 360,000 people, of which certainly 300,000 were hard partiers.

Drugs, which is one of the unknown stories of how this is transmitted so frequently in the homosexual—among the homosexual hard parties; the drug use among circuit-riding homosexual parties is almost as bad as it is at the lowest level of poverty in our big cities where drugs is a release from the depression of not being a player in the American dream. These are people that are just looking for hedonistic pleasure and an end in and of itself.

Now, Mr. Speaker, I give you a preview on my point of personal privilege. Here is my second draft. It is over 30 pages long. I can get through it in an hour. I am not a bad extemporaneous speaker, as speakers go around this place, but I am going to read this one on Wednesday or Thursday because I will not be accused of not having love for my fellow man.

I watched yet another stupid Phil Donahue show this morning where he had two young reverends on, one from somewhere in Colorado, one from Nashville, TN, and I guess it was a rerun from sometime around November where they had a play on Halloween that they called Hell House where they tried to show young people that the wages of sin is death, and why they got through the whole hour, because he put them against a lesbian Presbyterian minister and somebody from Planned

Parenthood, of course, picking out somebody as beautiful as young Liz Taylor to, you know, use all the softened euphemistic words for killing babies in their mothers' wombs, and Donahue left objectivity when the first 10 minutes of the show was insulting these two handsome, in their mid to late 30's, these two Protestant ministers, and I was shocked, and so was my wife, that the ministers did not bring up that liberals approve of this when it is called scaring them straight in prison where you take young people to prisons who are flirting with crime, they are in their first arrest period, grand theft auto or something, or maybe caught carrying a gun, they have not used it yet, and they put them in a prison, and these big grizzly cons come in, rough talk to them, scaring them straight, or taking high school kids and showing them pictures, graphic, bloody, color pictures, of automobile accidents from prom night or any drinking night at a party and trying to get young people who think they are going to live forever to conceptualize in their head that there but for the grace of God would be me torn to shreds in a small Japanese-made car that is lying on the highway in three or four pieces with five or six dead teenagers or one who survives to be paralyzed all of his or her life. They say, my gosh, I am drinking at parties and driving. Why is it OK to show teenagers, and I am all for this graphic pictures of teens dying when they drink and drive, or what MADD, Mothers Against Drunk Driving, does, to say this is what people do when the drunk crosses the line and because he is sotted out of his mind, usually is so limp he survives, but he front-ends a van full of children and kills 27 people on a bus, which happened in Kentucky or Tennessee a few years back. That young driver is still in prison, I assume, that killed, burned to death all those children. Or how many times did we read about the innocent family driving along at 45 miles per hour and some drunk comes across the divider on a two-lane road, no divider, just across a line, and crashes into their car killing them. Why is it valid to show them these pictures, but it was not valid for these reverends to show an abortion scene, an AIDS death, the young teenager in the casket and the family all crying. It was a fascinating show, but there was all the careful language, and here is what the lesbian minister kept saying:

My lesbianism, my homosexuality, my gayness, is a gift from God, a gift from God. How many times do I hear this? It is a gift, gift, gift, gift? Well, in the case of HIV and AIDS, it is the gift that does not stop giving, and what it gives in the end is a terrible, terrible death.

What a tragedy to think of 360,000 young people. The Presbyterian minister kept saying how people reject children. How rare must that be for a family to reject someone who is dying

of AIDS when they come to their family. I think that must be a minority, I know, every family that I have ever heard of that lets that poor young person die inside the womb, the nurturing unit of the family. That has been my experience. That is what the priests and nuns and ministers that I talked to say. We maybe went through a rough period when people did not understand it, but the scene I have in my mind is a young person, usually a male, who contracted it in his early 20's, he is dying in his late 20's; that is the bubble in the middle of where most of these deaths are from 25 to 35, that is the largest category out of the 360,000, and he is there with his mother putting her cool hand on his fevered forehead, his father holding his hand, saying I still love you, son, picturing them all those times, the campouts, or the Little League, or the Pop Warner Football, and the reverend, a priest, a minister, a rabbi; they are giving the last rights, telling them Jesus loves you, God loves you, you are forgiven, your soul is white, you are going directly to heaven because you suffered so much on this Earth.

I do not see this grinding religious right, vengeful nastiness that people talk about.

A reporter, I know he is a nice fellow, he wrote a stupid article on the front page of this new competing paper with Roll Call called the Hill, and he said—he even singled me out and said the Republicans had to go along with voting for money for AIDS, they were embarrassed to do it. Who embarrassed us into it? And here is the line that he sort of apologized for. Point well taken, Congressman, he said. He writes in there, even BOB DORNAN voted for the Ryan White money.

The vote I think was 430 to 3 or 4; yeah, 430-something to 3, and the three people who voted had a very good reason for voting no. All three are friends of mine, that there is no accounting for this money, that it is given to homosexual groups, and that they squander millions of dollars of it in propaganda efforts that are causing more people to become enamored with sodomy, and they are killing themselves with more anal sex, and our tax dollars is going toward that end.

But the overall cost of little Ryan White, a hemophiliac whose blood supply that he was using to keep his life extended was polluted deliberately by high-risk people in San Francisco and other places who knew they were contaminated with the AIDS virus, but they wanted to go in and get paid for a blood donation so they could go out and get drugs.

This is a proper name for the bill; maybe Ryan White, but how many times have I heard Phil Donahue twist this whole thing and was one of young Ryan's pallbearers, how often has the movement used the Ryan family to, they think, get money out of us that even I have to go along with it.

I willingly voted for that money, and I say it again, Mr. Speaker, more

money until we can turn this thing around and get a vaccine because I tell you at the tail end of this, when AIDS hits, there is not much unsafe sex going on, there is not any smoking marijuana, there is not much drug abuse except the drugs like morphine to take the pain away. There is no partying time.

But I turned on PBS the night before last. Did you see, Mr. Speaker, the 3-hour special on Tiananmen Square? It was gripping. And going into it and coming out of it was an ad for something on Public Broadcasting next week about a show on Broadway, *Angels Over Broadway*; I do not know what the title is. It is written by a homosexual about—to put a glorifying spin with a tragic, tragicomic spin on this AIDS crisis, and they showed a scene from like a park bench of two young male homosexuals, and one is speaking to another, and he says, yes, the angel of death has come with his wine-colored kiss, and he holds out his arm, and there are Karposi's lesions, and he looks at his friend and says, yes, I am a legionnaire. Maybe you think of legionnaires' disease, only 35. I am a legionnaire.

It made me think of Dr. Tony Fauci a week ago saying, Bob, they are getting exhausted with fighting off the roulette of maybe getting it, so they give up and just end up contracting it and become a legionnaire.

Well, in my work around here over the last 16 years as this has built with the 2-year gap from gerrymandering where I was not here, in 1983 and 1984, and there was not a single speech, Mr. Speaker, in this Chamber or the U.S. Senate during those 2 years I was out, 1983 and 1984. Nobody really knew about it in 1982. It had only been discovered in the middle of 1981.

So when I came back, I called the Library of Congress. How many speeches on AIDS in this Chamber? Bill Danne-meyer was working on it, my colleague from California; HENRY WAXMAN, another colleague from California, had jumped over 5 to 10 years of seniority and become chairman of the Subcommittee on Health, and I said how many speeches had been given?

Mr. Speaker, not a single Member ever came to this leadership lectern or those two lecterns in the well and had spoken about AIDS from its first reported beginnings all the way through 1985 until I took the well, and I have spoken on it over and over and over again, and I speak from the compassion of the heart that I think is pure and brave to stop the killing of one another of young Americans, and I am not getting much help from organized groups that will put on the disgusting display that went on at the historic Andrew W. Mellon auditorium.

If the hour had not caught up with me, I was invited to come by and take a tour of that facility. I have been in there, several tuxedo dinners when I first got here in the early—late 1970's early 1980's. I have not been by there

awhile, but I drove by last night, and guess what, Mr. Speaker? What the homosexual jubilee party is there called Screw Alley along the side, its not an alley at all. If there is any alley, it would be behind the building, and that is blocked off with cyclone fences because the Ronald Reagan building is being built immediately behind it, and if there ever was an alley, it would be turned into a beautiful atrium walk area. The two sides of the building have exquisite carriage side entrances with modern, leveled-off places for disabled Americans in wheelchairs to get in.

□ 1800

The beautiful front, with six massive Doric columns, faces precisely on the architectural line from the center of the building, the Mellon Auditorium is on the opposite side or south side of the street, the National Museum of American History.

As I stood on the sidewalk and looked up at the Mellon and thought about this party on Thomas Jefferson's birthday, and thought about 2,000 writhing, half-naked bodies, and people going out into the darkness to have illicit sex and urinating on both sides of the building, and by the way, everything that I put in the CONGRESSIONAL RECORD, everything that I sent around in the Dear Colleague letter by Marc Morano, a young reporter I have known for years, because he did work for Rush Limbaugh, Morano was not alone. He had an associate with him. Some homosexual reporters from one of the city newspapers backed it up on the May 15 edition of the Washington Times.

These carriage entrances on the side are one of the three front entrances of this building, and there were no construction cones. They had six rent-a-cops, Mr. Speaker, six from a group called APACS, that was the lowball bidder, to control 2,000 people determined that night, inadvertently or by high-risk Russian roulette, to get themselves infected and join the greater community.

As I stood on the sidewalk and looked at one of my favorite museums, right up there with the National Museum of Art, the Aerospace Museum, and the Natural History Museum, I look across the street and something struck me. Inside the wall, on the side facing the Mellon Auditorium, is the Star-Spangled Banner, 20 or 30 times bigger than Old Glory behind you, Mr. Speaker; the actual flag from the night of September 13 and 14, 1814, when Francis Scott Key, prisoner on a British ship, looked at this massive flag by the dawn's early light, and composed on the deck of this British man-of-war our Star-Spangled Banner.

I may open my special order, not a special order, I will do one that night, too, for cleanup purposes, but by point of personal privilege, I may put that in the beginning, that across the street from the Mellon, on the very wall, I

paced it off, 40 Dornan steps, pretty close to a yard, I guess, across Constitution Avenue, there is a big hemispheric pond to accommodate the circular driveway in front of the National Museum of American history. So I went up to the edge of the pond, detoured left, squared it off, and started counting again, and from the front of the Mellon to the wall, upon the inside of which is this massive, original Star-Spangled Banner, it is 106 paces, 106 paces from the front of the Star-Spangled Banner itself, blocked only by the thickness of the wall that it is on, and people are urinating on Constitution Avenue and acting like it is some Roman basshanal, all in the name of, brace yourself, Mr. Speaker, raising, according to the gentleman from Wisconsin [Mr. GUNDERSON], in this well, \$50,000 for the Whitman-Walker Clinic.

I learned up at NIH, Mr. Speaker, that one of the selected few lucky people in the Government program using Interleukin IL-2, which seems to be successfully rebuilding their immune system, getting their count from below the 200 figure, where they are declared an AIDS victim, back up to 1,000 almost. And I asked what is mine, what is a normal healthy person's, and they said 600 to 800, probably more like 600. This seems to be working to extend lives, but they will always be infectious with AIDS until the day God calls them, but they can maybe have a dream of a normal life.

Do you know what it costs for one of these lucky patients in the Government program? One hundred thousand dollars a year. So at this jubilee, and by the way, I want to explain to you what jubilee is, they were more concentrating on the cherry, its third definition of virginity in that dictionary, that is their clever title. I am going to show the ads for this bacchanal in some of the homosexual newspapers. I will tell you what the word jubilee means; right now do you know what that word is? It is a Judaic, a Hebrew word. Every 50 years every prisoner would be freed, debtors would be relieved of their debts that they had not yet paid off. It is a 50-year religious celebration of piety and reverence toward God, kind of like a super Yom Kippur of 50-year, half a century point.

And in the Catholic Church, I had forgotten, it is a formal title for a 25-year religious celebration, the holy year of jubilee that the Pope in Rome will declare for a year of joy and prayer and thanks to God for any good that we have managed to treasure in our lives; jubilee, a religious or Christian ceremony. In African-American history it is a series of religious songs and hymns. African-Americans in the slave days would have their jubilee songs, singing about the day of freedom.

To take that word and apply it to cherry, with a sexual overtone, and then to have these pictures that I am going to bring to the floor, carefully censored for the tender eyes of the new crop of pages, I will show how this bacchanal was advertised.

Mr. Speaker, one final thing on this tragedy that I have done more hard work on than most Members that I know around here, and I am sick and tired of getting my motives questioned and my integrity challenged with vile words like "hater" and "bigot" and "prejudice." I went up to the Armed Forces Medical Intelligence Center.

When I got on the Permanent Select Committee on Intelligence 8 years ago, I made up a list of all of the intelligence operations around this Nation and around the world that I would visit. Unfortunately, I put way at the bottom of the list, medical intelligence. I thought it was like the museum that I dearly enjoyed at Walter Reed, going back to the conquering of yellow fever and the building of the Panama Canal, which a young colonel named Walter Reed eventually lent his name to this largest of all Army hospitals in the world.

I have looked at some of the historical things at Bethesda, but I just had not gotten up to Fort Detrick, MD. Finally I went up there, because someone in the Permanent Select Committee on Intelligence upstairs said they give a frightening briefing on the growth of AIDS around the world.

I think I told our Speaker pro tem, a fellow Air Force officer, I think I told him this in the Cloakroom, and if I did, forgive my advancing years here in retelling something, but the nation of Zimbabwe is no longer fit, I say to the gentleman from Florida [Mr. STEARNS] for U.N. peacekeeping or peacemaking duty. They infected so many people in the torn country of Somalia that Boutros Boutros-Ghali has said, "You are not fit for U.N. service anywhere in the world any longer."

Zimbabwe is about to be quickly followed by Uganda, by Kenya, the jewel of all the British-African possessions, where the late Bill Holden still has his beautiful camera safari at Treetops Lodge. Kenya is about to be blackballed for any future service, written off. Guess why? Zimbabwe two commanders ago, their General Shalikashvili died of AIDS. The last commander after him died of AIDS. The current commander is infected with HIV, as is 75 percent of his officer corps, 75 percent of his NCO corps, and 75 percent of his Air Force and line soldiers. That is three out of four. I did not say 7.5; 75 percent are infected with AIDS in Zimbabwe. Is this incredible? The whole army is going to die off soon.

I have a point here. When Uganda and Chad and Kenya and Rwanda and Burundi and Malawi and all of the rest of the countries in that terrible belt south of the Atlas Mountains and north of South Africa, but now it is starting to rip into South Africa, the evil of apartheid was a false break because of cruelly restricting the free flow of peoples, and it kept out AIDS for a while. Now is tearing apart South Africa.

Of course, Rhodesia is the other white enclave that held out. It changed

its name to the ancient city of Zimbabwe when it achieved its independence. Get this, Mr. Speaker. If Zimbabwe cannot pull a duty in Bosnia, guess who is going to be asked to ante up more than our fair share? The United States of America, Great Britain, France; countries where, when somebody has HIV, they are no longer worldwide deployable, they are no longer combat trainable, they will never drive a tank, a truck, fly a plane, a helicopter, or sail on a ship or under the waters in a sub.

That is why I am trying to make our military 100-percent HIV-free, and lavish love and medical attention on the regiment size of 1,000 people that we have left, put them in the VA and make sure they get equally, if not better care, than they get right now on active duty when they admit, when they are honest, that they are not pulling their load or their fair share.

How can we go from 1,400,000 Americans on active duty all the way down to where we are now, and keep on active duty the people that are infected, while we are putting healthy men and women out of active duty? This nightmare of world AIDS' exponential growth is not being discussed in this Chamber or in the U.S. Senate, one, because it involves that potent little word, s-e-x, but mainly because the people that have a grip on what should be the truth about this epidemic, and how it is spread by heterosexual behavior and conduct, promiscuous conduct and lack of sanitation worldwide, and in this country, which is the most sanitary Nation in the world, without a question of Europe, driven mainly by homosexual conduct and behavior.

Mr. Speaker, I appreciated this time set the scene for my point of personal privilege, question of personal privilege on the floor, where I will defend my honor, defend my heart which I believe to be pure, and explain why I know more about AIDS and HIV than any Member of the House or Senate, including the three forced-out-of-privacy homosexuals that still serve in this Chamber. I know more than they do, and I know what the truth is on how to save hundreds of thousands of more young Americans, mostly males, from dying in the next decade, since we did such a pathetically poor job in educating young people on how not to kill themselves in this last decade.

#### BENEFITS OF THE DAVIS-BACON ACT

The SPEAKER pro tempore (Mr. STEARNS). Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, on May 22 of this year, the Senate, the other body, heeding the voices of more than 21,000 construction contractors and millions of American workers throughout the Nation, voted to reject any plans to repeal the Davis-Bacon Act.

By the overwhelming margin of 99 to zero the Senate endorsed bipartisan reform to preserve Davis-Bacon.

I think that is very significant that the Senate, the other body in this Congress, has taken a strong stance in favor of reform, with the assumption that any law, any institution, any structure would benefit from reform. But the Senate is not following the lead of the House and demanding that there be a repeal of the Davis-Bacon Act.

I think this is a vindication of the system that was set up by the Founding Fathers when they said that we needed two Houses, one which could accept, and the analogy was made of the saucer and the cup, the pouring of tea or coffee into a saucer to cool it off; and the other, of course, would generate the heat that is in the cup.

I think the House of Representatives is a body where there is a great deal of heat and energy. We have 435 Members, after all. When you multiply even the minimal energy of one person by 435, you get a great deal of heat and energy.

The heat and energy in this body sometimes spins out of control. We need the wisdom and the patience of the Senate to sometimes bring us back to reality. I want to congratulate the Members of the Senate, all 99 Members who voted that Davis-Bacon should not be repealed, that the Davis-Bacon Act should be reformed.

Mr. Speaker, I stand before this body, and today I would like to dispel the myth that the prevailing wage determination in the Davis-Bacon Act is inflationary, and that it adds billions of dollars to the Federal budget.

I have talked before about Davis-Bacon and racism. Davis-Bacon is not the source of racism. If there is racism in the construction industry, Davis-Bacon is certainly not generating or not nurturing it. Davis-Bacon is the antidote. Davis-Bacon has done more to counteract the impact and the effects of racism than any other Federal law or local law on the books.

It is through Davis-Bacon that we have maximum cooperation between unions and contractors, and through the maximum cooperation of unions and contractors that we have gotten the kind of training programs that have begun to slowly but surely and steadily increase the number of minority workers who are qualified in the various skill areas in the construction industry.

Prevailing wage laws were enacted to maintain community wage standards. They were enacted to support local economic stability, and they were enacted to protect taxpayers from substandard labor on State and Federal projects. These laws set clear parameters to ensure that contractors bid on public projects on the basis of skill and efficiency, and not on how poorly they pay their workers.

As I have stated before, Davis-Bacon was created by two Republicans. Both

Davis and Bacon were Republicans. Both Davis and Bacon were concerned primarily about the middle class. Both Davis and Bacon were concerned about families and communities. The Davis-Bacon Act, when it was created in the early 1930s, was there to help stabilize communities. It was there to guarantee that families are not destabilized, and families are not subjected to the kind of wild things that happen when you can transport workers from one area under substandard wages and pay them substandard wages and be able to have unscrupulous contractors bid on projects at very low levels, and take over the work of the local contractors, who are paying good wages to local workers who are part of a local community and stabilize that community.

That was what we were trying to avoid in the early 1930s. Davis-Bacon continues to help to stabilize communities and to guarantee that the pool of construction workers, their skills, and their incomes will be there to help stabilize their families and their communities.

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Unfortunately, the House Republicans, the Republican majority here in this House, is driven by antiunion hysteria, which I do not understand. There is some kind of contract with an unscrupulous group of contractors, I think, in the case of Davis-Bacon, because they will not let up.

Certain House Members keep going and they refuse to recognize the facts. They come from areas that are certainly not paying very high wages. If you look at the Davis-Bacon wages of the areas that many of the Republican majority Members come from, you will find that they are very low wages and sometimes close to minimum wages. And they cannot really complain about Davis-Bacon driving up the cost of local construction. But the facts do not seem to matter. There is a kind of hysteria determined to reverse the fair and equitable standards that Davis-Bacon has established.

They have worked themselves into a feeding frenzy, and they made absurd charges about Davis-Bacon. Davis-Bacon is racist. These charges are made by people who normally are not concerned with racism, but they use this as a charge to be able to belittle and denigrate Davis-Bacon. They also charge that contractors are forced by Davis-Bacon to pay inflated wages, and that this has been the result of what Davis-Bacon has accomplished.

The gentleman from Pennsylvania [Mr. GOODLING], who is the chairman of our Committee on Economic and Educational Opportunities, appearing before the appropriations subcommittee on the Department of Labor, Health and Human Services earlier this year, stated that quote, quoting representative GOODING, the chairman of our committee: The 1931 Davis-Bacon Act drives up construction costs for any Federal construction projects valued

over \$2,000 by requiring contractors to pay a government-determined wage rate.

Chairman GOODLING's remarks before the appropriations subcommittee is proof positive that Republicans are not ready to really listen to the facts and take responsibility for leading this body in a move to have labor and contractors, labor and management come together for the benefit of stabilizing communities and for the benefit of stabilizing workers whose families very much need this kind of stability.

The actual wages of construction workers is going down. They are as much a part of the wage gap and the wage stagnation in America as any other set of workers. If you take away Davis-Bacon, many of them will be subjected to violent swings in the conditions that set their incomes and their salaries.

The Republicans have put on a sneak attack and fright campaigns in the hope that the American people will buy into a conspiracy theory, a theory that Davis-Bacon is out there conspiring to drive up the costs by guaranteeing workers something that is unreal. Chairman GOODLING suggested that there is some kind of institutionalized and entrenched collusion at the Department of Labor. And to quote him again, "There appears to be a deliberate effort to manipulate data for political gain." There appears to be a deliberate effort to manipulate data for political gain.

If you look at the Department of Labor and the history of the Department of Labor, if you examine the surveys that they do in determining prevailing wage rates, you will find that it is impossible to establish that there is any kind of collusion or any kind of conspiracy. In fact, there are many cases where the surveys done by the Department of Labor actually lower the wages of construction workers relative to the highest-paid workers in that particular area. I am going to talk about that in a few minutes.

Mr. Speaker, we have a booklet here which shows the results of some of the surveys that are done. They show that often the construction workers are paid below the wages of the average salary for workers in similar kind of jobs in given localities.

Further evidence of the dream world existence among the Republicans who are fighting Davis-Bacon is that many of them have bought into the party rhetoric that Davis-Bacon inflates wages. Again, this is our primary topic today, to look at the wages, look at what is really happening with Davis-Bacon wages. It comes as no surprise that many of the most vociferous foes of Davis-Bacon comes from States that have extremely low wage determinations which include no health or pension benefits. No only do we have in States like North Carolina very low wages paid to Davis-Bacon workers, workers who are covered by Davis-Bacon on Federal construction jobs,

but those workers, the same workers in those areas have no pension benefits, they have no health benefits.

I was in a hearing this morning covered by the Employer-Employee Relations Subcommittee of the Economic and Educational Opportunities Committee, and the hearing was focused on pensions. They pointed out the fact that there are only a small percentage of Americans who are covered by pensions. Two-thirds of the people do not have pensions of any kind beyond Social Security. For more and more people, the coverage for people is going down. There are more and more people who are uncovered as the years go by. We had more people covered 20 years ago who had pensions and pension benefits than have it now.

So there is a whole category of construction workers who not only have no health benefits; they have no pension benefits as well. These are the same people, the same people who want to criticize the Davis-Bacon prevailing wages also are the people who fought against the minimum wage. Minimum wage at least establishes a floor. Unfortunately, in many areas the Davis-Bacon prevailing wage rate is close to the minimum wage rate.

Minimum wage, as we have pointed out before, is too low. It is presently \$4.25 an hour, and we voted a few weeks ago on the floor of this House to raise the minimum wage. And after we raise it, if we get the other House to pass the bill, after we raise it, it will go from \$4.25 an hour over a 2-year period to \$5.15 an hour. This is very low, but there are many Davis-Bacon workers, people who are covered by Davis-Bacon who are very close to this minimum wage.

Mr. Speaker, how can \$4.25 an hour with no benefits be called inflationary by any rational and thinking person? How much longer can he go? At those rates, no one can support a family. Surely none of my esteemed colleagues would want to maintain that you can live on \$4.25 an hour, working 40 hours a week every week of the year. Construction workers, as we know, do not work on a regular basis like other folks. They have very uneven working periods due to the weather and a number of other factors.

So here we have a situation where the Republicans in the House, the Republican majority in the House is insisting that we must go ahead and do something radical again. We have a situation where extremism is the only answer to the problem. The Members of the Senate have looked at the problem, and they have said: We need to have some reform, and we are willing to go forward with reform.

But they did not say we need to be radical and extreme, and we need to repeal Davis-Bacon. They started with that discussion. There were people in the Senate who were maintaining that we should repeal Davis-Bacon.

What happened on May 22, 1996, just a few weeks ago? They started with a

discussion of a repeal of Davis-Bacon. And then it was proposed by Senator SANTORUM that they once and for all for this session of Congress decide that we are either going to repeal or reform. He was in favor of reform.

Senator SANTORUM, and I quote him, I quote him from an ad that appeared in Roll Call, and it is available for all who want to see it. Senator SANTORUM said, "We have just voted, we just voted on whether to repeal Davis-Bacon. Many of us are not for repeal of that. We believe that there need to be reform of the Davis-Bacon law and that we, in fact, should assume that for the purposes of the budget we are going to be reforming Davis-Bacon. I think there is bipartisan support for reform of Davis-Bacon. I wanted the Senate to go on record for that reform measure."

That is what RICK SANTORUM, a Republican from Pennsylvania, said on May 22, 1996, as a result of the leadership taken by Senator RICK SANTORUM, formerly a Representative from this body, a Republican, as a result of the leadership that he took the Senate voted 99 to 0 for Davis-Bacon reform, not repeal, Davis-Bacon reform.

The Senate voted for Davis-Bacon reform because they understand that Davis-Bacon should be kept alive and remain in force because it encourages the private sector to invest more than \$400 million in vital training programs, \$5.75 billion for privately funded health care, and \$4.3 billion for privately funded pensions. The Senate understood that Davis-Bacon is not racist.

In fact, national civil rights organizations and the Congressional Black Caucus strongly support Davis-Bacon because it provides training and employment opportunities for minorities through apprenticeship programs. Davis-Bacon does not mean union rates. Unfortunately, I do not think that is so great. I think we should have union rates because union rates are far closer to what reality is in terms of people needing a decent wage, because Davis-Bacon does not seek to solve that problem.

Davis-Bacon was not designed to solve the problem of collective bargaining, just as Davis-Bacon has nothing to do with racism or civil rights. It was not designed for that purpose. It has, as a byproduct, produced a situation where you have contractors and unions willing to work together. Because Davis-Bacon helps to stabilize the industry, you have had great benefits flow for civil rights for the improvement of the opportunities for minorities to work in the construction industry. But that is not what it is about. Davis-Bacon is not for civil rights, not designed to correct the problem of racism.

We need lots of measures to go to work on correcting problems of racism throughout our whole society, and certainly some problems within the construction area, but this is not what Davis-Bacon is designed to do.

Mr. Speaker, Davis-Bacon was not designed to replace collective bargain-

ing. Davis-Bacon does not mean union rates. Seventy-one percent of prevailing wage rates issued by the U.S. Department of Labor are nonunion rates. Eighty percent of the wage decisions issued by the Department of Labor contain a rate of \$10 or under. Davis-Bacon does not set the wage rate; it reflects existing community standards.

Mr. Speaker, I submit this statement of the Senate's vote, 99 to 0. It appeared in advertisement form in Roll Call.

I submit the material for the RECORD.

WHY DID THE SENATE JUST VOTE 99-0 FOR DAVIS-BACON REFORM?

On May 22, 1996, the United States Senate, heeding the voices of more than 21,000 construction contractors and millions of American workers throughout the nation, voted to reject plans to repeal the Davis-Bacon Act. By the overwhelming margin of 99-0, the Senate endorsed bipartisan reform to preserve Davis-Bacon.

The Senate voted for Davis-Bacon because: It encourages the private sector to invest more than \$400 million in vital training programs, \$5.75 billion for privately funded health care and \$4.3 billion for privately funded pensions;

Davis-Bacon is not racist. In fact, national civil rights organizations and the Congressional Black Caucus strongly support it because it provides training and employment opportunities for minorities through apprenticeship programs;

Davis-Bacon does not mean union rates: 71% of prevailing wage rates issued by the U.S. Department of Labor are non-union rates. 80% of the wage decisions issued by the Department of Labor contain a rate of \$10 or under. Davis-Bacon doesn't set the wage rate, it reflects existing community standards.

Ultimately, the U.S. Senate rejected the scare tactics and misinformation employed by Davis-Bacon's detractors:

We just voted on whether to repeal Davis-Bacon. Many of us are not for repeal of that. We believe that there needs to be reform of the Davis-Bacon law and that we, in fact, should assume that for the purposes of the budget. I think there is bipartisan support for reform of Davis-Bacon. I wanted the Senate to go on record for that reform measure—U.S. Senator Rick Santorum (R-PA), Congressional Record, May 22, 1996.

Stop the lies. Reform Davis-Bacon now. Pass H.R. 2472/S. 1183.

Mr. OWENS. Mr. Speaker, there are efforts afoot, and part of this comes from the same committee, the committee I serve on, the Economic and Educational Opportunities Committee. It comes from a subcommittee I serve on, the Subcommittee on Workforce Protections, an effort to promote a concept called the TEAM Act where they try to say that they want to take steps to give management and labor a chance to work more closely together, and they think we need to legislate this. Those of us who oppose the TEAM Act say that the legislation and the context of union-busting that is taking place in the country now is another form of intimidation, another form of ambush that can be set for workers and that we do not need a TEAM Act; what we need is more freedom to organize.

We need new regulations, and perhaps a change in the law, not perhaps,

but certainly a change in the law which would allow workers to organize more freely and without having to go through the tremendously long waiting period and the bureaucratic struggle they have to undertake now in order to organize, get a vote, and be recognized.

The advantage at this point is on the side of management, and management has used that advantage in many ways. So, we oppose the TEAM Act.

Mr. Speaker, here is another way to have management and labor work together without interfering with the collective bargaining process and without interfering with the union organizing process. The contractors in Davis-Bacon, those who are part of the process of building Federal buildings and have for years found the stability of the Davis-Bacon Act and the kind of environment that it creates to be good for business, not for higher profits necessarily, but for stability which gives them a workforce that has skills, a workforce that is stable and will be around, that allows them to treat their workers in some kind of humane way and give fringe benefits like health care and pensions. The Davis-Bacon employers are very different from the non-Davis-Bacon employers.

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The contractors who are against Davis-Bacon are the ones who are the most unscrupulous contractors seeking to maximize profits by exploiting workers. They want to take one group of workers in one part of the country at very low rates and move them to another part of the country, and capitalize on the fact that they are exploiting those workers.

Usually those workers are not as skilled as the people who come up in a situation under Davis-Bacon, and they usually provide a whole series of problems. They generate a whole series of problems in construction. They do not do as good a job, they have many problems. We have some very substandard buildings that have been constructed and others that have to be corrected. There are problems when you have workers who are working at the very lowest wages, workers who do not have health care benefits and workers who cannot look forward to a stable long-term job and any pension benefits.

So, we have instead, a situation where contractors, employers, management, have taken the initiative to put forward the best possible condition for workers. Workers, on the other hand, have responded and they have in many cases made alliances to the benefit of the total community. It is the total community that Davis-Bacon is concerned with, and it is not inappropriate for the Federal Government to be concerned about the total community.

When it goes to build a building, building a building or constructing any project within a community or a locale is not the only thing the Federal Government should be concerned about.

The Federal Government has to be concerned about what it does to that community and what the response is in terms of the labor market and the total environment of that community.

This is not anything unusual. We have a defense budget which has been slowed down. We have not dealt with closing bases in a helter-skelter manner. Closing bases has been a slow process. We appointed a commission. We have taken every precaution to make certain that the closing of bases, which are military bases, be done in ways which do not injure communities, be done in ways which minimize the dislocation of workers.

So the Federal Government is in the business of defending the country. Military bases are constructed as part of a process to contribute toward the defense of the country, but the Federal Government does not ignore what our military posture and our military changes with respect to bases or the movement of any facility does to communities.

Why should it be any different in the construction of large Federal projects, whether you are constructing highways, bridges, or you are constructing buildings? Why should it be different? Why should the Federal Government not try to maximize the impact on that community?

I congratulate Senator SANTORUM because he comes from Pennsylvania. Davis came from New York, Bacon from Pennsylvania, vice versa. I do not remember, but one of them is from Pennsylvania, one is from New York. It is altogether fitting and proper that a Pennsylvania Senator should take the initiative at this time and provide some light on the subject for his fellow colleagues in the Senate.

Let me just talk a bit about the Contractors Coalition for Davis-Bacon and some of the statements that they have made. These are businesspeople. I do not think the Republican majority wants to be in a position of turning its back on small businesses or large businesses. They are the ones who say that the future of the country is certainly tied up with what happens in the private sector.

I do not exactly agree that the private sector can make magic, but I think a partnership between the private sector and the public sector is very much in order, and in Davis-Bacon you have a great partnership between the Government and the private sector, between management and labor, and that is what some of these contractors are talking about. I want to just quote from a few of them.

Thomas H. Parkinson, president of the Burriss Construction Co., Mount Laurel, NJ:

The Davis-Bacon Act insures that we are bidding on a basis that will allow the use of skilled labor. To think that merely reducing the cost of labor will provide a cheaper product is ludicrous.

Matthew Card, president of KEC Engineering, Corona, CA:

Davis-Bacon provides added value to virtually every facet of our lives, from the superior quality of our public improvements to a more stable productive society that has the ability to contribute constructively to the future of our great country. Fair wages are a requirement to attract high quality people to provide high quality construction products. One only has to look outside our borders to see the destabilizing and potentially dangerous effects of widespread low wages and poverty.

Ronald J. Becht, executive director of the Northern California Drywall Association based in Saratoga, CA:

As you know, the Davis-Bacon Act does not specify union or nonunion nor should it; it does, however, establish a minimum wage to be paid all workers which enables those contractors who have made the commitment to pay for worker training and who are able to retain their work force by paying a higher wage, to at least compete with those who are not willing to fund the future of their industry. Elimination of the Davis-Bacon Act which stabilizes wages would only serve to exacerbate the current problem of skill shortages in the construction industry. Since the public entity is required to award to the low bidder, low wages would be further depressed by unscrupulous contractors in a mad scramble to underbid each other in order to win public contracts—to the detriment of all.

Troy T. Comer, Jr., executive vice president, Associated General Contractors of Indiana:

This is going to be a tough issue for the Congress to address, because there is a lot of misleading and incorrect information floating around which would give the impression that repeal of the Davis-Bacon Act would save the taxpayers heaps of dollars. We disagree. Quality of construction and the taxpayers are well served with the Davis-Bacon Act.

Judith L. Striebinger, president of Eastern Steel Constructors, Inc., Fallston, MD:

To think that not maintaining a standard for wages and benefits will, in any way, be an asset can only be mentally developed by people who are outsiders looking in and not aware of the complexities of the industry.

Experience increasing difficulty in executing projects leading to higher cost and extended construction schedules at a time when our industry is under severe cost pressure.

That is a quote from W. Douglas Ford, executive vice president of Amoco Corp., in the BNA Construction Labor Report on November 22, 1995.

I quote from Robert Gasperow, executive director, Labor Research Council:

Attracting qualified young workers has to be the biggest long-term problem the industry has. It is possible that the industry has sufficient numbers of workers but their quality is not good enough.

And the final quote from Matthew Brown, Associated Press, in the Salt Lake Tribune:

Beyond the upbeat statistics for soaring construction employment and a doubling in the value of commercial construction over the past 3 years is a desperate campaign to find workers with enough skills to get the job done.

We have a problem in the quality of work that is being produced by the fact that too many unscrupulous contrac-

tors are already at work in the construction industry and seeking to now destroy Davis-Bacon protection.

Mr. Speaker, I submit in its entirety a statement called Contractors' Coalition for Davis-Bacon—Reform Yes, Repeal No.

CONTRACTORS' COALITION FOR DAVIS-BACON  
"REFORM—YES, REPEAL—NO"

Here's what some of our contractors have to say about the Davis-Bacon Act:

Thomas H. Parkinson, President, Burriss Construction, Mount Laurel, NJ: "The Davis-Bacon Act insures that we are bidding on a basis that will allow the use of skilled labor. To think that merely reducing the cost of labor will provide a cheaper product is ludicrous."

Matthew Card, President, KEC Engineering, Corona, CA: "Davis-Bacon provides added value to virtually every facet of our lives, from the superior quality of our public improvements to a more stable productive society that has the ability to contribute constructively to the future of our great country. Fair wages are a requirement to attract high quality people to provide high quality construction products. One only has to look outside our borders to see the destabilizing and potentially dangerous effects of widespread low wages and poverty."

Ronald J. Becht, Exec. Director, Northern CA Drywall Contractors Association, Saratoga, CA: "As you know, the Davis-Bacon Act does not specify union or non-union nor should it; it does, however, establish a minimum wage to be paid all workers which enables those contractors who have made the commitment to pay for worker training and who are able to retain their workforce by paying a higher wage, to at least compete with those who are not willing to fund the future of their industry. Elimination of the Davis-Bacon Act which stabilizes wages would only serve to exacerbate the current problem of skill shortages in the construction industry. Since the public entity is required to award to the low bidder, low wages would be further depressed by unscrupulous contractors in a mad scramble to underbid each other in order to win public contracts—to the detriment of all."

Troy T. Comer, Jr., Exec. Vice President, Associated General Contractors of Indiana, Inc.: "This is going to be a tough issue for the Congress to address, because there is a lot of misleading and incorrect information floating around which would give the impression that repeal of the Davis-Bacon Act would save the taxpayers heaps of dollars. We disagree. Quality of construction and the bottom line are what really count, and we think the taxpayers are well served with the Davis-Bacon Act."

Judith L. Striebinger, President, Eastern Steel Constructors, Inc. Fallston, MD: "To think that not maintaining a standard for wages and benefits will, in any way, be an asset can only be mentally developed by people who are outsiders looking in and not aware of the complexities of the industry."

John D. Porada, Exec. Director, Associated General Contractors of OH, Cleveland Div., Cleveland, OH: "The construction industry is a highly competitive and high risk business that must attract the most productive workforce in the quest to be the lowest responsible bidder. Joint labor/management apprenticeship training programs provide the resources needed to train workers and is primarily self sufficient without the need for major financial assistance coming from the government. Repeal of the Davis-Bacon Act could have a very negative impact on the continuance of this type of joint apprenticeship training programs."

Dominick J. Graziano, President, Dominion Construction Services, Inc., New Kensington, PA: "We have had no problem complying with the intent of the Davis-Bacon Act and wish to add that it has in turn guaranteed those municipal or governmental bodies a higher degree of quality and conformity with the design intent by eliminating just anybody who wished to call himself a contractor. It has functioned as part of a base to provide experienced contracting and insure that all contractors bidding on prevailing wage projects bid in an air of equal and fair process with respect to such expenditures of public revenue."

Kimberly Igo, President, Kim Con Inc. Sarver, PA: "Repealing Davis-Bacon would destroy the equal bidding process and would cause the loss of many skilled tradesmen which I have access to with a mere phone call. This would also hurt the families of the people who put Congress members in office. Like you, they too deserve a fair wage."

John Busse, Chairman, Master Builders' Association of Western PA, Pittsburgh, PA: "The absence of the prevailing wage will force employers to drive down wages to the lowest possible level in order to compete for federal construction projects. Further, repeal of the Davis-Bacon Act will negatively impact training, health insurance, pensions, federal and state taxes, social security and local economics."

Ned W. Bechthold, President, Payne & Dolan, Inc., Waukesha, WI: "Welfare reform must be accompanied by an atmosphere that will allow minorities and others to work in our central cities at rates of pay that will permit them to raise families. Davis-Bacon accomplishes this."

Francis X. McArdle, The General Contractors Association of New York, Inc. "Our heavy construction contractors survive and thrive on the effectiveness of their workforce, not on the shine of the equipment. The best assets leave each day at the end of the shift. Those assets are most productive when they are paid enough to work without family worries and are able to contribute to their communities."

"Experience increasing difficulty in executing projects leading to higher cost and extended construction schedules at a time when our industry is under severe cost pressure."—W. Douglas Ford, Executive Vice President, Amoco Corp., BNA Construction Labor Report, November 22, 1995.

"Attracting qualified young workers has to be the biggest long-term problem the industry has. It is possible that the industry has sufficient numbers of workers but their quality is not good enough."—Robert Gasperow, Executive Director, Labor Research Council, BNA Construction Labor Report, October 18, 1995.

"Beyond the upbeat statistics for soaring construction employment and a doubling in the value of commercial construction over the past three years is a desperate campaign to find workers with enough skills to get the job done."—Matthew Brown, Associated Press, The Salt Lake Tribune, July 8, 1995.

Mr. Speaker, I am saying that we have no small item here on the agenda. Certainly the Democrats on the Committee on Work Force Protections are battling an onslaught, an assault against working families that is being waged across the board. As I have said before, they have attacked the Fair Labor Standards Act, they have attacked OSHA which provides protection for workers including construction workers. They have attacked the right to organize by drastically proposing to

cut the budget of the National Labor Relations Board and there is legislation to curb the powers of the National Labor Relations Board. As I have previously stated, we were caught by surprise by this onslaught against working people. The Contract With America did not say anything about trying to make the workplace of Americans less safe. OSHA was not mentioned in the Contract With America. So we were caught by surprise. It was a sneak attack on working people, a sneak attack on people out there who go to work every day and deserve to have safe places to work, a sneak attack on people who do not deserve to have the Fair Labor Standards Act tampered with.

They are proposing now to get overtime. They want the overtime of workers to be captured by management, by employers. Instead of paying overtime, they are proposing to extend the provisions in law which provide for compensatory time, compensatory time which is very difficult to control and to enforce without it being to the advantage of the employers and the management at the expense of the workers.

What does all this have to do with my district, the 11th Congressional District in Brooklyn? What does it have to do with the large percentage of people out there who are unemployed? We have had unemployment at the level of 20 percent for adults and close to 30 percent for young adults for a long, long time. One of the areas that I get the most complaints about is men who want to work, so they would like to have more work to do and they would also like to work on contracts which have Federal funds involved. We have quite a number in New York City of projects that involve Federal funds, the projects which are related to transportation, projects which are related to government buildings. There are a number of areas where young men, healthy men want to get jobs.

What we find often in the streets of New York and on various federally related projects in New York is you find people who are complete strangers from the outside, even with Davis-Bacon in force, they are getting through and disrupting the labor supply at the local level. Our men in Bronxville and our men in Bedford-Stuyvesant and our men in East New York and our men in East Flatbush who want to work on the construction industry—I should stop saying men because there are women now who also work on these jobs—are finding that they have people from the outside who are working for the companies who have come in and bid it on a low basis, even with all the constraints and the oversight of the controller's office. In New York City, it is the office of the controller that oversees prevailing wages. I am told that they do a pretty good job of that, but even then there are large numbers of contractors who are not local contractors who come in and take advantage of government work because of the fact that they are

able to maneuver around some of these prevailing wage laws.

There have been some scandals recently and they have fined many contractors for violating Davis-Bacon. The last thing we want to do is have a situation where Davis-Bacon is not there as a control on the contractors who bring in outside workers. This thing can go to worldwide levels. It is not exaggerating to say that if you do not heed the lesson of Davis and Bacon, two Republicans, who in the 1930's saw a problem with Government contracts being let to people who could come from any part of the country and use cheap labor from one part of the country to undercut the wages in another part of the country, if you do not heed that wisdom, you may have the situation where under NAFTA and under GATT, they will be coming from outside the country.

Eventually NAFTA and GATT will bring down all the walls and you will have contractors who can come from any part of the world and bid on contracts in any areas of the United States. You have an advantage going to those contractors. You can have Japanese contractors who operate out of Mexico. They have the skills and whatever it takes to put together the proposals and to come in at low cost but they will use workers that come across the border from Mexico. Or you would have workers who are transported in from Bangladesh. There is a certain percentage of people in every job that could come from outside according to the way the GATT and the NAFTA laws work. So it could go to ridiculous proportions if you just take away all of the kind of protections that are provided by the Davis-Bacon Act. This thing could keep going.

Prevailing wage is a sound concept. Prevailing wage probably is more sophisticated than the minimum wage. The minimum wage applies across the country assuming that economic conditions are the same in all parts of the country. The minimum wage does not take into consideration that there is a higher standard of living, the cost of living is higher in one part of the country than it is in another. Davis-Bacon does that. Davis-Bacon does not try to disrupt one community and bring it down to the level of the lowest common denominator in America. If you did not have Davis-Bacon, then all construction workers would be making these fantastically low salaries that are paid in places like North Carolina.

Let us just take North Carolina as an example. I have a book here which has prevailing wages all across the country in various places, from Abilene, TX, all the way to New York City.

□ 1845

And you would be surprised at what it shows in terms of the comparison between the wages that Davis-Bacon workers make and the average pay for all workers. In many instances the pay of workers under Davis-Bacon is far lower than the average.

I wonder how the Labor Department computes these prevailing wages, because generally they come under the average worker's wages in these areas. Any Member of Congress who would like for me to give them a rundown on their area, I would be happy to do it. We can tell them what is happening with respect to Davis-Bacon rates and we can bring some light onto the situation.

The heat, the energy of the House is out of control, and the Senate has showed it wants to bring light into the situation. I think the House should make an effort to try to bring some light into the situation.

Let us take a look not just at North Carolina but the 10th Congressional District in North Carolina. Representative CASS BALLENGER, my colleague who heads the Subcommittee on Work Force Protection. Representative BALLENGER probably does not know that boilermakers in this area, who work for no fringe benefits, and boilermaker is one of the highest skills, I started at the top, a boilermaker's hourly wage is \$16.20. They are highly skilled people. The fringe benefits for them, they do have some fringe benefits, they amount to about \$4.10 an hour. Add it together and the average annual salary for a boilermaker in the 10th Congressional District is as high as \$22,680. That is as high as you get.

Let us take the other extreme and take a look at the laborers in the 10th Congressional District of North Carolina and we find that they make \$4.41 an hour. The laborers. And they have no fringe benefits. No health care, no pension. And their annual pay comes out to \$6,174.

These annual pays are computed on the basis of 1,400 hours for the construction industry employees, and we can see that in North Carolina, in the 10th District, all the categories except one, boilermaker of one level and boilermaker of another, they are the royalty, all the other categories are lower.

Boilermaker, as I said before, makes \$16.20. Another boilermaker classification makes \$12.96 per hour. And then you get to electricians. Very skilled people, \$10.26 an hour, and no fringe benefits. The average annual salary of an electrician in the 10th Congressional District in North Carolina is \$14,364.

Now, I am using statistics that come from the survey done by the Labor Department and these compilations done by the National Alliance for Fair Contracting. They have compiled this, but it is based on the survey done by the Department of Labor.

A plumber makes \$7.42 an hour, no fringe benefits. Average salary of a plumber under Davis-Bacon, \$10,388 in the 10th Congressional District of North Carolina. Now, plumbers in New York would go, wow. Plumbers in most of our large cities would go berserk if you tried to offer them \$7.42 an hour.

Cement mason in the 10th Congressional District of North Carolina, \$6.11. Carpenter, \$6.63. Truck driver, \$4.67.

Millwright, \$5.27 an hour. I told you the laborer is the very lowest, \$4.41 an hour. As anyone can see, \$4.41 is slightly above the minimum wage of \$4.25 an hour. Pavement roller operator, \$4.98 an hour. And we think those guys have good jobs, good paying jobs, but even under Davis-Bacon, when Government funds are involved, these are the salaries, these are the hourly wages.

Asphalt raker, I just said \$4.93 an hour. All these people have no fringe benefits, the last ones I have read. Only two categories have any fringe benefits. The bulldozer operators. We always think of bulldozers, they are symbolic of what construction contractors outside do on the highways in preparing for new buildings, when they are building the cellars. A bulldozer operator has a kind of prestige in the minds of kids and a lot of other people as being standard for working class America's very best.

In North Carolina bulldozer operators make \$5.96 an hour and no fringe benefits. That comes out the \$8,344 per year, less than the minimum wage of a person who works on a steady job all year long, because construction work is based on 1,400 hours for construction industry employees.

So here we have a situation in the district of the chairman of the Subcommittee on Work Force Protection, the committee in the House that is leading the fight to destroy Davis-Bacon, and the workers there are only slightly above minimum wage in most categories, and in categories which require considerable skills they are working at jobs that do not have any fringe benefits and are generally very low paying.

We can take examples right across the country and find the same kind of problem. Let us take a few examples, if we go to Abilene, TX, what is surprising is that in Abilene, TX, a place like that, we have the average pay for all workers, people who work for a living and work for hourly wages, their averages pay is \$20,000 a year for all workers.

All of the Davis-Bacon construction worker are below what other workers are making. This is annual income. Annual income is \$20,000 for the average worker, the average worker's pay. an electrician makes \$14,000. Electrician. Backhoe operator, \$13,000. Iron worker, \$12,000. Carpenter, \$11,000. and laborer, \$8,552. These are wages that are under the wages that other workers are making in the same area.

Prevailing wage has really not given them any kind of advantage. Prevailing wage is not designed to do that, unfortunately. I wish it were. Prevailing wage is just what it says; it is based on the prevailing wage. I wonder and I question why it always seems to be that the prevailing wage falls in so many instances under the average wages being paid in a given locale.

Let us take another example. Gainesville, FL. In Gainesville, FL, the average pay for all working people who

work on hourly wage jobs is \$21,300 per year. The closest you get to that is the electrician under Davis-Bacon, \$10,800 a year. Now, we do not have to be mathematical geniuses to see we are talking about a little more than half, a little more than half of what the average worker makes in Gainesville.

We are not comparing Gainesville to New York or Chicago; we are comparing the Gainesville workers in other categories, the average worker level, \$21,300 under Davis-Bacon, an electrician \$10,800, a cement mason, \$9,800, carpenter \$9,109, iron worker, \$8,355, backhoe operator, \$6,000, laborer, \$6,000. In Gainesville, FL, Davis-Bacon really does not help workers to rise above or even match the local level.

Let us go back to North Carolina. Greensboro, Winston-Salem, High Point, NC, in the same area, same survey applies to them all. If you average the pay of the workers in Greensboro, NC, you come out with an average annual salary of \$23,000. The average annual salary for all wage earners, all workers, is \$23,000.

The best you can do in terms of coming close to that under Davis-Bacon is a boilermaker who makes \$12,000, an electrician, \$11,600, an iron worker, \$10,274, a bricklayer, \$10,118, a painter \$9,421, carpenter, \$9,000, backhoe operator \$8,682, cement mason, \$6,267.

Is Davis-Bacon enriching workers at the expense of the American taxpayers? What we hear on ABC's "20/20" is a distortion. ABC's "20/20" had a documentary piece on Davis-Bacon which did not make any pretense of being objective. If ever there was a contracted piece seeking to discredit a program that has been in existence since 1931, it was the piece that ran on "20/20", which described Davis-Bacon as being a swindle of the taxpayer.

They gave none of the facts about how the survey was done to determine what the prevailing wage is. They gave none of the facts about how the salaries of the workers that they depicted in Chicago compared to other construction workers. They distorted the situation and made it appear that Davis-Bacon was responsible for the fact that so many of the workers were white versus the workers who were unemployed in the same area who were black, as if Davis-Bacon was designed to solve the race problem. It is not.

They did not talk about a program which relates to Davis-Bacon called the service contract, based on the same principle. Federal workers who are service workers, also governed by the prevailing wage law, called the service contract law, and that does have large numbers of minorities, blacks and other people, who are covered by that provision.

But the real point here is not to relate to who is covered, minorities, mainstream, et cetera. I dealt with that before, and I would like to focus here on the astounding fact that Davis-Bacon workers do not get close to the average pay of other workers in the

same area. Inflation is not caused by Davis-Bacon workers.

Jacksonville, FL: Average pay for all workers, \$24,000 dollars; average pay for working people, wage earners, \$24,000. The closest you get to that in Davis-Bacon is the iron workers in Jacksonville, FL. They make \$15,000 average, \$15,200. And the backhoe operators, way down to \$10,000, carpenter, \$9,951, and the laborer down to \$7,000.

I can find it for any Member who would like to know the facts. As I said before, the Senate has spoken. The other body has made it clear that they do not feel that Davis-Bacon should be repealed. The wisdom of 1931 of Davis and Bacon still prevails. It makes sense to use Federal money for construction projects. Whether you are constructing highways or bridges or building Federal buildings, it makes sense to go into a community and try to maintain the stability of that community by paying the workers at the same level that other workers are paid.

Unfortunately, Davis-Bacon is certainly not close to, in most cases, what really is the prevailing wage. For some reason it always comes under. Not always, there are a few exceptions, but it comes way under in most cases what is really the prevailing wage.

Davis-Bacon is not driving up the cost of building, I assure you. In Macon, GA, we have the same pattern. We are talking about the average pay for all workers in Macon, GA, \$23,000, workers who are hourly workers.

□ 1900

The closest you get to that with Davis-Bacon workers are electricians who make \$12,476; ironworkers \$12,391; the bricklayers all the way down to \$11,363; a carpenter, 9,000; backhoe operator, 7,546.

On and on it goes. Oklahoma City, a lot of furor around Oklahoma City, and there are people who are saying you cannot rebuild the Federal facility in Oklahoma City until you get rid of Davis-Bacon. I have heard that said several times.

Davis-Bacon is not a problem in Oklahoma City, I assure you. The wages are higher than they are in Macon, GA, thank God, and they are higher than they are in Gainesville, FL. They are higher than they are in North Carolina. Thank God for that. But they are not above the average worker's income. The average workers are being paid some \$24,370. Asbestos workers in Oklahoma City are paid \$23,200. You are getting close. The average pay—I am sorry, the average pay of all workers is \$23,000. Asbestos workers on Davis-Bacon projects actually come in above the average workers. For the first time you have an example of they come in above. Everybody else comes in below. Backhoe operator, \$19,800; electrician, \$18,871; carpenter \$15,631; labor, \$10,672.

You can see from all of these salaries that these are members of the middle

class who will have to be put at the lower end of the middle-class scale. The middle class—it may be you have a steady job, but if these are members of the middle class, as they were when Davis and Bacon first made the law, the wages of construction workers were kept at a level where they were far higher in comparison to other workers and they worked in the middle class.

We have destroyed the middle class, even under Davis-Bacon. The salaries have gone down. What the people are trying to do who want to repeal Davis-Bacon is wipe out the middle class that is generated through the construction industry, working people who work very hard, I assure you. Construction work is some of the dirtiest, hardest, most dangerous work in America. They deserve to be paid far better than any of the wages that you see here. Raleigh-Durham, Chapel Hill, NC, the average pay for all workers is \$23,000. North Carolina. They are paying other workers far higher than they are paying Davis-Bacon workers.

Average pay for all workers in the Raleigh-Durham, Chapel Hill area is \$23,000. Boilermakers are the highest under that, and they are almost—they are a little more than half, \$12,000; electricians, \$11,000; ironworkers, \$10,000; bricklayers \$10,000. So in the Raleigh-Durham area, to work under a Davis-Bacon contract and to be paid the very best, the boilermakers, means that you make half as much as the average worker makes. When I say half, I am talking about \$12,164.

The myth is a big lie. It is not really a myth. Myths have some basis. To have such a discrepancy between the facts and the reality means that somebody is perpetrating a big lie. Somebody is. There is some collusion here, a conspiracy here. The conspiracy is not in the Department of Labor. The conspiracy is not here on Capitol Hill.

The conspiracy is out there with all those people who are generating these lies, the people who can go to ABC news, I guess producers of 20/20, and have 20/20 produce such a lopsided, distorted picture of Davis-Bacon. That did not happen by accident. That has to be a conspiracy to make that kind of lopsided journalism, to put it on the air on a major network. I suppose we will hear more of that, but I invite all of the journalists, especially those at the ABC network, those who put together the 20/20 piece, to come and take a look at the picture across the country. Tulsa, Oklahoma, average household—I mean the average pay for all workers is \$21,599.

There is one category that gets above that, boilermakers, but the ironworkers, \$19,000; electricians, \$15,000, and it goes down. Tulsa, OK, Oklahoma City, they seem to be far better than North Carolina. But no matter where you go, you will find the same pattern. That is, that Davis-Bacon workers are making less, in some cases criminally less than the average working person who is working on an hourly wage job.

The facts speak for themselves. As I said before, the Senate has voted 99 to 0, the other body has voted 99 to 0 not to repeal the Davis-Bacon Act. They are willing to discuss a reform of the Davis-Bacon Act. Anything that has existed for as long as Davis-Bacon can afford to be reformed. There are changes that could be made which would benefit the people who the act was designed to help.

Let us reform, let us join the Senate, let the House join the Senate in indicating that the business of reform is an appropriate business. It is an honorable business. That is all we are going to engage in.

To wage war against Davis-Bacon, to try to carry out a contract to destroy it is to try to destroy families and communities. The myths that keep—that are continually perpetrated, I will run through a few of them:

The Davis-Bacon Act requires all contractors to pay union wages, even when the average wage in an area is well below the union rate. That is a myth, a big lie. Of the 12,500 prevailing wage schedules issued by the Department of Labor during fiscal year 1994, roughly 29 percent reflect all union wage rates, while 48 percent of the wage schedules are nonunion. Mixed schedules, those that contain both union and nonunion wage rates, make up the remaining 23 percent of the universe of wage rates out there.

The perception that the Davis-Bacon Act rate is synonymous with the union rate is a holdover from the days when the rate paid to 30 percent of the workers in a classification could be considered the prevailing rate. For more than a decade, union wages are the locally prevailing rate only when the union rate is paid to at least 50 percent of the workers in a particular classification, which is very rare that union workers, the union rate is being paid to 50 percent of the workers in a particular classification.

The Davis-Bacon Act is inflationary and adds billions of dollars to the Federal budget. That is the other myth. The payment of prevailing wages does not necessarily inflate costs, but does prevent costs from being cut at the expense of employees' wages.

The director of the Congressional Budget Office, Robert D. Reischauer, testified before Congress on May 4, 1993, that the higher wage rates do not necessarily increase costs. If these differences in wages were offset by hiring more skilled and productive workers, no additional construction costs would result.

A 1992 study commissioned by the International Union of Operating Engineers compared the average cost per mile for highway and bridge construction in five high-wage States to five low-wage States and found that the construction costs per mile were actually lower in the high-wage States. In the States where the Davis-Bacon was,

the prevailing wage was higher, the actual construction cost was lower because the workers were more productive, more skilled, and more highly motivated.

The Davis-Bacon Act is discriminatory in origin and blocks affirmative employment of women and minorities in the construction industry. I have dealt with that already. That is a myth. That certainly does not stand when you examine it closely.

Davis-Bacon was not designed to be a civil rights act. Davis-Bacon, however, has accrued to the advantage of workers who were locked out by providing training programs of combined efforts of management and labor which have benefited minority workers a great deal.

The other myth, the Davis-Bacon Act is poorly administered and wage determinations are woefully out of date.

Wage and Hour has made a number of improvements in the administration of the Davis-Bacon Act over the last few years, including making wage determinations available on line through Fed-World, computerization of the wage determination updating system, and improved training and outreach efforts.

Wage and Hour would like to be able to conduct more surveys; however, resources are limited.

This is how the Davis-Bacon prevailing wages are determined, by the Wage and Hour section. They are limited resources. The budget has been cut by the Republican majority, and they are under great strain to try to enforce the act properly.

What happens is that the workers are put at a disadvantage. If these Davis-Bacon surveys of the prevailing wages were updated and kept up to date, wages would go up, not down. We would have a situation where Davis-Bacon workers would be making more, if we had the personnel and the resources that have been denied by the Republican majority out there to administer the law properly.

Another myth is that Davis-Bacon Act is no longer necessary in today's market economy. The purpose and need for the Davis-Bacon Act is as great today as when the act was first passed. Competition for work in the construction industry remains intense. In the aftermath of the Los Angeles earthquake, construction workers and contractors from outside areas sought to bid for the extensive work by offering lower rates.

Unlike private industry, the Federal Government and most federally assisted entities must put primary emphasis in awarding construction contracts to the lowest bidder, and it is difficult, if not impossible, for agencies to award to the contractor with a slightly higher bid because that contractor does better work.

The Davis-Bacon Act encourages contractors who compete based on efficiency and quality rather than who pays the lowest wages.

As you know, the Los Angeles earthquake meant that large amounts of Federal money, billions of dollars went into Los Angeles and to the California economy. In fact, the California economy rebounded greatly as a result of the between \$6- and \$8-billion of Federal money that went into California. Most of that was for construction, rebuilding. The fact that Davis-Bacon was in force meant that the community benefited more, not less.

I submit in its entirety an item labeled "Davis-Bacon Act, Myth and Reality," along with other items I submitted for the RECORD:

#### DAVIS-BACON ACT, MYTH AND REALITY

**Myth:** The Davis-Bacon Act requires all contractors to pay union wages, even when the average wage in an area is well below the union rate.

**Reality:** Of the 12,500 prevailing wage schedules issued by DOL during FY 1994, roughly 29% reflect all union wage rates while 48% of the wage schedules are non-union. Mixed schedules, those that contain both union and non-union wage rates, make up the remaining 23% of the universe.

The perception that the DBA rate is synonymous with the union rate is a hold over from the days when the rate paid to 30% of the workers in a classification could be considered the prevailing rate. For more than a decade, union wages are the locally prevailing rate only when the union rate is paid to at least 50% of the workers in a particular classification.

**Myth:** The Davis-Bacon Act is inflationary and adds billions of dollars to the Federal budget

**Reality:** The payment of prevailing wages does not necessarily inflate costs, but does prevent costs from being cut at the expense of employees' wages.

The Director of the Congressional Budget Office, Robert D. Reischauer, testified before Congress on May 4, 1993, that "higher wage rates do not necessarily increase costs \* \* \* if these differences in wages were offset by hiring more skilled and productive workers no additional construction costs would result."

A 1992 study commissioned by the International Union of Operating Engineers (IUOE) compared the average cost per mile for highway and bridge construction in five high-wage states to five low-wage states and found that the construction costs per mile were actually lower in the high-wage states.

**Myth:** The Davis-Bacon Act is discriminatory in origin and blocks affirmative employment of women and minorities in the construction industry.

**Reality:** In 1993, the NAACP passed a resolution supporting the Davis-Bacon Act. The DBA protects all construction workers from exploitation and wage cutting. Former Secretary of Labor Ray Marshall has written that the "workers most often victimized by unscrupulous contractors are the minority workers."

Available data refute the argument that Davis-Bacon operates in a manner that discriminates against minorities and women. In fact, there is no difference in the employment of minorities and women by Federal construction contractors and contractors who do not do Federal construction work.

Disadvantaged workers can be employed on DBA contracts under approved training programs that offer opportunities for real careers rather than the dead-end jobs that could result without the Davis-Bacon framework. The Department of Housing and Urban Development's STEP-UP apprenticeship pro-

gram is an example of how DBA can work in harmony with structured training programs that provide meaningful employment opportunities for unemployed public housing tenants.

**Myth:** The Davis-Bacon Act is poorly administered and wage determinations are woefully out-of-date.

**Reality:** Wage and Hour has made a number of improvements in the administration of the DBA over the last few years including making wage determinations available on-line through Fed-World, computerization of the wage determination updating system, and improved training and outreach efforts.

Wage and Hour would like to be able to conduct more surveys; however, resources are limited. Thus the survey program is carefully planned to target those areas where the most Federal construction is planned and where there is evidence that wage patterns have changed. To the extent that wage rates are out-of-date, that usually results in wage rates that are too low rather than too high.

Wage and Hour is exploring new ways to reinvent the process to make it work even better.

**Myth:** The Davis-Bacon Act is no longer necessary in today's market economy.

**Reality:** The purpose and need for the Davis-Bacon Act is as great today as when the Act was first passed. Competition for work in the construction industry remains intense. In the aftermath of the LA earthquake, construction workers and contractors from outside areas sought to bid for the extensive work by offering lower rates.

Unlike private industry, the Federal government and most federally-assisted entities must put primary emphasis in awarding construction contracts to the lowest bidder, and it is difficult if not impossible for agencies to award to the contractor with a slightly higher bid because that contractor does better work.

The Davis-Bacon Act encourages contractors to compete based on efficiency and quality rather than on who pays the lowest wages.

ERNEST D. MENOLD, INC.

Lester, PA, May 28, 1996

Re Davis-Bacon reform, S. 1183.

Senator RICK SANTORUM,  
U.S. Senate, Washington, DC.

DEAR SENATOR SANTORUM: I am writing to thank you for the key role you played in defeating the attempt in the Senate to repeal Davis-Bacon and to offer instead Davis-Bacon Reform legislation in the form of S. 1183.

Next year Ernest D. Menold, Inc. will celebrate its 50th year in business. Over the course of those many years I, and my father before me, have taken great pride in watching young apprentices enter our industry, develop into skilled mechanics, raise families, send their children to college, have their medical needs taken care of, and for many, retire with dignity to enjoy the fruits of their years of hard labor. We take as much pride in those accomplishments as we do in the jobs we have done and the reputation we have built.

We are proud to be one of the more than 22,000 socially responsible contractors in this country who share in these same accomplishments. We hope that our federal government will always see fit to play a leading role in setting the standards that will allow the American construction worker to look forward to a stable, productive and rewarding career in our industry.

Again, thank you for your support on this issue.

Very truly yours,

ERNEST R. MENOLD, P.E.,

President.

THE GENERAL CONTRACTORS  
ASSOCIATION OF NEW YORK, INC.  
NEW YORK, NY, NOVEMBER 7, 1995.

TERRY G. BUMPERS,  
*Director, National Alliance for Fair Contracting, Washington, DC.*

DEAR MR. BUMPERS: I enjoyed your letter to Brian Lockett. If the occasion arises, you can distribute this letter to anyone who questions the commitment of heavy construction contractors to union contracting. The General Contractors Association of New York, Inc. represents the heavy construction industry active New York City. We have over 700 contractors using the collective bargaining agreements, that have negotiated with fourteen different locals of the building and construction trades. Our members are firmly committed to union contracting because it is the only sure way to obtain a steady supply of trained and capable workers in New York City over the long term. The support of prevailing wage legislation and union contracting is our protection for the future for all of our members.

The prevailing wages in the heavy construction industry of New York City, at over \$35.00 an hour in wages and fringe benefits, would seem high to many. But the annual take home pay of most of our workforce still leave them eligible for most subsidized housing programs in New York City. We know that we pay a fair wage that allows our workers to support their families and to contribute to their communities in their non-working hours. But we're not paying them enough to live on Park Avenue.

We also know what happens in New York City when there is no prevailing wage legislation like Davis-Bacon protecting the wage levels of construction workers. We have seen in the unregulated building sector in New York City that wages can be driven down to under \$10.00 an hour by preying on the desperation or illegal status of workers. At that level workers earn barely enough to survive. We know that the unregulated industry has no steady workforce, appalling safety records, and little stake in the continuing health of the communities in which its workforce must reside.

Our heavy construction contractors survive and thrive on the effectiveness of their workforce, not on the shine on the equipment. The best assets leave each day at the end of the shift. Those assets are most productive when they are paid enough to work without family worries and to contribute to their communities. We know that decent wages are the key to attracting competent people to enter and stay in the heavy construction workforce.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT), for today, on account of a death in the family.

Mrs. LINCOLN (at the request of Mr. GEPHARDT), for today, on account of medical reasons.

#### 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 Member (at the request of Mr. PALLONE) to revise and extend his remarks and include extraneous material:)

Mr. CLEMENT, for 5 minutes, today.

(The following Members (at the request of Mr. KOLBE) to revise and extend his remarks and include extraneous material:)

Mr. LUCAS of Oklahoma, for 5 minutes, today.

Mr. RIGGS, for 5 minutes, today.

Mr. MICA, for 5 minutes, today.

Mr. ROHRBACHER, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) and to include extraneous matter:)

Ms. JACKSON-LEE of Texas.

Mr. RICHARDSON.

Mr. STARK.

Mr. PALLONE.

Mr. SISISKY.

Mr. EDWARDS.

Mr. COYNE.

Mr. NADLER.

Ms. RIVERS.

Mrs. MALONEY.

Mr. FILNER.

Mr. CLEMENT.

Mr. HINCHEY.

Mr. BONIOR.

Mr. PAYNE of New Jersey.

Mr. WARD.

Mr. BARCIA.

Ms. SLAUGHTER.

(The following Members (at the request of Mr. KOLBE) and to include extraneous matter:)

Mr. CAMP in three instances.

Mr. WALKER.

Mr. MARTINI in two instances.

Mr. DAVIS in two instances.

Mr. CHRYSLER.

Mrs. ROUKEMA in two instances.

Mr. LAZIO of New York.

Mrs. VUCANOVICH.

Mr. TORKILDSEN.

(The following Members (at the request of Mr. OWENS) and to include extraneous matter:)

Ms. HARMAN.

Mr. FORBES.

Mr. DOOLEY of California.

Mr. HEINEMAN.

Mr. MEEHAN.

Ms. WOOLSEY.

Mr. MENENDEZ in two instances.

Mr. GORDON.

Mr. KLECZKA in two instances.

Mr. MCHUGH.

Mr. COLLINS of Georgia.

Mr. SHAW.

Mr. DOYLE.

Mr. ABERCROMBIE.

Mr. EMERSON.

Mr. SOLOMON in two instances.

Mr. LANTOS.

Mr. POMEROY.

Mr. GOODLING in three instances.

Mr. GILMAN.

Mr. WELDON of Florida.

Ms. LOFGREN.

Mr. BENTSEN.

Mr. FAZIO of California.

Mr. COBLE.

#### SENATE BILLS REFERRED

A bill and concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1406. An act to authorize the Secretary of the Army to convey to the city of Eufaula, Oklahoma, a parcel of land located at the Eufaula Lake project, and for other purposes; to the Committee on Transportation and Infrastructure; and

S. Con. Res. 63. Concurrent resolution to express the sense of Congress that the Secretary of Agriculture should dispose of all remaining commodities in a disaster reserve maintained under the Agricultural Act of 1970 to relieve the distress of livestock producers whose ability to maintain livestock is adversely affected by disaster conditions existing in certain areas of the United States, such as prolonged drought or flooding, and for other purposes; to the Committee on Agriculture.

#### ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, June 7, 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:

*[Omitted from the Record of June 5, 1996]*

3430. A letter from the Board of Trustees of the Federal Hospital Insurance Trust Fund, transmitting notification that on April 6, 1993, the Board notified each House of Congress that the reserves of the hospital insurance [HI] trust fund were expected to be exhausted in 1999, on April 11, 1994, the Board affirmed the 1993 notification with a change in the expected date of exhaustion to 2001, and on April 3, 1995, the Board reported that the expected exhaustion date was 2002; as shown in the 1996 trustees report, the HI trust fund is estimated to be exhausted in 2001, the status of the HI trust fund still does not meet the Board's test of short-range financial adequacy, pursuant to section 709 of the Social Security Act; to the Committee on Ways and Means.

*[Submitted June 6, 1996]*

3431. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Pork Promotion, Research, and Consumer Information Order—Increase in Importer Assessments (Docket No. LS-96-001 FR) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3432. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Montgomery GI Bill—Selected Reserve: Miscellaneous (RIN: 2900-A104) received June 5, 1996, pursuant to U.S.C. 801(a)(1)(A); to the Committee on National Security.

3433. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Educational Assistance for Members of the Selected Reserve (RIN:

2900-AE43) received June 5, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

3434. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Cassville and Kimberling City, MO) (MM Docket No. 95-179) received June 5, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3435. A letter from the Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (New Port Richey, Naples Park, Sarasota and Sebring, FL) (MM Docket No. 93-65) received June 5, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3436. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Campton and Frenchburg, KY) (MM Docket No. 95-170) received June 5, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3437. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 80 of the Rules Concerning U.S. Coast Guard Vessel Traffic Services [VTS] Systems in Sault Ste. Marie, MI; San Francisco, CA; and Morgan City, LA (WT Docket No. 95-132) received May 31, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3438. A letter from the Chief Executive Officer, Corporation for National Service, transmitting the semiannual report on activities of the inspector general for the period October 1, 1995, through March 31, 1996, and the semiannual management report on audit followup for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

3439. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Public Use Regulations for the Alaska Peninsula/Becharof National Wildlife Refuge Complex (U.S. Fish and Wildlife Service) (RIN: 1018-AD34) received June 6, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3440. A letter from the Chief of Staff, Social Security Administration, transmitting the Administration's final rule—Federal Old-Age, Survivors and Disability Insurance; Determining Disability and Blindness; Extension of Expiration Date for Musculoskeletal System Listings (RIN: 0960-AE43) received June 3, 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. DREIER: Committee on Rules. House Resolution 448. Resolution providing for consideration of the bill (H.R. 2754) to approve and implement the OECD Shipbuilding Trade Agreement (Rept. 104-606). Referred to the House Calendar.

Mr. CLINGER. Committee on Government Reform and Oversight. H.R. 3184. A bill to streamline and improve the effectiveness of chapter 75 of title 31, United States Code (commonly referred to as the "Single Audit

Act"); with an amendment (Rept. 104-607). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHUSTER. Committee on Transportation and Infrastructure. House Concurrent Resolution 172. Resolution authorizing the 1996 Summer Olympic Torch Relay to be run through the Capitol Grounds, and for other purposes (Rept. 104-608). Referred to the House Calendar.

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 3186. A bill to designate the Federal building located at 1655 Woodson Road in Overland, MO, as the "Sammy L. Davis Federal Building" (Rept. 104-609). Referred to the House Calendar.

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 3400. A bill to designate the U.S. courthouse to be constructed at a site on 18th Street between Dodge and Douglass Streets in Omaha, NE, as the "Roman L. Hruska United States Courthouse"; with amendments (Rept. 104-610). Referred to the House Calendar.

Mr. SHUSTER. Committee on Transportation and Infrastructure. H.R. 3364. A bill to designate a U.S. courthouse in Scranton, PA, as the "William J. Nealon United States Courthouse"; with amendments (Rept. 104-611). Referred to the House Calendar.

#### 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. SHUSTER (for himself, Mr. OBERSTAR, Mr. BOEHLERT, and Mr. BORSKI):

H.R. 3592. A bill to provide for conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BUYER (for himself, Mr. FILNER, and Mr. SOLOMON):

H.R. 3593. A bill to require that reductions in force procedures under the new personnel management system of the Federal Aviation Administration be subject to veterans preference; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 3594. A bill to amend title 38, United States Code, to ensure compliance with veterans preference requirements at the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. BARRETT of Nebraska (for himself and Mr. BEREUTER):

H.R. 3595. A bill to make available to the Santee Sioux Tribe of Nebraska its proportionate share of funds awarded in Docket 74-A to the Sioux Indian Nation, and for other purposes; to the Committee on Resources.

By Mr. CLINGER (for himself and Mr. ENGLISH of Pennsylvania):

H.R. 3596. A bill to provide for the establishment of the Oil Region National Heritage Area, and for other purposes; to the Committee on Resources.

By Mr. DUNCAN:

H.R. 3597. A bill to provide for a study of the establishment of Midway Islands as a national memorial to the Battle of Midway; to the Committee on Resources.

By Mr. KLECZKA:

H.R. 3598. A bill to amend part A of title XI of the Social Security Act to prohibit cer-

tain misuses of the Social Security account number; to the Committee on Ways and Means.

By Mr. MANTON (for himself, Mr. KING, and Mr. GILMAN):

H.R. 3599. A bill to authorize the President to enter into a trade agreement concerning Northern Ireland and certain border counties of the Republic of Ireland, and for other purposes; to the Committee on Ways and Means.

By Mr. RAMSTAD (for himself, Mr. WOLF, Mr. EMERSON, Mr. KLECZKA, and Mr. McNULTY):

H.R. 3600. A bill to establish a commission to be known as the Harold Hughes Commission on Alcoholism; to the Committee on Commerce.

By Mr. TAUZIN (for himself, Mr. BARTON of Texas, Mr. HAYES, Mr. NORWOOD, Mr. LINDER, Mr. OXLEY, Mr. STEARNS, Mr. TOWNS, and Mr. BAKER of Louisiana):

H.R. 3601. A bill to repeal the Public Utility Holding Company Act of 1935, to enact the Public Utility Holding Company Act of 1996, and for other purposes; to the Committee on Commerce.

By Mr. ZELIFF (for himself, Mr. PETE GEREN of Texas, Mr. CLINGER, Mr. EHLERS, Mr. EMERSON, and Mr. COBLE):

H.R. 3602. A bill to reduce the hazards of dam failures, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TORRES (for himself, Ms. ROYBAL-ALLARD, Ms. ESHOO, Mrs. MINK of Hawaii, Mr. BECERRA, Mrs. CLAYTON, Mr. PORTER, Mrs. ROUKEMA, and Mr. HORN):

H. Con. Res. 182. Concurrent resolution expressing the sense of the Congress regarding the need for the President to seek the Senate's advice and consent for ratification of the 1994 Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women; to the Committee on International Relations.

By Mrs. VUCANOVICH (for herself, Mr. CALVERT, Mrs. CLAYTON, Mr. HOBSON, Mr. HUTCHINSON, Mrs. JOHNSON of Connecticut, Mr. LIPINSKI, Mr. MYERS of Indiana, Mr. PETRI, and Mr. WAMP):

H. Res. 449. Resolution relating to breast implants, the Food and Drug Administration, and breast care; to the Committee on Commerce.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 52: Ms. DELAURO.

H.R. 359: Mr. SMITH of New Jersey and Mr. FLAKE.

H.R. 580: Mr. ZELIFF.

H.R. 887: Ms. ROS-LEHTINEN.

H.R. 972: Mr. TIAHRT.

H.R. 1023: Mr. LEWIS of California.

H.R. 1073: Mr. BECERRA, Mr. CLYBURN, Mr. MOAKLEY, Mr. KENNEDY of Massachusetts, Ms. VELAZQUEZ, Mr. ROSE, Mrs. MALONEY, Ms. HARMAN, Mr. ROEMER, Mrs. KENNELLY, Mr. NADLER, Mr. SCHUMER, Mr. DE LA GARZA, and Mr. DEAL of Georgia.

H.R. 1074: Mr. DEAL of Georgia, Mr. BECERRA, Mr. CLYBURN, Mr. MOAKLEY, Mr. KENNEDY of Massachusetts, Ms. VELAZQUEZ, Mr. ROSE, Mrs. MALONEY, Ms. HARMAN, Mr. ROEMER, Mrs. KENNELLY, Mr. NADLER, Mr. SCHUMER, and Mr. DE LA GARZA.

H.R. 1202: Mr. DURBIN and Mr. CALVERT.

H.R. 1462: Mr. GONZALEZ, Mr. POSHARD, Mr. CHABOT, Mr. GALLEGLY, Mr. BILBRAY, Mr.

CUNNINGHAM, Mr. HALL of Ohio, and Ms. ROYBAL-ALLARD.

H.R. 1552: Mr. SAXTON, Mr. DICKEY, Mr. HALL of Ohio, Mr. SHAW, Mr. SMITH of New Jersey, Ms. FURSE, Mr. HAMILTON, Mr. SHUSTER, Mr. MORAN, Mr. OBERSTAR, Mr. SPRATT, Mr. BREWSTER, Mr. GUNDERSON, Mr. DOOLEY, and Mr. JOHNSON of South Dakota.

H.R. 1656: Mr. MARKEY.

H.R. 1711: Mr. LAHOOD and Mr. RIGGS.

H.R. 1842: Mr. LUTHER.

H.R. 2122: Mr. ENSIGN.

H.R. 2338: Mr. ENGEL.

H.R. 2416: Mr. QUINN and Mr. KLECZKA.

H.R. 2578: Mr. BREWSTER, Mr. BONILLA, Mr.

ACKERMAN, Mr. DELLUMS, Mr. FATTAH, and Ms. NORTON.

H.R. 2652: Mr. McNULTY.

H.R. 2727: Mr. ROTH and Mr. TRAFICANT.

H.R. 2757: Mr. INGLIS of South Carolina.

H.R. 2925: Ms. HARMAN.

H.R. 2930: Mr. FLANAGAN and Mr. BLUTE.

H.R. 2943: Mr. PICKETT.

H.R. 3077: Mr. BEREUTER.

H.R. 3079: Mr. HALL of Ohio.

H.R. 3083: Mr. HASTINGS of Washington and Mr. CRAPO.

H.R. 3114: Mr. HOUGHTON.

H.R. 3142: Mr. LIVINGSTON, Mr. ZELIFF, Mrs.

MALONEY, Mr. JONES, Mr. COBLE, Mr. MOORHEAD, and Mr. WISE.

H.R. 3182: Mr. BISHOP, Mr. COBURN, Mr. PAXON, Mr. CALVERT, and Mr. EVANS.

H.R. 3199: Mr. SMITH of Texas, Mr. LIVINGSTON, Mr. YOUNG of Alaska, Mr. BEVILL, Mr. CLYBURN, Mr. COSTELLO, Mr. WAMP, Mr. FARR, Mr. ZELIFF, and Ms. HARMAN.

H.R. 3201: Mr. SENSENBRENNER, Mr. FAWELL, Mr. SHUSTER, Mr. HAYWORTH, Mr. BRYANT of Tennessee, Mr. HORN, Mr. HUTCHINSON, Mr. LINDER, Mr. FROST, and Mr. WAMP.

H.R. 3207: Mr. CAMP, Mr. LEWIS of Georgia, Mr. HUTCHINSON, Mr. DEAL of Georgia, Mr. STUMP, and Mr. GANSKE.

H.R. 3217: Ms. SLAUGHTER, Mr. FLANAGAN, and Ms. WOOLSEY.

H.R. 3226: Ms. NORTON.

H.R. 3266: Mr. TAYLOR of Mississippi, Mr. SPRATT, and Mr. POSHARD.

H.R. 3307: Mr. HANCOCK, Mr. SHAW, Mr. LINDER, and Mr. GOODLATTE.

H.R. 3310: Mr. TATE and Ms. KAPTUR.

H.R. 3338: Mr. CREMEANS, Mr. LATOURETTE, Mrs. MEYERS of Kansas, Mr. LUTHER, Mr. BISHOP, Mr. KOLBE, Mr. DOOLEY, Mr. CHABOT, Mr. HOSTETTLER, Mr. EHRLICH, Mr. CHAMBLISS, Mr. CALVERT, Mr. HAYWORTH, Mr. BUNNING of Kentucky, Mr. RAMSTAD, Mr. HASTERT, Mr. TALENT, Mr. OXLEY, Mr. HERGER, Mr. WELLER, Mr. METCALF, Mr. CUNNINGHAM, Mr. GOODLATTE, and Mr. BUYER.

H.R. 3362: Mr. CUMMINGS, Mr. ACKERMAN, Mr. CLYBURN, and Mr. MORAN.

H.R. 3391: Mr. BARTON of Texas, Mrs. MYRICK, and Mr. COOLEY.

H.R. 3423: Mr. CALVERT, Mr. WATTS of Oklahoma, Mr. BEREUTER, Mr. CANADY, and Mr. INGLIS of South Carolina.

H.R. 3424: Mr. EVANS, Mr. FROST, and Mr. HOLDEN.

H.R. 3442: Mr. FOLEY.

H.R. 3450: Mr. WELDON of Pennsylvania.

H.R. 3463: Mr. TORRES, Mr. CONYERS, Mr. WAXMAN, and Mr. BROWN of California.

H.R. 3468: Mr. BAKER of Louisiana, Mr. SABO, and Mr. GALLEGLY.

H.R. 3520: Mr. MASCARA and Mr. ACKERMAN.

H.R. 3522: Mr. DURBIN.

H.R. 3525: Mr. HOKE, Mr. CANADY, Mr. CALVERT, Mr. HORN, Mr. BEREUTER, Mr. FRANKS

of Connecticut, Mr. STOCKMAN, and Mrs. MORELLA.

H.R. 3551: Mr. ZIMMER, Mr. KING, and Mrs. MINK of Hawaii.

H.R. 3556: Mr. JACOBS and Mr. LUTHER.

H.R. 3580: Mr. NORWOOD, Mrs. FOWLER, Mr. HERGER, Mr. BLILEY, Mr. STUMP, and Mrs. VUCANOVICH.

H. Con. Res. 124: Mr. TORKILDSEN.

H. Res. 398: Mr. TORRICELLI and Mr. ZIMMER.

#### 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. VOLKMER.

#### AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 3540

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 79: Page 97, after line 5, insert the following new section:

HUMAN RIGHTS PROGRESS IN ETHIOPIA

SEC. 573. The Department of State should closely monitor and take into account human rights progress in Ethiopia as it obligates fiscal year 1997 funds for Ethiopia appropriated in this Act.