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House of Representatives

REGARDING THE PEOPLE'S REPUBLIC OF CHINA

Mr. COX of California. Mr. Speaker, pursuant to House Resolution 463, I call up the resolution (H. Res. 461) regarding United States concerns with human rights abuse, nuclear and chemical weapons proliferation, illegal weapons trading, military intimidation of Taiwan, and trade violations by the People's Republic of China and the People's Liberation Army, and directing the committees of jurisdiction to commence hearings and report appropriate legislation, and ask for its immediate consideration in the House.

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

The Clerk read the resolution, as follows:

H. RES. 461

Whereas the People's Republic of China has long enjoyed most favored nation trading status with the United States notwithstanding significant policy and security issues in our bilateral relationship;

Whereas, despite the positive influence that United States trade with the People's Republic of China has had in encouraging the abandonment of state control over all aspects of the economy by the Communist government, serious human rights, trade, security, and weapons proliferation issues have remained and often worsened during the period of this trade policy;

Whereas this experience has made clear that of itself, the extension of most favored nation trading status (and the potential of its annual non-renewal) has been inadequate to address the many policy and security issues that characterize our bilateral relationship;

Whereas these policy and security issues include, with regard to the economic activities of the People's Liberation Army—

(1) according to the Defense Intelligence Agency, the People's Liberation Army of Communist China is in fact engaged, through controlled enterprises, in government-controlled and subsidized trade overseas;

(2) the General Staff Department of the People's Liberation Army owns and operates Polytechnologies, which is the weapons trading arm of the People's Liberation Army. Polytechnologies has a representative office in the United States;

(3) the General Logistics Department of the People's Liberation Army owns and operates a large international conglomerate known as Xinxing Corporation, which has a representative office in the United States;

(4) the People's Armed Police, which is partially controlled by the People's Liberation Army, is responsible for the occupation and suppression of dissent in Tibet and the execution of prisoners throughout China, provides guards for the forced labor camp system in Communist China, and owns and operates China Jingan Equipment Import and Export, which has a representative office in the United States;

(5) the export of products by these entities allows the People's Liberation Army to earn hard currency directly, which in turn can be and is used to modernize its forces without being reflected in official reports of military spending;

(6) consumers in the United States are ordinarily unaware that revenues from the products they are purchasing from or through such entities contribute to the financial benefit of the People's Liberation Army;

(7) trade with the People's Liberation Army effectively is a subsidy of military operations of the People's Republic of China that is inconsistent with our national security; and

(8) free trade in world markets is based on the assumption that the import and export of goods and services are conducted by independent enterprises responding to profit incentives and market forces, and commercial activities by the People's Liberation Army are fundamentally inconsistent with these precepts;

Whereas, with regard to Communist Chinese military activity and weapons proliferation—

(1) it has been reported that United States intelligence has estimated that Communist Chinese military industries have become a leading supplier of illicit precursor chemicals for use in Iran's chemical weapons program;

(2) in contravention of Communist China's commitment to the Treaty on Non-Proliferation of Nuclear Weapons (NPT), the China National Nuclear Corporation, a Communist Chinese military industry, sold materials critical to the production of enriched uranium to a non-NPT signatory, Pakistan;

(3) China National Precision Instrument Import-Export Company, a Communist Chinese military industry, sold nuclear-capable missiles to Pakistan;

(4) China Great Wall Industry Corporation, a Communist Chinese military industry, sold nuclear-capable missiles to Pakistan;

(5) Poly Group, a People's Liberation Army owned company, sold $1,200,000,000 worth of arms to the military rulers of Myanmar (Burma);

(6) In contravention of the United Nations embargo, China North Industries Corporation (Norinco), a Communist Chinese military industry, sold chemicals critical to the manufacture of nuclear weapons to Iraq;

(7) Poly Group and Norinco, Communist Chinese military industries, attempted to sell 2,000 AK 47 rifles, 20,000 AK 47 bipods, 4,000 30 round ammunition magazines, and 2 machinegun silencers, and offered for sale 300,000 silenced machineguns and ''Red Parakeet'' missiles (stingers), RPGs (rocket propelled grenades), 60mm mortars, and handgrenades to United States law enforcement authorities conducting a so-called ''sting'' operation;

(8) according to the May 21, 1996, United States Customs Service affidavit against the Communist Chinese representatives of Norinco and Poly Group, at paragraph 96, one of the Communist Chinese representatives bragged that a ''Red Parakeet'' missile—which he was offering for sale in the United States—''could take out a 747'';

(9) these and other enterprises owned by the People's Liberation Army and the Communist Chinese military industries regularly export a variety of products to the United States, including clothing, toys, shoes, hand tools, fish, minerals, and chemicals;

(10) the People's Liberation Army implemented an unprovoked, dangerous, and aggressive campaign to intimidate Taiwan in July of 1995, and again before Taiwan's first direct presidential election in March of 1996, with military maneuvers, live-fire exercises, and missile tests in close proximity to that island democracy; and

(11) the People's Liberation Army seized territory claimed by the Philippines and threatened the United States Navy's right of free passage in the South China Sea;

Whereas, with respect to human rights—

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(1) according to the United States Department of State's Country Reports on Human Rights for 1995, the Government of Communist China ''continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms, stemming both from the authorities' intolerance of dissent and the inadequacy of legal safeguards for basic freedoms. Abuses included arbitrary and lengthy incommunicado detention, forced confessions, torture, and mistreatment of prisoners. . . . The Government continued severe restrictions on freedom of speech, the press, assembly, association, religion, privacy, movement, and worker rights'';

(2) in April 1996, the Communist Chinese Government launched a major anticrime campaign called ''Strike Hard'' carried out nationwide by the Public Security Bureau (PSB), and in Tibet and Xinjiang (East Turkestan) also by the People's Armed Police, which has included large scale arbitrary arrests, detentions with minimal legal protection, and swift executions;

(3) the current anticrime campaign has targeted political, religious and labor activists in addition to common criminals in Tibet, Xinjiang, and in the whole of Communist China;

(4) the Communist Government has ordered a crackdown on unofficial religious believers by the Religious Affairs Bureau and the Public Security Ministry, requiring all local congregations to register with the Religious Affairs Bureau or risk the legal dismantling of the congregation and official harassment, fines and arrest;

(5) according to Asia Watch, the Communist Chinese authorities in Tibet have launched a repressive campaign against religious practice and the Public Security Bureau and PLA have been involved in violent suppression of dissent in Tibet and Xinjiang, resulting in the death or imprisonment of over one thousand Tibetans and Uighurs this year;

(6) the Ministry of Public Security has imposed new regulations to strengthen controls over Internet use, the State Council must approve ''interactive'' networks, and the official Communist Chinese news agency (Xinhua) has been put in charge of supervising all foreign wire services selling economic information to Communist China, censoring their reports for ''false economic news and attacks on Communist China'';

(7) Wei Jingsheng, the leading Chinese pro-democracy activist, was sentenced on December 13, 1995, to a second 14-year prison term, after a sham trial in which he was denied access to counsel of his choice and given access to the actual charges against less than two days before trial;

(8) on November 21, 1995, the Government of the People's Republic of China announced the arrest of Wei Jingsheng and its intention to try him for ''attempt[ing] to overthrow the government'';

(9) the government had previously imprisoned Wei from 1979 until 1993 on a charge of ''spreading counterrevolutionary propaganda'' for his peaceful participation in the Democracy Wall movement;

(10) during his long imprisonment Wei was subjected to torture and other ill treatment which left him in extremely poor health;

(11) far from advocating an ''overthrow'' of the Government of China, Wei has been a strong advocate of nonviolence and a peaceful transition to democracy; and

(12) Wei was regarded as a leading contender for the 1995 Nobel Peace Prize, having been nominated by parliamentarians throughout the world, including 58 members of the United States Congress;

Whereas, with respect to Communist Chinese trade and economic policy—

(1) the United States Trade Representative's 1996 National Trade Estimate Report on Foreign Trade Barriers notes that ''China continued to use standards and certification practices which the United States and other trading partners regard as barriers to trade'';

(2) the report indicates that ''Despite its commitment under the 1992 market access Memorandum of Understanding to publish all laws and regulations affecting imports, some regulations and a large number of directives have traditionally been unpublished, and there is no published, publicly available national procurement code in China'';

(3) the report finds that ''China's market for services remains severely restricted'';

(4) these practices limiting American access to Communist China's market have contributed to an increase in the United States trade deficit with China from $10 million in 1985 to $33,807,000,000 in 1995, according to the United States Department of Commerce;

(5) these unfair trade practices and tariff and non-tariff barriers result in lost opportunities for American companies and lost jobs for American workers, and harm the United States economy;

(6) the failure of Communist China to stop the piracy of intellectual property, including music, videos, books, and software required by the January 16, 1992, agreement on intellectual property rights, is evidenced by the necessity of further agreements (signed on March 11, 1995 and June 17, 1996), and the threat of over $2,000,000,000 in sanctions as a means of achieving as yet hoped-for compliance with the agreements;

(7) according to the United States Trade Representative's 1996 National Trade Estimate Report on Foreign Trade Barriers, investment restrictions by Communist China are ''abundant'';

(8) under so-called ''export performance requirements,'' Communist Chinese authorities frequently force foreign manufacturers operating in Communist China to export 50 to 70 percent (and sometimes more) of their goods to other markets, as a condition of approving the investment;

(9) two-thirds of Communist China's exports are, in fact, manufactured by foreign firms operating in Communist China;

(10) the export performance requirements imposed on foreign investment by the Communist Chinese government serve to undercut domestic producers employing millions of Americans;

(11) Communist China has failed to liberalize its foreign exchange market, and to make the Yuan fully convertible;

(12) Communist China maintains two exchange rates for the Yuan, an official rate for Chinese citizens and a swap rate for foreigners, and regularly manipulates the exchange rate to the advantage of domestic exporting industries;

(13) even with the establishment of currency swap markets, this gap between the official and swap rates serves as (a) a subsidy for Communist China's exporters to the United States, totaling nearly $15,000,000,000 in 1993, and (b) a nontariff barrier to United States exports, artificially raising the price of exports in Communist China's market;

(14) Communist China received over $4,000,000,000 in multilateral loans from the World Bank and the Asian Development Bank;

(15) the United States is the largest shareholder in these banks, and thus can exercise considerable leverage over loans to Communist China; and

(16) Communist China has continued to insist that Taiwan not be admitted to the WTO unless it is admitted simultaneously, notwithstanding the differences in the status of their compliance with the criteria for WTO membership;

Whereas given the number and gravity of these issues, the debate over Communist China's most-favored-nation trade status cannot bear the weight of the entire bilateral relationship between the United States and the People's Republic of China; and

Whereas these issues should be promptly addressed by appropriate legislation: Now, therefore, be it

Resolved, The Committee on International Relations, the Committee on National Security, the Committee on Ways and Means, and the Committee on Banking and Financial Services will each hold hearings on the matters described in the preamble to this resolution insofar as those matters fall within their respective jurisdictions and, if appropriate, report legislation addressing these matters to the House of Representatives not later than September 30, 1996.

The SPEAKER pro tempore. Pursuant to House Resolution 463, the gentleman from California [Mr. COX] and a Member opposed each will be recognized for 30 minutes.

Mr. GIBBONS. Mr. Speaker, I rise to claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Florida [Mr. GIBBONS] will be recognized for 30 minutes in opposition.

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

Mr. COX of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a result of the vote we have just taken, the question we are faced with is, if not MFN, then what? What is our policy? Our current policy towards China, if it can be called a policy at all, is woefully out of date. Blind tolerance of Chinese communism comes from an era of Richard Nixon and Leonid Brezhnev, when the Government of the United States played the China card as a check against Soviet communism. Embracing communism in China was a superior alternative, because Chinese communism in that era was not expansionist. It did not have global designs.

But today the Soviet Union is no more. In place of the generals who served under Brezhnev, we have General Alexander Lebed, who says that he would permit Chechen independence, who says that NATO expansion is not a threat to Russia, who says that he would not oppose the United States assisting Taiwan in constructing an anti-missile defense to protect against attack from Communist China. Where is the policy for a Lebed instead of a Brezhnev? Where is the policy for a newly expansionist China that has arisen in the wake of the collapse of the Soviet Union?

Mr. Speaker, since we voted ''yes'', I did not, the House did, to continue most-favored-nation status for China, is our intended message that this is a reward for China's Communist rulers? Is the message that, on balance, their offenses against human rights, global peace and security, and the international norms of behavior are tolerable? Or, to put it the other way, if we

had just now denied MFN, would we even then have believed that our security problems are solved, that the Communist government would permit a free press all of a sudden; that they would stop brutalizing Tibet; or perhaps, because we were to deny MFN, they would let the Tibetans select their own Panchen Lama, in accordance with religious custom and law?

Maybe then we might think they would honor their agreements on nuclear nonproliferation, on trade tariffs and trade barriers, on the theft of intellectual property. But I do not think so. I do not think, independent of how we might vote here on MFN, that the result would cause the Communists in Beijing to let Wei Jing Sheng go free, or in any way to permit democracy in place of a one-party state. I do not think that they would renounce the use of force against Taiwan.

A carefully tailored policy toward China, suited to the 1990's and to the next century, must do more than simply turn on the light switch of MFN, a binary choice, yea or nay, on or off, we love you—we hate you. We should reward progress and resist military aggression, trade violations, and human rights abuses.

For example, if Taiwan is merely part of China, then we should reward that part of China for ending its human rights abuses, for permitting a free press, for holding free and fair and democratic elections for Parliament and for President, and for lowering its tariff barriers.

Taiwan should be admitted to the World Trade Organization forthwith. They are willing to meet its requirements. Keep in mind that membership in the WTO does not connote sovereignty. Hong Kong is already a member of the WTO, and when it is absorbed by Communist China next year, it will retain its independent membership, because it was admitted only as a special customs region, the same basis on which Taiwan is now applying.

The People's Republic of China, which does not meet the requirements for WTO admission and is not near to doing so, should not be allowed to keep Taiwan out. Another example, we should end the charade of so-called trade with the People's Liberation Army. We all know that the Peoples Liberation Army is the largest military force on Earth. Communist China's military budget has more than doubled since the collapse of the Soviet empire. They have been buying SS–18 intercontinental ballistic missiles from Moscow. They have fired nuclear-capable missiles toward Taiwan, seizing territory from the Philippines, and expanding into the South China Sea.

Where does the money come from for all of this military expansion? It comes from what the Washington Post has referred to as ''PLA, Inc.''; the People's Liberation Army, Inc.: over 50,000 companies controlled by the Peoples Liberation Army as commercial fronts, with combined earnings in excess of 5 billion U.S. dollars annually.

If the People's Liberation Army were judged in this capacity as a commercial enterprise, it would fit neatly into the top fifth of the Fortune 500. Money from huge illegal arms deals is laundered by PLA commercial fronts which are subsidized by the Communist government, in violation of every rule of free trade, to make more money through nominally commercial enterprises for even more off-budget financing for more threatening arms for the People's Liberation Army.

□ 1630

This is not defense conversion, my friends. This is not turning swords into plowshares, this is turning swords into golf clubs and shoes and circuit boards so that the People's Liberation Army can make more money to buy more weapons. The two most notorious are the People's Liberation Army's commercial fronts, Poly Technologies and Norinco. Poly Technologies, you remember, has sold over 1 billion dollars' worth of arms to the military thugs who dictate Burma. Norinco has sold the chemicals necessary to construct chemical weapons to Saddam Hussein in Iraq, and in my home State of California these two outfits, Poly Technologies and Norinco recently had their representatives indicted for seeking to smuggle into the United States not just AK–47's, as we read, but also over 300,000 silenced machine guns, 60-millimeter mortars, hand grenades, and heat-seeking missiles capable of taking out of the sky a 747.

The United States should not embrace money laundering by the People's Liberation Army. We should pass the Gilman bill, sponsored by the chairman of the Committee on International Relations, and end this dangerous policy of so-called trade with commercial fronts of the Communist Chinese military.

We should pass the Solomon bill that would end United States taxpayer subsidies for China through the World Bank and the Asian Development Bank until the so-called loans to China no longer subsidize the arms buildup that I have just described.

Finally, we should enunciate an explicit and clear vision for our policy toward China. We should state clearly and the President should state clearly that we oppose communism in China. We seek an end to Communist one-party rule, and an institution of democracy, a restoration of human rights, an observation of the rules of free enterprise.

This we can do. When we pass this resolution, the committees of jurisdiction, not just Ways and Means, but Banking, International Relations, and National Security will be instructed to hold immediate hearings on the issues that I have raised and all of the issues spelled out in this resolution, and to report out responsible legislation promptly; in any event, no later than September 30, so that we can deal with these problems directly on the House floor.

It may well be that today's vote marks a watershed. Yes, we have once again permitted MFN to go forward, but this time the debate will not stop there. This time, in recognition of the fact that MFN can no longer bear the weight of all our policy disagreements in our bilateral relationship with the People's Republic of China, we will move on and do the right thing and create a new China policy for the next century.

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

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

Mr. Speaker, I rise in opposition to the Cox amendment, but reluctantly so. I want to commend the gentleman from California [Mr. COX] for his thoughtful approach to the dilemma that the United States faces. It is a big challenge. I wish that this resolution was amendable, because there are many things that need to be added to it to make it a workable resolution and to give it depth and to give it direction. However, under the circumstances, I must oppose it.

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

Mr. CLEMENT. Mr. Speaker, I thank the gentleman for yielding me this time. I applaud my colleague from California [Mr. COX], and I stand in support of his amendment and for offering this resolution, calling for hearings on China's trade policies, human rights record, military policy, and arms sales.

I was one of those that voted for most-favored-nation status a while ago, and I think that was the correct vote. I do not want to go back to the dark ages. I remember the time when the United States did not recognize China. I remember the time that we ignored them. I do not know how you ignore 1.2 billion people. We need to do everything we possibly can to bring about improved relations. I have always believed all of my life on a personal basis, professional basis, political basis, do not fight with anyone that has nothing to lose.

Well, if China keeps prospering and keeps getting stronger economically, it will bring about better relations among people, and I think that is what we want, because we do not want to go through another terrible war like we did with World War I and World War II.

Congressional hearings, diplomatic negotiations, and threatening sanctions are the way to handle our differences with China, not revoking MFN. Rest assured, I will continue to encourage the administration and China to continue to work together for fair, ethical, and increased trade.

The best way to change China is to continue to engage China, not to deny most-favored-nation status. Denying normal trade relations is to undermine U.S. economic interests and jeopardize the jobs of thousands of hard-working Americans.

Mr. Speaker, please look at the big picture. I firmly believe that without MFN human rights abuses will worsen and the dream of achieving democracy in China will dim. Denying MFN status to China would be the equivalent of throwing the baby out with the bath water. Vote ''yes'' for House Resolution 461.

Mr. COX of California. Mr. Speaker, I yield 4 minutes to the distinguished chairman of the Committee on International Relations, the gentleman from New York [Mr. GILMAN].

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

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

Mr. Speaker, I am pleased to rise in support of the resolution, House Resolution 461. I commend my good friend, the gentleman from California [Mr. COX] for his stellar work in crafting this legislation, along with the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules, for acting swiftly in bringing it before us at this time.

The Clinton administration's China policy has been a failure. It has failed to stop Communist China's proliferation of weapons of mass destruction to such rogue nations as Iran and Iraq. It has failed to stop Communist China's unfair trading practices and piracy of intellectual property rights. It has failed to stop Communist China's persecution of Catholics, of Protestants, of Tibetans and human rights activists.

During the past year since President Clinton delinked trade to human rights and refused to adequately respond to Beijing's weapons proliferation, trade and human rights violations, things have become much worse in all of those areas. Just 2 weeks ago, Chinese Government officials were named in a Customs Department sting operation trying to sell 2,000 fully automatic machine guns, machine gun silencers, and stinger-type missiles to the Los Angeles street gangs.

How does the administration respond to these attacks? Instead of admitting something is radically wrong, it makes excuses for Communist China's behavior, and deflects criticism by trying to kill the messenger. We are told that any firm response would isolate or contain China and that we must remain engaged as if holding a party to a treaty that they signed is some sort of an unforgivable breach of ethics.

The administration's smokescreen has been designed to duck the hard questions of how to deal pragmatically and effectively with the totalitarian regime, a regime that is causing havoc on our economy, on our national security interests, and among our democratic friends and allies. Japan, Hong Kong, Taiwan, Thailand, and Australia are all duly concerned by China's sword rattling and the building up of its military personnel. Just last week Communist China refused to grant the German foreign minister a visa into China unless his nation would forbid a conference on Tibet from being held on German soil. How arrogant can a nation become?

Beijing invades and occupies a country much like Russia invaded and occupied Latvia, Lithuania, and Estonia and then tells other nations that the invasion is an internal matter and must not be discussed. Tibet, a country the size of Western Europe, remains the only nation still occupied by foreign Communist military forces.

If Communist China signs an agreement on weapons proliferation, or trade or human rights and then violates those agreements, then we must respond in such a manner that causes them not to violate agreements again and again. Because the administration appears incapable of even admitting to a problem, it is important now that the Congress step forward and take appropriate measures.

Accordingly, I am urging my colleagues to support this resolution directing the Congress to conduct hearings in the appropriate committees and to report proper legislation back to the Congress by September 30.

Mr. GIBBONS. Mr. Speaker, I yield 4 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. I thank the gentleman from Florida for yielding me this time.

Mr. Speaker, I will put my record on the line for standing up for America's workers against anybody in here. I voted against NAFTA because I thought it was a bad deal. I voted against the GATT treaty because I thought that the World Trade Organization presented too many problems and not enough benefits. But I rise today to support continuing most-favored-nation status for China, but, an important but, while at the same time guaranteeing stricter congressional monitoring.

Yes, I am aware of the problems that China presents. Nuclear proliferation, arms sales to hostile nations, military incursions, including spurious claims on the Spratly Islands and other areas of the Asian continent, human rights violations, unfair trade practices, whether in intellectual property or in other areas such as child labor.

Yes, I am aware of all of these, but I notice something very basic, that we have to remember also what most-favored-nation status connotes. It is not some kind of glorified treatment, it is not some kind of special privilege, it is simply saying to China as we have said to 100, at least, other nations around the world, of all stripes and colors, you only get a seat at the table. It does not guarantee you what you get, it just gets you in the door.

We have to remember this, that the United States, even by giving most-favored-nation status, does not give up its most basic punitive measures. We still have section 301 sanctions that we can impose unilaterally, such as almost occurred 2 weeks ago on China, where you can put tariffs on their goods when they are not engaging in free trade. We can deny China what it most wants, and that is entry into the World Trade Organization. That is the key, the golden key that the Chinese want, and we stand in the way of that until they comply with basic standards.

Now, what does cutting off MFN status do? What it would mean, cutting off most-favored-nation status with China is simply saying, we are going to step out and meanwhile permit all of our competitors, our Asian competitors, our European Union competitors, all of our competitors to take that market without us there. They are not making the same statements about human rights and military concerns and unfair trade practices. So what we will do is to abandon 1.2 billion people, that field to our competitors; we will not be engaged, they will.

Instead, I think a better policy is to be involved in bringing them along. The fact of the matter is that until Japan, until Germany, until Great Britain, until France, until a lot of other nations recognize the concerns that China presents to them, we do not have to worry as much about the Pacific rim as Japan does, as those ASEAN nations have to. Until they realize the concerns to them and we can engage in a concerted approach, that is the answer with China, and then China understands it has to come around.

□ 1645

Mr. Speaker, there are some areas of hope. The German Bundestag just recently passed a resolution deploring Chinese human rights violations in Tibet. That is the first sign that we have seen from a nation in that direction. There are others as well.

Granting most-favored-nation status only lets us get to the table but it does not guarantee us any results. We are going to keep engaged, but we have got the clubs in the closet to use when we need to. That is why I support the Cox resolution that says we will grant most-favored-nation status but there will be congressional review with a timetable for reporting back on human rights violations, on military arms sales, and other matters of great concern about China.

Once again, we are with most-favored-nation status only continuing a practice that has been in effect for a number of years. We are still engaged but we are letting them know that we have the clubs in the closest and, yes, we have to be willing to use those, but staying engaged with China at this point is a lot better than staying away. That is why I support most-favored-nation status but with tight congressional monitoring.

Mr. COX of California. Mr. Speaker, I yield 2 minutes to my distinguished colleague the gentleman from San Diego, CA [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, unlike the last speaker that voted against

NAFTA and GATT, I voted for them because I believed that they had a lot of interest and that if this country does not get involved in trade in the future, I think we are going to be in big trouble. But I think that under both Republican and Democrat administrations, that the week link in our trading policy has been our State Department. I do not believe that either Republican or Democrat State Departments have had the spine to enforce the policies with our trading nations.

A very famous gentleman once said that we need to walk softly and carry a big stick, but our policy in the past is to walk softly and give our trading partner the stick. In every case, whether it is an Ak–47 or a Stinger missile or 300,000 machine guns that are silenced being sold to our inner cities, and I ask my colleagues on the other side, the things that we have fought against, assault weapons, here is a country that is dumping assault weapons and Stinger missiles into our country, into our inner cities.

Habeas corpus reform and the death penalty, some do not believe in capital punishment. I do. But China has no problem with that. They just shoot people. And habeas corpus reform, there is not any.

Look at every issue. How many of this Nation's problems has China helped us with in Haiti, in Somalia, in Bosnia? None. Yet we are bending over backwards to help them, and they hit us with that stick every time.

All the gentleman from California [Mr. COX] is asking for is to set forth a policy that protects our workers, protects our system, and sets a policy where U.S. workers in this country would benefit for a change. Let us speak from a strong position, not a weak position, with China.

I remember with my mom and dad, I used to be afraid when the light would go off and I would do anything, clean my room even, if they would leave that light on. I was much more willing after they turned that light off to do those things. I think sometimes we maybe need to turn that light off for a little bit with China.

Mr. GIBBONS. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I come to this podium with a slightly different perspective. I respect the position of the gentleman from California [Mr. COX]. I would hope as I rise to support his resolution that we would recognize that our approach to China is not a Congress versus the President or a President versus the Congress. It is the American people standing up together to acknowledge both their disdain and outrage for human rights violations.

We recognize what China is today, 1.1 billion citizens, an object, an entity that cannot be ignored. However, we do a disservice to point accusatory fingers at an administration which is struggling and a Congress which has struggled as well. We must seize new economic opportunities, but we must also exercise responsibility of a world leader collectively, this Congress, this body, and this administration. We must find common ground on affirming human rights and pursuing economic prosperity.

Our Nation was founded upon the democratic ideal of freedom of speech and the right to petition your government for the redress of grievances. As we debate this issue, the People's Republic of China continues to hold numerous prisoners without reason, estimated by human rights organizations to be several hundred thousand. Arbitrary detention in China can be politically, religiously or, increasingly, economically motivated. Officials have detained Chinese nationals and foreigners alike for perceived personal affronts to a determination to prevent political or economic leaks. And, yes, imported or smuggled AK–47's continue to assault our youth and children by killing citizens in America.

Hearings, yes, Mr. Speaker. I think it is important that we say to China that we have a backbone and we have a memory, and that we review the trade imbalance, review the question of military balance so that as Taiwan struggles to be a neighbor to China, threatening military maneuvers are not utilized to intimidate. And certainly human rights, the whole question that wraps itself around the flag of the United States of America, emphasizing that we all are created equal.

Yes, we must recognize that isolationism is not the right direction on many occasions. That it is important, to recognize China's economic role in this country, the enormous amount of jobs, 19,000 in the State of Texas, $1.3 billion goods produced in Texas exported to China. Considering the fact that China represents such a sizable economic opportunity.

But the almighty dollar should not be our guide, and we must stand with a sense of equality and we must have a consistent and singular policy for China. We must work with the United Nations and other countries to monitor and improve human rights conditions in China and set a target of deadlines for that progress. Human rights hearings will help us do that.

We must help China stick to legal reforms that are to be implemented in January 1997, especially presumption of innocence, improved access to legal counsel, and more stringent limits on time and detention before formal arrest. Continue to work on a case-by-case basis, as done by the U.S. Trade Representative, and next year when the time comes to review MFN for China we should hold them accountable to a higher standard. We should have our facts, we should know what is going on, we should have a unified policy between the administration and the Congress.

We are Americans. We believe in the dignity of humankind. yes, we must dwell on the issue of our economic viability, and we must open the doors to China in an extension to say, ''We are ready to help you change,'' but we should never forget those who are in need of our backbone to ensure that human rights is held up to the standard which we have come to respect and acknowledge.

Mr. Speaker, I rise today with mixed feelings about the difficult choice that we have before us. We must seize new economic opportunities but we must also exercise the responsibility of a world leader. We must find common ground on affirming human rights and pursuing economic prosperity. Our Nation was founded upon the democratic ideal of freedom of speech and the right to petition your Government for redress of grievances. As we debate this issue, the People's Republic of China continues to hold numerous prisoners without reason—estimated by human rights organizations to be several hundred thousand. Arbitrary detention in China can be politically, religiously, or increasingly, economically motivated, and officials have detained Chinese nationals and foreigners alike for perceived personal affronts to a determination to prevent political or economic leaks. In addition the continued insult of smuggling in AK–47 assault weapons to kill more of our citizens.

International attention has been most clearly focused on cases such as Wei Jingsheng, currently serving a 14-year term for speaking out on democracy and human rights during the brief 6 months of freedom he had between September 1994 and April 1995, or on Boa Tong, a senior Chinese official Released in May 1996 after serving an unwarranted 7-year term and immediately redetained in a so-called government guesthouse. But businesspeople, bankers and Chinese representatives of overseas firms are increasingly becoming victims of the arbitrary exercise of power and the absence of rule of law.

The Chinese Government's new crackdown on crime or strike hard campaign that began in April has already resulted in more than 500 death sentences and executions across the country. This kind of crackdown is nothing new. The Chinese Government has periodically engaged in anti-crime campaigns that sweep up tens of thousands in their wake. Intended to instill a sense of security in a public concerned about the crime that has accompanied economic growth, these campaigns often result in the unlawful arrest and wrongful execution of large numbers of people.

In addition to showing little regard for the civil and human rights for people within its borders, China has made Asia, the Middle East and indeed the entire world less safe by continuing to transfer nuclear, missile, and chemical weapons technology to unsafeguarded countries, including Iran, Iraq, Libya, and Pakistan, in violation of international agreements. And as the recent seizure in California reminds us, the Chinese Government has been involved in selling AK–47's and other military assault weapons on American streets, often ending up in the hands of violent street gangs.

During recent elections in Taiwan, China fired missiles and practiced military maneuvers in the Strait of Taiwan as forms of intimidation in order to disrupt Taiwan's free and open political process. And the Chinese Government has already taken several steps to curtail or threaten civil liberties in Hong Kong just a year before the territory returns to Chinese rule.

As I list this long litany of human rights concerns, the question remains whether these problems prevent us from renewing the most-favored-nation trade status with China. Let us examine the other side of the issue. China is an immense country with over 4,000 years of continuous history and a deep sense of cultural identity and pride. China is a nation of deeply entrenched social, economic, and administrative and political institutions developed over the millennia and profoundly reshaped during three decades of Marxist-Maoist rule before 1979. How can we hope to affect

change in such a vast and complex society through a policy of isolation?

The simple truth of the matter is that we are already involved economically in China. Since 1979, American business has become a major player in China, both as a leading source of foreign direct investment and a major trading partner.

In 1995 China was the 13th largest destination for United States exports. Between 1992 and 1995, United States exports to China grew nearly 57 percent, reaching $11.7 billion in 1995, which does not include the approximately 8 billion dollars' worth of goods and services exported first to Hong Kong then into China. In 1995 my home State of Texas exported over $1.785 billion of goods and services to China and Hong Kong.

Considering that approximately $1 billion in trade is equivalent to 19,000 jobs in the Untied States, this is not just a one-way street. Stripping China of most-favored-nation trading status will result in reciprocal action by the Chinese, increasing tariffs and trade barriers on American products in China, thus greatly reducing, if not eliminating American exports and jobs relating to China.

Many critics will point to our unfavorable balance of trade with China as a negative. However, the products we import from China, such as low-end clothes and footwear, have not been produced in the United States for 30 years. Five years ago, we imported these from Taiwan, 10 years ago from Japan. If we did not get these products from China, we would buy them elsewhere at a higher cost.

The opportunity for involvement in China has by no means peaked. China's expanding aviation industry could purchase as much as 100 billion dollars' worth of jetliners over the next 20 years. China needs and wants to expand its power production capacity by 15,000 megawatts per year through the early 21st century. This will require technology and equipment imports that could total between $6 to $8 billion annually.

All this economic involvement has exported more than goods and service to China. Seldom mentioned in press reports are the many nonbusiness activities United States companies pursue at the local level in China, much as they do in any country in which they set up operations. These firms bring with them fundamental American ethical and operational views that shape the way they run their factories and officers, interact with employees, and join in local community activities. For example, on average, United States companies with facilities in China pay their employees at least 20 percent more than local standards. A number of U.S. firms have established profit-sharing plans or voluntary savings plans, in which companies match employee contributions.

Many U.S. companies provide medical facilities and free or subsidized medical care on site for employees. Typically, United States companies go above and beyond Chinese Government requirements by adhering to the workplace standards of the United States Food and Drug Administration and Occupational Safety and Health Administration [OSHA].

Where do we go from here? I argue that Congress should be on record with recommendations for improving human rights in China. Reducing intellectual property rights violations, and eliminating Chinese sale of nuclear and chemical technology if the Congress decides to affirm the President's decision to continue most-favored-nation trading status with China. These recommendations should include:

First, work with the United Nations and other countries to monitor and improve human rights conditions in China, and set target deadlines for progress;

Second, help China stick to legal reforms that are to be implemented in January 1997, especially presumption of innocence; improved access to legal counsel; and more stringent limits on time in detention before formal arrest;

Third, continue to work on case-by-case basis, as done recently by the Unites States Trade Representative, to improve enforcement of intellectual property rights in China, and

Fourth, next year, when the time comes to review MFN for China, we should hold them to a higher standard of review with respect to human rights and monitor carefully how the transfer of Hong Kong to China is proceeding.

This resolution should help be the underpinnings for a real China policy that lifts the human rights crisis to the level it should be, where ultimately China will understand without doubt the real importance Americans, businesses, and citizens alike place on the human dignity for all humankind. If China continues as is, more than its MFN may be at stake—China should pay heed.

Mr. COX of California. Mr. Speaker, I appreciate the support of the gentlewoman from Texas.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. PORTER], the distinguished chairman of the Congressional Human Rights Caucus.

Mr. PORTER. Mr. Speaker, I thank the gentleman from California for yielding me this time.

Mr. Speaker, the resolution that was just rejected—that would have cut off MFN for China—will be interpreted in Beijing to say that it is OK to threaten free elections in Taiwan; that it is OK to undermine the elected legislature and the free press of Hong Kong; that it is OK for the Chinese to commit cultural genocide in Tibet; that it is OK to sell nuclear armaments to Pakistan; that it is OK to dump products in the United States on our markets that take away the markets from those countries that have been friendly to the United States, like the Philippines and India. The people in Beijing will interpret that it is OK to continue to torture, to continue to crush dissent, to engage in slave labor, to starve orphans, to tell their people how many children they can have.

Mr. Speaker, I do not want to cut off MFN because I know that if we can make certain that economic freedom proliferates in China, that ultimately it will in fact lead to political freedom. But, Mr. Speaker, I voted for the Rohrabacher resolution because I did not want to send those messages that Beijing would interpret that way, because it is not OK to do those things because in this world we are our brother's and sister's keepers.

The American people value—and the Chinese people must understand this—human rights perhaps above all else, value democracy and human freedom like no other country on Earth. We believe that China today ranks with countries like Sudan, Nigeria, and Burma, and Turkey, among the worst human rights abusers in the world. If China wants a solid relationship with the United States, these things must change.

Unfortunately, this administration gave this Congress absolutely no alternative. They said, ''We do not want to use the MFN lever. We want to encourage economic freedom and economic growth in China.'' But they said nothing else.

Mr. Speaker, I want to say right here and now that this administration has been absolutely bankrupt in supporting human rights around the world, like perhaps no administration we have seen in a long, long time. They have not given us an alternative to MFN, but the gentleman from California [Mr. COX] is giving us some alternatives and I commend him for doing so.

We need to send a strong message to the people in Beijing that these things are not OK, and that we must see progress on human rights matters and democracy in China and if they are going to go the opposite way, they will never have a solid relationship with this country. Mr. Speaker, I encourage the Members to vote for the Cox resolution.

Mr. GIBBONS. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. MILLER].

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

Mr. MILLER of California. Mr. Speaker, I feel like the old saying about closing the door after the cow has run out of the barn. The real vote was taken a few moments ago. With that vote, the flame of liberty and the flame of democracy and the flame of human rights that we set forth in the world, the beacon that we send forth from the Statute of Liberty and from our Constitution, from our Declaration of Independence, from this body and our system of government, all grew a little bit dimmer for those nations who look to us for leadership.

As the gentlewoman from California [Ms. PELOSI] said in her closing statement, one of the real questions we have to ask ourselves and that we will be held accountable for with respect to our constituents with the vote just taken was whether or not China plays by the rules. The record today is overwhelming and compelling that they do not play by the rules.

They do not play by the rules of most of the rest of the international community, and they certainly do not play by the rules that we believe should be in place with respect to free trade and fair trade, with respect to human rights, to the promotion of democracy, to the protection of intellectual properties and ideas, nuclear proliferation, and how important that is to the future of this world, to the stealing of people's

technology, of nations' technologies. No, they do not have to play by those rules. That fact was ratified in the previous vote.

In fact, what we told them is they can continue to play by a very different set of rules, a set of rules that they design, that they ratify and that they invoke on their own citizens and on their trading partners, rules that suggest that over the short time we have had this relationship, America continues to lose.

□ 1700

America's workers continue to lose. Our trade deficit continues to lose. Our self-esteem about what we stand for continues to lose and be eroded. Unfortunately, this administration and now this Congress have been the great enablers of this policy, because we have always suggested that tomorrow, tomorrow we would have resolve about Tibet. Tomorrow we would have resolve about the trade deficit. Tomorrow we would have resolve about use of slave labor. Tomorrow we will get tough. That is why they have a 12-step program; because you have to deal with it today.

Now, unfortunately, we are left with this good-faith effort by the gentleman from California [Mr. COX], but wrong with respect to the problem; that is, if we were doing our job and this administration was doing its job, what would the verdict have been over the last year? But if we ignore these issues, if we turn the other way when they threaten democracy, if we turn the other way and enter into agreements where it is done on a wink and a nod, what they did not say, what we can say publicly they did say, they did not say but we will say they did say, how does that ensure people's rights? How does that keep nuclear weapons from going to people who threaten us as a Nation?

No, this is a very sad day. It is a very sad day for the people of China who aspire to democracy, to freedom, and it is a very sad day for the people of this Nation who pride ourselves that we send forth that beacon of fair play and democracy and liberty.

Mr. Speaker, I am very sad that the House chose to say tomorrow. Perhaps the President and many Members of this House should try out for the Play Annie, because tomorrow, only tomorrow will they deal with China in the serious and constant and engaged way that is demanded if, in fact, we are going to have a reliable partner for the future of this world, for the future of our trade, for the future of democracy, and the future in terms of national security. But that was not accomplished here today.

The SPEAKER pro tempore. The Chair would announce the gentleman from California [Mr. COX] has 11¾ minutes remaining, and the gentleman from Florida [Mr.. GIBBONS] has 15½ minutes remaining.

Mr. COX of California. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Arizona, [Mr. KOBLE], a member of the Committee on Appropriations and the Committee on the Budget, and a distinguished member of the policy committee.

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

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding me the time. I rise in support of the resolution offered by the distinguished gentleman from California [Mr. COX], my friend and the chairman of the policy committee on which I serve.

Mr. Speaker, I would take some issue with some of the language that is in this resolution. I would disagree with some of the clauses. I might question whether some of the issues raised in this resolution have been substantiated. But I think the important point is that this resolution begins us down a path that we should be taking; a path we should have been taking a long time ago. That is, it specifically directs the committees of jurisdiction, the Committee on Ways and Means, the Committee on International Relations, the Committee on the Judiciary, and other committees that have jurisdiction in this area, to focus on ways in which we can change the behavior of China, to determine how we can truly begin to deal with problems of market access; to focus on the tremendous human rights abuses which we all know and which we all deplore; to deal with the problems of nuclear proliferation which threaten the security of the world; and to deal with the other regional security issues. It directs these committees to hold hearings to look for the kinds of tools, the kinds of legislation, the kinds of resolutions that can actually change China and bring them into the family of nations.

What this resolution recognizes, in the context of the vote we just had, is that the MFN, the most-favored-nation trade status, is not the way to bring about those changes. Most Americans, maybe even many in this body, would be surprised that we grant MFN status to Iran, to Iraq and some of the countries that my friend, the gentleman from Illinois, Mr. PORTER, mentioned: Burma, Turkey, and Sudan. All of those countries have MFN status with the United States. But what we have found is there are other ways to deal with the problems of Iran and Iraq, and we deal with them on a multilateral basis with our other allies and those using the kinds of techniques that work. We have used selective embargoes. We have worked with our partners to try to secure the kinds of changes that we want to bring about in those countries.

So what we are saying here today is let us begin this process. With this resolution, we tell China we do not condone their policies, we do not accept their human rights abuses, but we do intend to begin an engagement with China on these issues that are so important to our relationship. I urge support of the Cox resolution.

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

Mr. Speaker, I know of no one in this Congress who has worked harder on this subject than the gentlewoman from California [Ms. PELOSI]. She is very intelligent and a very fine person, and I know that she feels these things very deeply, and I join her in many of her feelings. I think if we have any differences, it is just on how we solve this problem, not about the problem but how we solve it. So it is with great pleasure that I yield to her, and I know her and respect her for what she stands for.

Mr. Speaker, I yield 7 minutes to the gentlewoman from California [Mr. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the ranking member for recognizing me, giving me this time, and for his kind words.

This is probably our last MFN fight together, Mr. Chairman. As I said on the day we had our special order for the gentleman, he is truly a gentleman from Florida and we have all benefited greatly by his service here. Thank you, Mr. Chairman.

Mr. Speaker, I rise in support of what the gentleman from California [Mr. MILLER] referred to as the well-intentioned resolution presented by the gentleman from California [Mr. COX]. I call it the fig leaf. I said if there were ever a national flower specific to the Congress of the United States, it would be the fig tree, because we just have fig trees all over the place. It is beginning to be Mediterranean around here. This fig leaf is even a transparent one, but it could be something if everyone has the resolve of the gentleman from California. Mr. COX has been a great leader on human rights throughout the world and on this China issue. If the leadership of this House is serious about this resolution and it is not just using it as a fig leaf, it is a fig leaf until it is something else in my view, then this could make the real difference, I would say to the gentleman. Once again, he will have provided a service.

One of the joys of working on the most-favored-nation status with China, human rights issues in China, trade, proliferation, et cetera, is the bipartisan coalition that we have formed, the relationships that have developed to help us solve other problems as well in the House. And the gentleman from California [Mr. COX], the gentleman from New Jersey [Mr. SMITH], I see over there, and you know the list, the gentleman from New York [Mr. GILMAN], the gentleman from Virginia [Mr. WOLF], the list goes on and on, it has been my pleasure to work with all of these gentlemen.

I want to make a few comments, Mr. Speaker. Of course I support the amendment of the gentleman from California [Mr. COX] and I think we have to make sure that it has teeth and it is real. But the fact is that those of us who have been working together all this long time on this issue did not

start with using MFN as a tactic. We started with World Bank loans, we started with conditional renewal or targeted sanctions or every possible kind to relationship that we have with China in a financial institution or a financial relationship. So it would be interesting to see what the committees of jurisdiction come up with, which has not already been rejected over and over again by this House.

Mr. Speaker, I do hope that the focus will be on a prohibition on products made by the People's Liberation coming into the United States, or raising the tariffs at least on those products. The People's Liberation Army occupies Tibet, crushes dissent in China and Tibet, proliferates nuclear, biological, chemical, and missile technology to rogue countries. The PLA has been for many years selling and now smuggling AK–47's and all kinds of other more dangerous weapons into the United States for use here or to be transshipped to other countries.

With all due respect to those who have talked about human rights here today, and with great respect, as I have said, for the gentleman from Florida [Mr. GIBBONS], he said he knows I feel very strongly and he shares some of those feelings. Yes; I feel strongly, but I think about it a lot, too, and I make a distinction there. This is not about feeling. It is about analyzing what our options are and giving them priority. Yes; we all care about human rights. Let us stipulate to that. Who cares enough to give it some priority? Who cares enough to say to a country like China, repressing its people, and that repression has increased since President Clinton delinked trade and human rights, that this is important in our relationship.

The administration does not really talk about it much anymore. They talk about larger issues. In fact, the more time goes by, the older their thinking is on how we deal with China. We must insist that in all of our relationships we make the trade fairer, the political climate freer, and the world safer. The Clinton policy is doing just the reverse.

I also want to make a comment about our colleagues who have said well, we give MFN to Iran and Iraq. We have an embargo on Iran and Iraq. We do not trade with them. Not only that, we have a secondary boycott on countries that would invest in petroleum in Iran. So this whole thing of we give MFN to everyone, so why not China. If we have a special situation as China is, where the President must request a waiver, and that is what gives us standing on the floor, and that country represses its people, violates our trade relationship, does not allow, by and large, most of our products in, does not play by the rules, uses prison labor for export, steals our intellectual property, misappropriates our technology and copyrighted items for use for manufacture to their own, industries with our copyrights. If a country does all of this, and at the same time has a $35 billion trade deficit with us, that is an opportunity where we can use our leverage.

To those who say well, some of that trade deficit came from other countries, those jobs used to be in other Asian countries, well, they are in China now and that is why we have leverage. It does not matter where they were before, it is where they are now. The Chinese Government cannot afford to lose 10 million jobs that spring from United States trade. They cannot afford to lose $35 billion, trade surplus that will be over $40 billion this year.

In my final minute, Mr. Speaker, in putting some of these thoughts on the RECORD, I do want to put a couple letters in the RECORD. One is a letter from Adam Yauch. Adam is with the Beastie Boys. He has been working very hard, lobbying Members to vote against MFN for China. A couple of weeks ago in San Francisco, he had 100,000 people gathered to support Chinese and Tibetan human rights and to oppose the brutal oppression of the Chinese Government. Maybe the leadership of this House is afraid of what is going on out there, that people are catching on to this issue.

In closing, Mr. Speaker, I want to mention as we go into the Fourth of July, a great champion of human rights and of liberty, hopefully inspired by the United States, certainly his thinking is in line with our Founding Fathers', Mr. Wei Jingsheng. Nothing drives the Chinese crazier than our talking about Wei Jingsheng, because he speaks the truth. He served a 14-year sentence. They let him out for a few months because they wanted the Olympics. As soon as he spoke up again, they arrested him for another 14 years.

And here is what he said to get arrested:

> From the moment he is born, a human being has the right to live and the right to strive for a better life. These are what people call God-given rights, for they are not bestowed by any external thing. They are bestowed by the fact of existence itself. Without equality, human rights must lose their real meaning. Without the protection of human rights, equality can only be an empty slogan.

In the spirit of our Founding Fathers, as we approach the Fourth of July, I want to commend to our colleagues the plight of Wei Jingsheng and hope that one of our priorities is to tell the Chinese that we insist upon his freedom. I thank the gentleman from Florida for his leadership.

Mr. Speaker, I include for the RECORD the letter referred to previously.

The information referred to is as follows:

JUNE 26, 1996.

DEAR MEMBER OF CONGRESS: I am currently in Washington, DC where I have been lobbying Congress not to renew Most Favored Nation trading status with China.

Last weekend I participated in the Tibetan Freedom Concert where over 100,000 people gathered to support Chinese and Tibetan human rights and to oppose the brutal oppression of the Chinese government. Twenty of America's most influential bands took the cause to heart and spoke about it on stage. 30,000 of the participants signed a letter to President Clinton demanding that he not renew Most Favored Nation status to China. The concert also helped to spread the word of a rapidly growing boycott of all Chinese goods. This boycott is endorsed by over 150 organizations including the AFL–CIO. This is a small example of a rapidly growing awareness amongst youth about our US government and US corporations' direct involvement and perpetuation of human rights abuses by continuing to trade with the Chinese. By investing US money we are financing the Chinese government's continued genocide of the Tibetan people.

As world leaders your responsibility is to all of humanity, not just your constituency, not just the Republicans or the Democrats, not the people from your state, not even just all Americans. You represent and affect all of humanity and are thereby responsible for your actions. It is your responsibility to cut through the bureaucratic rhetoric that has perpetuated the most unimaginable suffering and human rights violations that are still occurring today.

Because the Tibetan struggle is non-violent it exemplifies the most clear-cut distinction between brutal violence and compassion that exists in the world. We must all join together and use the freedom that we have as American citizens to bring freedom to the rest of the world.

The lies that having US business in China will help to change their policies on human rights have gone on too long. Many people are asking the question if the US takes a stand will other countries follow us. It is our responsibility to act first and other countries will follow. Regardless of what other countries do we must act in the interest of humanity and not our greed motivated corporations. We the people of America call on you as our world leaders to act now. Do not renew Most Favored Nation status to China.

ADAM YAUCH—BEASTIE BOYS.

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. DREIER].

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

Mr. DREIER. Mr. Speaker, I rise in strong support of the resolution offered by the gentleman from Newport Beach, CA [Mr. COX], my friend. By an overwhelming bipartisan majority, better than 2 to 1, 286 to 141, the House has gone on record stating what I have been arguing for the past 7 years, and that is the annual debate on trying to cut off MFN with the People's Republic of China is not the way to deal with the very serious problems that are outlined in this resolution.

□ 1715

What this resolution calls for is our looking into, through this process of hearings, the serious problems that we have discussed over the past several hours: Human rights violations, O-ring transfer, the saber rattling with Taiwan, the treatment of Tibet, intellectual property rights violations, those very serious things.

That is why I believe the right thing for us to do is to continue trade, obviously, and this House has made that statement, but to move ahead with this

resolution that will call for committees to look into the very serious questions that we all very much want to address.

As a strong supporter of most-favored-nation trading status with the People's Republic of China, I join in supporting this resolution and urge my colleagues to vote ''yes.''

Mr. GIBBONS. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. COX of California. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HUNTER].

The SPEAKER pro tempore (Mr. HOBSON). The gentleman from California [Mr. HUNTER] is recognized for 3 minutes.

Mr. HUNTER. Mr. Speaker, I thank my friends for yielding me this time, and I also want to rise in support of this resolution and commend the author, the gentleman from California [Mr. COX], one of our brightest and most eloquent Members.

This is a very, very important resolution from my perspective as a Member of the Committee on National Security, because I, along with my friend, the gentleman from California, DUKE CUNNINGHAM, and other members of the committee, received testimony from the Clinton administration representatives with respect to China and its participation in arms sales and the sales of chemical weapons components to nations which may be in some cases unstable and in other cases are considered to be adversaries of the United States.

We have just now started, really, this investigation. And when we asked the representatives of the Clinton administration whether or not there had been sales of the M–11 missiles to, for example, Pakistan, the answer was it appears that that did take place. When we asked about the ring magnets in open session, systems that are used to enrich uranium for the nuclear weapons construction process, the answer was yes, that probably did take place. It appears that also there have been transfers of chemical weapons components to Iran. That has taken place.

So we see a couple of things happening. We live in an age of missiles right now, in which a number of Third World nations are acquiring missile technology, the ability to deliver a payload to another country 300, 400, 500 miles away, and also to develop the warhead components that may be nuclear components or they may be biological or chemical components.

We see China now taking a very important role in that proliferation of deadly technology to other nations, and we do not see any hesitancy on their part as a result of America's entreaties to stop it. We have asked them to stop it. They will not stop it just because we have talked to them.

We do need to acquire points of leverage, that was the point we made in the MFN debate, that we missed an important point of leverage, but in the ensuing months we will work in the Committee on National Security, and I know the chairman, the gentleman from South Carolina, [Mr. SPENCE], finds this to be an important issue, and we will try to develop both the facts as to what China is doing with respect to proliferating mass destructive components and weapons to Third World nations and what we can do in the United States to stop it.

I want to thank the gentleman from California [Mr. COX] and thank the gentleman from Florida [Mr. GIBBONS] for giving me this time, and I look forward to working on this very important project.

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

Mr. FRANK of Massachusetts. Mr. Speaker, if the Federal Trade Commission had jurisdiction over our legislative processes, I think that this would probably be cited as a bait and switch proposition.

I read the resolution and it consists largely of a number of very good reasons why we should not do favors for and make concessions to and trade on these terms with the Chinese People's Republic. It is a long list of the great grievances which we have against the Chinese People's Republic. Then we come into the last page, in which, having shaken our fist at them and listed all the terrible things we do, we unleash our weapon: Hearings.

Now, I appreciate the fact that hearings can sometimes be a nuisance if you are the Secretary of an American Cabinet department. The notion that we are going to have hearings might be a problem. but the threat of hearings in this situation seems to me to be of quite minimal effect on the Chinese.

So I would have to say, and I will yield to the gentleman if he would yield me some of his time, because I only have 2 minutes and he had 8 and some odd minutes left, but at this point I would say it does appear to me that any resemblance between this and a serious piece of legislation is entirely coincidental.

The notion that the Chinese, having compiled this very long record of violating agreements and abusing people and getting the better of us economically, would really be upset because we are going to have hearings seems to me to be quite minimal.

If the gentleman wants to yield some time, I will be glad to have a colloquy with him, but apparently he does not, so I will simply say that this may ease the conscience of those who voted for MFN. If in fact Members agree with everything in this resolution, I do not know how they could have voted to give the Chinese Most-Favored-Nation treatment.

There is certainly nothing, I will say in closing, in the behavior, in the record, in the composition of the People's Republic of China that ought to give anybody the slightest inclination to believe that the Chinese will pay any more attention to this than they have anything we ever did before.

Mr. COX of California. Mr. Speaker, I yield myself such time as I may consume to say in response to my colleague and friend from Massachusetts, who normally is one of the most attentive during debate, that he must have missed the debate earlier on this because no one who has spoken in favor of this resolution, from the gentlewoman from California [Ms. PELOSI] to the gentleman from California [Mr. MILLER] to myself, in any way meant for this resolution to be a substitute for the previous vote.

To the contrary, I voted, as perhaps did the gentleman, I do not know how he voted, but certainly as did Ms. PELOSI and Mr. MILLER, and the others who have spoken, as did the chairman of the Committee on International Relations, as did the chairman of the Committee on National Security, and that is to be serious in the one and only way we were given an opportunity to be serious, and that is with the resolution offered by the gentleman from California, Mr. ROHRABACHER.

What we now have an opportunity to do, having faced obvious defeat on the scoreboard, having seen the vote tally, is what we have not done before, and that is to go beyond the jurisdiction of the Committee on Ways and Means, to the Committee on National Security, to the Committee on International Relations, to the Committee on Banking and Financial Services, and again to the Committee on Ways and Means, and have not only hearings, because that is not all this resolution says, but also legislation dealing with the very topics laid out in the resolution so that we are on the floor here no later than September 30.

I have spoken personally with the chairmen of these committees, and this is not just a hortatory injunction resolution. These chairmen are committed to bringing legislation forward. The chairman of the Committee on National Security was himself here on the floor, the chairman of the Committee on International Relations was himself here on the floor.

Mr. GIBBONS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON].

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

Mr. SOLOMON. Mr. Speaker, I want to commend the sponsor of this resolution, the gentleman from California [Mr. COX]. It is a good strong step in the right direction and I strongly support it.

Mr. Speaker, having just extended MFN for Communist China for the 17th year in a row, it is time for the advocates of MFN to step forward and promote a viable alternative for dealing with the problem of Communist China, and they can start by supporting the Cox resolution. This resolution directs four committees of this House to study this issue and allows them to come up with these alternatives.

If we pass this resolution, the onus will be on those committees and the advocates of

MFN to propose only substantive proposals, not just mere words of condemnation. Why? Because, for years, we have pursued a policy of unmitigated appeasement of Communist China, and as we know from history, appeasement doesn't work.

Mr. Speaker, it is truly breathtaking the degree to which every instance of Communist Chinese duplicity or misbehavior is dismissed, explained away, ignored or apologized for. We can't even enforce our own nonproliferation laws! They are in violation of every one of them. It's a joke!

And just listen to this: In addition to 17 years of MFN and a free pass on our sanctions laws, look what else China gets from us: $4 billion a year in taxpayer funded loans from multilateral development banks, and $800 million in loans and guarantees from the Export-Import Bank in 1995!

We can shut this taxpayer ripoff down, Mr. Speaker, right here in this Congress.

And then we have the unrestricted access to our market for companies owned and operated by the Communist Chinese military.

Why are we trading with the Chinese military, when they are building up their defense, threatening Taiwan, and attempting to acquire missiles that can destroy American cities? We can shut this down as well, Mr. Speaker, by passing legislation that embargoes Chinese military companies. The committees named in this bill have the jurisdiction to tackle these matters, and they should.

Mr. Speaker, the era of appeasement of the rogue Communist regime in Beijing has got to end. We know it can only lead to disaster. In the 1930's Hitler was appeased, and the result was World War II and the Holocaust. During the war, Stalin was appeased and the result was the enslavement of Eastern Europe and the cold war.

In the 1970's, we appeased the Soviets with detente and the result was their running amok in Africa, Central America and Afghanistan. Now appeasement of Communist China has led to today's outrageous and dangerous situation, chronicled here today by so many of my colleagues.

Mr. Speaker, in the 1980's we reversed appeasement and pursued Ronald Reagan's policy of peace through strength. For those who haven't noticed, it worked.

The Cox resolution is a place to start us back on the road to peace through strength.

I urge adoption of the measure.

The SPEAKER pro tempore. The gentleman from Florida [Mr. GIBBONS] is recognized for the balance of his time, which is 2¾ minutes, as I announced before.

Mr. GIBBONS. Mr. Speaker, we have a lot of work ahead of us as far as bringing the Chinese people and their government into the modern world. A lot of mistakes have been made in the past. As I see our mistakes, the biggest mistake we have ever made so far as dealing with China is to disengage from them. And to the extent that the gentleman from California [Mr. COX] seeks to reengage with them, I support what he is trying to do.

I think his time limitation on this makes it a futile effort. The Chinese are far different than we are. They have a far different set of guiding stars on which they guide as far as principles are concerned. We are going to have to help change them and to bring them into a more modern frame of reference. That is going to require quite some effort on the part of the United States. Mr. COX is aiming in the right direction, but he does not give himself nearly enough time to accomplish what his goal is.

First of all, I think every Member of this Congress should visit China as soon as they can and stay as long as they can and try to learn something about the Chinese, not that we want to emulate them, but we ought to know who we are dealing with and the problems that they face in trying to bring themselves into a more modern time.

Second, we are going to have to make some sacrifices. We are going to have to do some things, positive things, about engaging the Chinese.

Now, if we look at the resumes of most of the Chinese leaders, we will find that they were either educated in Chinese schools or they were educated in Russian schools or Eastern European schools. Most of them missed all opportunity to have any education in the Western ideas. We should be offering them that opportunity and encouraging them to participate, to bring their students here and to give them an opportunity to learn about what the modern world is all about.

Third, we should be sending our people there to try to teach in their own institutions something about what we stand for. We should engage them at every point. I do not like their trade practices, I do not like the fact that they discriminate against us, but they do and we are going to have to work with them and confront them all along the way, just as we recently confronted them on the piracy of intellectual property, and we were able to be successful in that because we had some leverage and we used it.

We must continue to do all that with the Chinese. So my real concern with all of this is I do not want to see America back off and disengage again. We did it once, it was a terrible mistake, we are paying the penalty for it now, and let us not repeat that bad history again.

Mr. COX of California. Mr. Speaker, I yield the balance of my time, 7 minutes, to the gentleman from New Jersey [Mr. SMITH], the distinguished chairman of the Helsinki Commission on Security and Cooperation in Europe, the chairman of the Subcommittee on International Operations and Human Rights, who has held nine hearings on China's abuse of human rights and the national security issues that the military buildup by the Communist Chinese poses to the United States.

Mr. SMITH of New Jersey. Mr. speaker, I want to thank the gentleman from California [Mr. COX] for yielding me this time and for the privilege of closing debate on this extremely important legislation that he has offered today. Mr. COX is deeply committed to human rights and has fashioned an approach today that will lead to meaningful sanctions.

Mr. Speaker, the Clinton administrations absolute delinking of trade from human rights in 1994 was a betrayal of an oppressed people of breathtaking proportions. The Clinton administration flip-flopped on promoting human rights in China. After issuing a comprehensive Executive order that laid out a number of threshold items that had to be reached in order to confer MFN on China. The bottom line was performance—''significant progress in human rights'' was the clear standard that had to be met. When the Chinese regressed and human rights violations increased, the President turned tail and backed down. The dictatorship won. And the courageous Chinese democracy advocates were sold out and abandoned.

I led a human rights trip to China midway through the Executive order review period and met with numerous leaders of the dissident community. I met with business leaders. I met with high government officials. And every single Chinese Government official told me and our delegation that human rights would be delinked from trade. It was astonishing. They believed the Clinton order to be bogus. They were totally cynical about it and viewed it as a joke. They thought it was window dressing, appealing to a domestic audience rather than a sincere effort to try to really rein in on the abuses of the People's Republic of China.

Unfortunately, the Clinton policy is only the worst example of a much broader policy in which the U.S. Government has brought about an almost total delinking of human rights from other foreign policy concerns around the globe.

I think Members will recall that as a candidate, Bill Clinton justly criticized some officials of previous administrations for subordinating human rights to other concerns in China and elsewhere and he called it coddling dictators. I would submit to you this evening that Bill Clinton has coddled as few have coddled before.

The important legislation offered by my good friend and colleague from California, Mr. COX, provides us with a sincere opportunity to seriously reconsider our trading relationship with the People's Republic of China in light of their deplorable human rights record and their ongoing and flagrant empowerment of rogue regimes with weapons of mass destruction.

In the coming weeks, the PRC should be put on notice, this Congress is going to insist on scrutinizing China's record as never before. Yes, over the last 18 months my subcommittee held numerous hearings on China's human rights practices. The full committee has held hearings on nuclear proliferation. Others have held hearings on the Senate side. But now, four major committees of the House of Representatives will draw a bead and bring blazing light to bear on these deplorable practices. And

I hope, we will leave no stone unturned in our probe.

Last week, Mr. Speaker, I held a hearing on the human rights consequences of Mr. Clinton's misguided policy. Human Rights Watch, Freedom House, Amnesty International, and Harry Wu—among others—all testified how abuses had actually increased since delinking MFN and human rights. Amnesty International testified, that the Clinton administration's human rights policy towards China is ''confusing and weak''. The administration is ''aggressive only in a trade war with China. Amnesty International is unaware of any human rights war waged by this administration despite the worsening human rights situation in China.''

Amnesty also testified that the human rights conditions in China, had ''worsened since the delinking of human rights and MFN in 1994.''

Mr. COX's legislation gets us back into the ballgame. A bipartisan group of lawmakers will produce legislation, and I do believe that the various committees of Congress, including the one that I serve on, International Relations, will come forward with new policy proposals. Mr. GILMAN's bill is a good place to start. In the coming weeks, we will craft legislation—perhaps a hybrid designed to mitigate these egregious abuses. It's time to plan hardball.

Let me also point out that Amnesty testified, that so-called economic progress in China has not resulted in observance or respect for human rights. That's really not that surprising. After all the Fascists in Italy made the trains run on time. The Nazis knew how to run a factory. Like those dictatorships, there is no evidence whatsoever to suggest that the Chinese dictatorship has been tamed by economic growth. It has only become a glutton for more power and control. As a matter of fact, the evidence suggests that the PRC dictatorship is today stronger, more repressive, and more determined to retain the reins of power.

The Clinton policy is empowering a repressive military by feeding it, gorging it, with dual-use-capable items and sophisticated technology. Our businesses are beefing up two PLA's offensive capabilities and making them more effective in controlling the people—and neighboring countries.

Amnesty told our committee that despite rapid economic changes in recent years in China, there has been ''no fundamental change in the Government's human rights practices.''

Mr. Speaker, the Cox legislation suggests that with the revocation of MFN no longer a viable option, for this year at least, that other means of registering our utter disgust with the dictatorship's cruel mistreatment of its own citizenry will be forthcoming, and we have a date certain by the end of September to produce those proposals and enact them.

We have leverage, I say to my colleagues, we need to use it and use it prudently and wisely. For those, my friends and colleagues who advocate the status quo and no linkage, I have a simply question: Is there anything a government, in this case a cruel dictatorship could do, is there anything so gruesome, so barbaric that the United States should say enough is enough. In light of China's barbaric and cruel treatment to its people can we pretend we just don't see and go on as if it is business as usual? Consider the inhumane practices of the Beijing Government that are ongoing, pervasive, and getting worse by the day. The use of slave labor—or the laogai—the prison camps—where many of our products that find their way on the shelves in our stores are being produced by prisoners of conscience. The statement of the status quo say, no problem, the United States and China signed a memorandum of understanding during the previous administration. The MOU looks splendid on paper. But it's a farce. The Chinese contrive to obstruct and prohibit access to prison camps and have erected so many barriers so to make the MOU meaningless.

In the early 1990's Congressman FRANK WOLF and I got into one gulag after much persistence and tough negotiations. We discovered that Beijing prison No. 1 contained more than 40 dissidents from the Tiananmen Square crackdown. We were witnesses to the making of girls jelly shoes and socks for export by convict labor. One of the problems with the MOU is that the U.S. side has to give significant advance notice prior to an inspection. The U.S. side has to demonstrate cause for the inspection to occur—another difficult hurdle in a closed society. And then there is a long time period from the request to when our Customs people make a visit—and there have been very few visits. And you know what happens then? U.S. personnel inspect the prison camp and are shown a Potemkin village—sanitized and free of any possible violation of the MOU.

Let me also say that my subcommittee had the first hearing in the Congress ever on the laogai or prison camp system in China. We heard from six survivors, including Harry Wu, that great, courageous defender of human rights and former prisoner of conscience. We heard chilling testimony from Katharine Ho and from a Buddhist monk who demonstrated how the Chinese torturers inflict pain on religious and political prisoners with cattle prods. He told us how they used these terrible implements to force compliance and to break a prisoner's will and resolve.

Mr. Speaker, civilizations can be judged by how they treat women, children, old people and strangers. Vulnerable people bring out the kindness in every society, but also regrettably the cruelty. Every so often they do become the object of practices so violent they cause people to recoil in horror across the centuries. One such practice is the practice of forced abortion.

The Government of China routinely compels women to abort their ''unauthorized'' unborn children. The usual method is intense ''persuasion'' using all of the economic, social and psychological tools a totalitarian State has at its disposal. When these methods fail, the woman is taken physically to the abortion mill. Forced abortions are often performed very late in pregnancy, even in the ninth month. Sometimes the baby's skull is crushed with forceps as the baby emerges from the birth canal. Other times the baby gets an injection of formaldehyde or some other poison into the baby's cranium. Either the woman or her husband is then forcibly sterilized.

Forced abortion was properly considered a crime against humanity at the Nuremberg war crimes tribunal. It is employed regularly with chilling effectiveness and unbearable pain upon women in the People's Republic of China. Women in China are required to obtain a birth coupon before conceiving a child. Chinese women are hounded by the population control police and even their menstrual cycles are publicly monitored as one means of ensuring compliance.

The New York Times has pointed out in an exposé recently that the authorities, when they discover an unauthorized pregnancy, an ''illegal child,'' normally apply a daily dose of threats and browbeating. They wear the women down. Eventually, if the woman does not succumb to the abortion, she is physically forced to submit.

The central government also issued a law on eugenics which is now taking effect and which nationalizes discrimination against the handicapped. In a move that is eerily reminiscent of Nazi Germany, the Communist Chinese Government is implementing forced abortion against handicapped children and forced sterilization against parents who simply do not measure up in the eyes of the State. Despite all of this, the United Nations Population Fund continues to provide funds, materiel, people on the ground and what no money could buy, the sort of shield of respectability that the PRC program so desperately wants.

I would just say parenthetically that the head of the UNFPA, the U.N. Population Fund, time and time again has defended the program in China as totally voluntary. This is unmitigated nonsense and a big lie. Degrading a few men, women and children may be of no great matter for the Chinese Communist regime which has long regarded homicide and torture as among the basic tools of statecraft.

The Cox legislation represents hope. I truly believe that this Congress will work hard to fashion legislation designed to mitigate China's egregious abuses. We have a moral obligation to help our suffering friends in the PRC.

I urge strong support for the Cox bill.

Mr. BEREUTER. Mr. Speaker, this Member rises in support, but somewhat reluctant support, for House Resolution 461. This Member

voices reluctant support not because he opposes the notion of articulating United States concerns with the People's Republic of China. Indeed, it is extremely important to convey in specific detail the objections the United States has regarding PRC behavior with regard to human rights, proliferation, and questionable trade practices.

However, when this body raises concerns, it must be careful to speak with a high degree of accuracy. While the distinguished gentleman from California [Mr. COX] did yeoman's work in compiling a list of concerns on extremely short notice, there unfortunately are a number of inaccuracies in the legislation. For example, on the whereas clauses related to commercial trade, the United States did not conclude, as alleged in House Resolution 461, a formal agreement with the People's Republic of China on intellectual property rights on June 17, 1996. Instead, the United States merely decided not to impose sanctions.

Also, regarding the convertability of the People's Republic of China's currency, House Resolution 461 is outdated and does not recognize recent reforms.

In addition, the legislation states that the current anticrime programs has targeted political, religious, and labor activists in addition to common criminals in Tibet, Zinjiang, and in the whole of Communist China. In information available to me indicates, Mr. Speaker, that the campaign seems to have targeted only ordinary criminals.

The resolution also states that actions by the People's Liberation Army in the South China Sea have threatened the United States Navy's right of free passage in those waters. But the right of free passage of the U.S. Navy has never been challenged by anyone, either the PLA or the forces of other nations vying for control of the disputed islands and atolls.

To the extent that this body is not wholly and completely factual in its representation of events, our message is undermined. It is quite possible that the People's Republic of China will react to House Resolution 461 simply by pointing to the inaccuracies. If that happens, they will be able to subvert the important message that their overall international and domestic behavior must improve.

Mr. Speaker, this body should be very cautious in considering legislation critical of any nation; we must be as accurate as possible. That is the reason that under normal legislative practice this body moves legislation through committees with specific expertise. When this body uses the existing committee structure as designed, it is far less likely that inaccuracies will find their way into legislation. Mr. Speaker, while this Member will vote for House Resolution 461, it is essential that this body can return to the practice of permitting the committees and subcommittees of jurisdiction to exercise their rightful role in the legislative process. By passing the authorizing committees, even to provide a last minute tandem resolution to assure the defeat the Rohrabacher resolution to deny normal tariff status to the People's Republic of China is not a good practice.

Mr. COYNE. Mr. Speaker, I oppose renewing most-favored-nation status [MFN] for China at this time.

I have supported MFN for China in the past. My support has been predicated upon the assumption that there would be certain improvements in China's conduct as a member of the international community.

The County Reports on Human Rights Practices for 1995 published by the U.S. Department of State states that ''During the year the Government continued to commit widespread and well documented human rights abuses, in violation of internationally accepted norms, stemming both from the authorities intolerance of dissent and the inadequacy of legal safeguards for basic freedom''. This statement comes 7 years after the 1989 crackdown in Tiananmen Square.

Further, we have a trade deficit with China of $34 billion that suggests less than an open Chinese market to United States goods. In 1986 the United States had a trade deficit of $1.7 billion with China; that deficit now stands at $33.8 billion. We hear from representatives of three important sectors of the United States economy that China's policy in the auto, aerospace sector, and steel are working against the interest of the United States.

Representatives of three unions, the International Union, UAW, the International Association of Machinists, and the United Steel Workers state that their worker realize that there is a relationship between international trade and improvement of living standards. These representatives state however, that

> . . . this will not occur while Chinese workers are prevented from exercising basic rights and the Chinese government uses discriminatory policies to keep out the world class products made by (U.S. workers).

In April 1996, the United States Trade Representative designated China as a priority foreign country for failing to implement an agreement on intellectual property rights, This problem goes back at least to August 1991, and it did not end with the recent agreement between China and the United States.

The United States has other problems with China that are enumerated in great detail in House Resolution 461 and I do not intend to enumerate them again here. However, the action called for in the resolved clause of the resolution should be implemented before we renew MFN to China, or under the present circumstances, we should extend conditional MFN to China contingent upon action by the committees of jurisdiction as called for in House Resolution 461.

Mr. WELDON of Pennsylvania. Mr. Speaker, as we move ahead into the post-cold-war world, we find ourselves increasingly challenged to better understand the People's Republic of China which remained for so long closed to us, and to foster new relationships that will enable us to ensure our economic and national security.

The United States has greatly enhanced its trade, cultural ties, and influence on this once closed society. In fact, United States trade with China has increased from $4.8 billion in 1980—when we first extended most favored nation trading status to China—to $57.3 billion in 1995. These numbers reflect growing American economic influence on China—a stabilizing factor to a nation whose government has frequently demonstrated erratic, extreme, and inexcusable behavior.

It is in our interest to build on our relationship with PRC. We want to encourage increased trade for our own economic benefit, and we want to bring the benefits of our thriving and open society to the Chinese people. While we should strive to foster stronger relations, we should never do so at the expense of our own national interests.

There is no need to provoke disputes just for the sake of flexing national muscle, but we cannot continue to ignore China's egregious violations in the area of arms control and basic human rights. If we want agreements and accepted international standards to have any teeth, we must be willing to risk dispute when our resolve is tested.

In the case of China, that has unfortunately happened on too many occasions. Perhaps the most compelling example of this is the repeated transfer of M–11 missiles and technology to Pakistan, despite China's repeated pledge to adhere to the Missile Technology Control Regime. China has also sold cruise missile technology to Iran in violation of MTCR and transferred chemical weapons production equipment there in violation of its commitments to the Chemical Weapons Convention. Then there's the transfer of ring magnets to Pakistan for the purpose of uranium enrichment, which is a violation of the Nuclear Nonproliferation Treaty.

Compounding the problems posed by these transfers, the administration refuses to sanction China for the violations. Each time China pledges not to sell missile technology, the administration claims credit for a breakthrough. Then, China again proceeds to sell the forbidden items. And the administration ignores—or when too much evidence piles up. downplays—the transfer and refuses to sanction China. And what does China learn? That arms control agreements can be violated with impunity.

Sadly, this administration's arms control policy is like a movie set facade: It looks great from afar, but once you get behind it there's nothing inside to back it up. While the bill before us today will not ensure arms control compliance and enforcement, we would be remiss if we did not note the violations and insist on accountability from China and when necessary, the administration. Fortunately, there are appropriate mechanisms outside of the MFN process that allow the administration to deal with the violations, and we must insist that they do so.

As we proceed with MFN, we must raise these concerns. House Resolution 461 recognizes the flaws in current United States-China policy and it seeks to adjust them by developing the precise legislation needed to influence China's inadequacies in trade practices, its terrible human rights record, its erratic military policy, and its proliferation of weapons of mass destruction. House Resolution 461 calls on the House Committees on Banking and Financial Services, International Relations, Ways and Means, and National Security to commence hearings and report appropriate legislation by September 30, 1996 to address these concerns.

In the past, I have consistently opposed extending MFN for China because I did not agree with Chinese policy on many different fronts. While I am still committed to changing China's ways, I believe MFN is not the best tool to influence Chinese policy. I feel that with the guidance of House Resolution 461, legislation can be tailor-made to bring about these long sought-after changes in Chinese policy.

As Chairman of the House National Security Subcommittee on Research and Development, and as cochairman of the Congressional Missile Defense Caucus, I will be diligent in formulating ways that we can make China comply with international nuclear test-ban and

nonproliferation agreements. Meanwhile, we must continue to foster new economic opportunities that will give them the tools and resources that support alternative export opportunities for China. I believe that passage of MFN will do just that, and I urge others to join me in support of its passage.

Mr. OXLEY. Mr. Speaker, I rise in support of engagement with China, in support of China MFN, and against the resolution of disapproval.

As I have said on this floor on other occasions, Ohio is one of America's top exporters of manufactured goods. China is not only the world's most populous country, but also one of the world's most rapidly expanding marketplaces. In fact, Ohio Governor George Voinovich has established a permanent office in Beijing to support the State's commercial interests there.

Ohio's farmers, especially the corn and soybean farmers found in my district, are exporting to China and hope to increase their presence in this burgeoning market. Ohio employers such as Whirlpool, the Limited and Harris Corp. have contacted me in support of MFN treatment. Indeed, numerous United States companies have joint ventures in China and are using cooperative efforts to gain access to China and other Asian markets.

Mr. Speaker, MFN merely gives China the same trade status possessed by the vast majority of nations. Frankly, the phrase ''most-favored'' is something of a misnomer, which opponents of engagement use to distort the nature of our trading relationship with the People's Republic of China.

Ending normal trade relations with China would undermine United States economic interests in China and the rest of Asia. It would cost American jobs and sacrifice a great opportunity for American business interests.

If United States farmers and United States companies are denied the chance to do business with China, other countries—many with a weaker commitment to human rights and democracy—will gladly fill the void. A great deal will be lost, and nothing, in my view, will be gained.

The subcommittee I chair held a hearing on May 9 in which we heard testimony regarding the importance for our economy and our citizens of opening the world's markets to international telecommunications services. It is critical that we bring China into this process.

Failing to grant MFN status will send China an inconsistent signal in terms of our dedication to opening markets and breaking down tariff and nontariff barriers in international telecommunications.

China is a critical market for American telecommunications companies. There are over a billion Chinese, but relatively few have telephones. This is the world's largest potential market for telecommunications equipment, line construction and services.

The United States is a leader in telecommunications technology. We cannot afford to miss out on the hundreds of thousands of high-tech, high-pay telecommunications jobs the construction of the Chinese information infrastructure will create.

I urge all my colleagues to support American workers and U.S. interests in Asia and oppose the resolution of disapproval.

Mr. FALEOMAVAEGA. Mr. Speaker, I want to commend all of my colleagues, regardless of position, for their heartfelt commitment on the issue of most favored nation [MFN] trade status renewal for China—clearly the most pressing issue now facing relations between Washington and Beijing.

Although I have the greatest respect for those Members in Congress that sincerely believe that denial of MFN is necessary to prod China into complying with its international obligations and for progress in human and political rights, I feel that they are misguided. Thus, I reluctantly urge my colleagues to oppose adoption of House Joint Resolution 182 and to support House Resolution 461.

I have long been a supporter of maintaining broad and comprehensive ties with the Peoples' Republic of China—a policy of China engagement that has been upheld in a bipartisan fashion by five previous administrations.

It is in America's national interest to have a productive relationship with a China that is strong, stable, open and prosperous—a China that is increasingly integrated into the international community and global marketplace as a responsible and accountable partner.

Over the past two decades, we have seen tremendous strides forward in China on several fronts. Although China still has significant problems in several areas—such as human rights, nuclear and missile proliferation, and fair trade—can anybody seriously question whether today's China is fundamentally different from the Communist China that existed before President Nixon's triumphal opening.

Due to vigorous trade and the concomitant expansion of contacts with the West, China has evolved into a more open society with a government that is increasingly sensitive to international opinion. It is absolutely vital that the United States support the continued opening of China to the world via the medium of trade—not close the door.

Denial of MFN to China achieves nothing while forcing American businesses to unnecessarily pay a great sacrifice. Moreover, the inevitable trade war to erupt between China and the United States over MFN denial would also adversely impact all of the economies of the Asia-Pacific nations. Is it any wonder that Hong Kong, Taiwan, and other Asian governments have begged the United States not to deny China MFN—a unilateral economic sanction that is clearly useless without multilateral support. Mr. Speaker, we cannot isolate China by applying trade sanctions but, ironically, that action would result in the isolation of America, both economically and politically.

Mr. Speaker, I would urge our Members to support renewal of MFN trade status for China, as it is in America's national interest to maintain productive and positive relations with China—a nation that is destined to be the leader of Asia in the 21st century. United States engagement with China. Oppose adoption of House Joint Resolution 182 and support House Resolution 461.

Mr. ARCHER. Mr. Speaker, House Resolution 461, the Cox resolution concerning China, outlines a number of bilateral problems with China and expresses the sense of Congress that the committees of jurisdiction should examine these issues closely and report, if appropriate, legislation to address these matters. This nonbinding resolution will allow us to examine appropriate mechanisms, outside of the context of the annual review of the most-favored-nation relationship with China, to assure that our trade agreements are effectively implemented and new market opportunities are created for United States firms and workers.

The Committee on Ways and Means has always been willing and ready to address these difficult issues, especially improvements in economic relations and the enforcement of our bilateral agreements. The committee also intends to work closely with the administration concerning China's accession to the World Trade Organization to assure that accession takes place only upon commercially acceptable terms, when it is ready to take on the obligations of the multilateral trading system.

Mr. Speaker, I support this nonbinding resolution and urge my colleagues to express their concerns about certain unacceptable practices of the Chinese Government by voting ''yes'' on House Resolution 461.

□ 1730

The SPEAKER pro tempore (Mr. HOBSON). Pursuant to House Resolution 463, the previous question is ordered.

The question is on the resolution.

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

Mr. COX of California. 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 411, nays 7, answered ''present'' 3, not voting 12, as follows:

[Roll No. 285]

YEAS—411

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

Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Towns
Traficant
Upton
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—7

DeFazio
Johnson (CT)
McDermott
Murtha
Pickett
Stark
Velazquez

ANSWERED ''PRESENT''—3

Frank (MA)
Scarborough
Slaughter

NOT VOTING—12

Brewster
Chapman
Flake
Gibbons
Graham
Hall (OH)
Lincoln
McDade
Peterson (FL)
Stockman
Torricelli
Weldon (PA)

□ 1759

Mr.5 MURTHA changed his vote from ''yea'' to ''nay.''

Mr. BEREUTER and Mr. ABERCROMBIE changed their vote from ''nay'' to ''yea.''

Ms. SLAUGHTER changed her vote from ''yea'' to ''present.''

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.

PERSONAL EXPLANATION

Mr. CHRISTENSEN. Mr. Speaker, I was not present for the vote on passage of H.R. 3666. Had I been here, I would have voted in favor of final passage on the VA–HUD bill.

PROVIDING FOR CONSIDERATION OF CONCURRENT RESOLUTION PROVIDING FOR ADJOURNMENT OF HOUSE AND SENATE FOR INDEPENDENCE DAY DISTRICT WORK PERIOD

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 465 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 465

Resolved, That upon the adoption of this resolution it shall be in order, any rule of the House to the contrary notwithstanding, to consider in the House a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Florida [Mr. DIAZ-BALART] is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [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. Speaker, House Resolution 465 provides for the consideration in the House of a concurrent resolution providing for the adjournment of the House and Senate for the Independence Day district work period. All points of order are waived against the resolution and its consideration.

Because of the many open rules that have been granted by this Congress' Rules Committee—60 percent have been open or modified open—which have led to many vigorous but lengthy debates and amending processes on the floor, the House has not yet been able to complete action on all of the appropriations bills and reconciliation legislation. Therefore, while adjournment resolutions are usually privileged, a rule is needed to waive the point of order that could be raised against the Fourth of July district work period resolution on the grounds that it violates sections 309 and 310(f) of the Budget Act. These sections prohibit the House of Representatives from adjourning for more than 3 days in July unless the House has completed action on all appropriations bills and any required reconciliation legislation.

In addition, it should be noted that adjournment resolutions are not debatable, and upon adoption of this rule, the House proceeds to a vote on the adjournment resolution itself without further debate.

Mr. Speaker, the House has completed as many of the appropriations bills as possible, and we are over halfway there. The House has approved the appropriations measures for military construction, foreign operations, Agriculture, Defense, Interior, and VA–HUD and tonight, we will work on the transportations bill, and the remaining appropriations and reconciliation measures are to be considered in a timely matter after next week. We have certainly made progress with the administration during this year's appropriations cycle over last year's process, and I am confident that the House will continue to make appropriate spending decisions after the Independence Day district work period.

Independence Day is a time to be back in our districts, celebrating the birth of this great Nation, and listening to what our constituents have to say about the issues that are important to them.

The Congress has very important spending decisions to make, with limited funds, and time spent in our districts listening to the priorities of our constituents will be very worthwhile. Therefore, Mr. Speaker, I feel that it is totally reasonable that the House return to our districts for the Independence Day work period, to reflect together with our constituents on the principles put forth by our Founding Fathers in 1776 that form the basis of our limited, representative Government.

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

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

Mr. Speaker, I want to make something perfectly clear, we are voting on this recess rule because, once again, the Republicans have not done their job.

This rule will waive provisions of law that require the Congress to get its work done before it recesses for July 4.

So, Mr. Speaker, my Republican colleagues barely managed to fulfill their responsibility last year and it looks like they might not get it done this year either.

Congress' primary responsibility is to pass 13 appropriations bills so that the Federal Government can function.

Section 309 of the Budget Act says the House cannot leave for July 4 until all 13 appropriations bills are passed. But, since my Republican colleagues have spent their time cutting Medicare and education to pay for tax breaks for the very rich, they haven't finished all of the appropriations bills.

Mr. Speaker, after last year's budget fiasco I hoped my Republican colleagues would have learned their lesson.

After Speaker GINGRICH closed the Government not once, but twice. After Speaker GINGRICH had to pass an unprecedented 13 continuing resolutions last year in order to buy time, I had hoped my Republican colleagues would decide to join us in putting families first this year.

But it looks like we're not there yet.

Last year the Contract on America was holding things up. Now, despite the contract's fizzling out, my Republican colleagues have only finished 7 of the 13 appropriations bills they were supposed to finish.

That is not the way Congress is supposed to run, Mr. Speaker.

And that's not the way the Democrats ran things.

During the last session in which the Democrats were in charge, 12 appropriations bills had passed the House by June 29. The last bill passed the House 2 weeks later.

And, contrary to what some may assert, the inability of the Republicans to get their job done has nothing to do with open or closed rules. This year, 60 percent of the rules have been restrictive. We haven't been spending time openly discussing and amending legislation.

Instead, my Republican colleagues have made enormous cuts in education, Medicare, and environmental protection, most to pay for tax breaks for the very rich.

Mr. Speaker, that's not what the American people want. They want their needs to be given priority over the needs of the special interests, and they want Congress to stay until it gets the job done.

I urge my colleagues to join me in opposing this rule. My Republican colleagues should do the work they were sent here to do.

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

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am reminded that in one of his essays, George Orwell wrote that ''Hypocrisy is the British vice.'' Our distinguished friend, the gentleman from Massachusetts, seems to adamantly wish to replicate that trait in this House. I went back just three Congresses, Mr. Speaker, three Congresses, 6 years, in reviewing the record on this issue of the Fourth of July break. Not once, not once during those 6 years, not once were all 13 appropriations bills passed at the time of the July recess.

Mr. Speaker, do Members know how many times we, when we were in the minority, failed to grant the majority unanimous consent on this issue? Not once. So I maintain that George Orwell's trait, when he referred to it as a British trait is being replicated at this point at this time in this House.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON].

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

Mr. Speaker, it is a shame we have to be here wasting an hour on this adjournment resolution. I have never in my 18 years here heard such crybabies. What do the very rich have to do with this adjournment thing? On that side of the aisle, they seem to think that anybody with a job is very rich. Do Members know what I think? I think many of the Members who have never run a business ought to resign and ought to go out and meet a payroll. Then I do not think we would hear this ''very, very rich'' business anymore.

Let me just reinforce what my colleague on the Committee on Rules has just pointed out. That is that the Democrats have no grounds for complaints about this Fourth of July, Independence-Day-adjournment resolution, given their own track record.

Let us look at the facts. Our earlier studies show that not once in the last 6 years of the Democrat-controlled Congress in this House did they meet the July recess deadline for completing action on the 13 appropriation bills; as the gentleman just said, not once. So what are they standing up here crying for, and making all these absurd statements?

Since I thought that might be unfair to the Democrats to only go back 6 years, today I had the staff go back at least 10 years. We can go back 40, if Members want to. Sure enough, in one of those years, 1988, they actually did complete House action on all 13 appropriation bills by the July recess, once, back in 1988. Did the Members remember that? I was here, I remember it. I see the gentleman's hand go up, he remembers it. In all fairness to the Democrats, they did meet the deadline under the Budget Act at one time in their last decade in control of this House. That is a fact, Mr. Speaker.

How does that compare to the Republican 104th Congress? While the average number of appropriation bills the Democrats passed by the July recess in their last 10 years was 6.2, our average, counting today's transportation appropriation bill, which will finish about midnight tonight because of the wasted time here on this foolish bill, we have completed 7 last year, 6 this year. That averages out to more than they did over all those years, gentlemen.

So notwithstanding the fact that we still are rather new at all this, we have only been at it about 18 months now, we are still doing better than those guys did all these years. Mr. Speaker, what is really disturbing is the Democrats would take the time of this House of forcing this matter into the Committee on Rules for a special rule, just so they can say they are making some kind of an issue here.

□ 1815

Our survey of the last 10 years of Democratic control shows that in each year of that decade, the Republican minority, that was us then, permitted these resolutions to come up on the floor under a unanimous-consent statement. We did not waste all of this body and paying all of this overtime to all of these people on this foolish resolution. We acted instead in the spirit of bipartisan cooperation. That is comity. Remember what it used to sound like?

We used to have some comity in this body. So it is indeed sad that the Democrats have stooped to this to make a partisan issue on this Independence Day.

I am going to tell my colleagues something. I live up in the Hudson Valley. I represent the Catskills and the Adirondack Mountains. That is where the Revolutionary War was fought, Independence Day, July 4. I want you to come up and see where General John Burgoyne surrendered to Horatio Gates. That was the turning point. That was the battle that made this the greatest, freest Nation on earth.

What are we fooling around here for? All of us pack up our bags and let us go home. Let us see what it is really like back home, and let us stop talking very, very, very much. I never heard such goings-on. I will back up with fact this study, Mr. Speaker.

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

Mr. MOAKLEY. Mr. Speaker, the reason I bring that up is because the Republicans said they were going to run the Committee on Rules completely different. They were going to run the Congress completely different. And they have not. That is why 60 percent of the rules have been closed and they have not brought the appropriation bills forward. So they are not doing what they said they would do.

Mr. Speaker, I yield 9 minutes to the gentleman from Wisconsin [Mr. OBEY], the ranking member on the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I would like to not talk so much about the past but about the present and the future.

The situation, as this chart shows, is that, if we take a look at what has happened to each of the 13 appropriation bills that we are supposed to be passing this fiscal year, so far 7 of them, those in red that reach this line here, 7 of them by the end of the day will have passed the House. Only one will have passed the Senate. There are three more which are moving their way through the Committee on Appropriations, and there are three which have not yet begun the move through the Committee on Appropriations. So that means that 7 out of the 13 will be passed through the House by the end of the day.

That is absolutely not the fault of the gentleman from Louisiana [Mr. LIVINGSTON] or the leadership of the Committee on Appropriations. But I do think we need to look at what the problems are so that we can try to deal with them.

The problem, the main problem is that, first of all, the budget resolution was 2 months late. Because of that, the Committee on Appropriations has been forced to do in approximately 3 weeks time what ordinarily would take about 10 weeks to accomplish. That is in my view the price that was paid for the extremism that was reflected in the general budget resolution. Even the Republican majority in the Senate could not take the extremism represented by the House-passed budget resolution, and they demanded substantial changes. It took a long time to get them. That put us behind.

Second, we also have what I would describe as the ''my-way-or-no-way'' mentality, which still apparently dominates the majority party caucus in this House on a number of these appropriation bills. Example: Just last night we had an effort made by the gentleman from Ohio [Mr. STOKES] to offer an amendment which would have repaired the problems on the VA–HUD bill.

The subcommittee chairman, Mr. LEWIS, graciously recognized that we had a problem and tried to deal with it, but he was overcome by the extremists in his own caucus. So they would up refusing to provide the major fix-ups that everybody knows are going to be necessary in that VA–HUD bill if the bill is ever going to become law. If those fix-ups are not made, we are simply going to have a bill that goes nowhere.

Just this morning in the Committee on Appropriations on the Treasury, Post Office bill, accommodation was reached on several items. But it has been made quite clear by the Treasury Department and by the Committee on Ways and Means, for instance, if I could add that, that the committee is insisting on extreme actions with respect to dictating how the IRS goes about modernization. They are insisting on taking actions which the Republican leadership on the Committee on Ways and Means says will lead to a loss of revenue. And if you have a loss of revenue, you are going to have an addition to the deficit. Yet when efforts were made to try to fix that problem, they were all rejected. So it is ''our-way-or-no-way.''

Again, it is quite clear from my conversations with Treasury that that bill will not see the light of day. It will never become law unless it is repaired so that we do not damage the ability of the IRS to collect the taxes that are due under law.

The Interior appropriation bill, because of the extreme allocation provided, has already been put on the veto list. In addition to that, the Labor HEW bill, because of the woefully inadequate allocation winds up providing $2.5 billion less for education alone than the President is requesting. That is going to mean a long stalemate unless we have a much more flexible attitude exhibited by the majority party in this House.

Mr. Speaker, I want to correct a little bit of history here. The last year that our party controlled this House, I chaired the Committee on Appropriations. We passed every single appropriation bill before the end of the fiscal year, every single one. Now, we did not do that because of any peculiar wisdom on my part. We did it because my party leadership allowed me to cross the aisle, go to the Republican leadership on the committee and work out a bipartisan allocation under the 602 budget process under which we agreed on a bipartisan basis how much money would go into each of those 13 spending bills. Because we had reached bipartisan agreement, we were able to pass all 13 of those appropriation bills on time.

The leadership of the Committee on Appropriations was never allowed to do that this year because of the extreme agenda already referred to by the gentleman from Massachusetts, which requires that we squeeze every last dollar out of education and every last dollar out of job training in order to fund tax cuts for people making $200,000 a year. That is the problem. Until that is gotten over by the majority party in this House, it is not going to be possible to pass these bills, and we risk running into the same kind of chaos that we had last year.

I would remind by colleagues that there are only 31 working days left before the end of the fiscal year. Can anybody tell me they really believe we are going to be able to finish all 13 appropriation bills, half of which are not yet through the House, only one of which is through the Senate, unless we get a far more flexible and a far more bipartisan attitude on the part of the majority than we have gotten to date?

Now, I know that the leadership of the Committee on Appropriations has tried everything possible to get their bills done on time, but they cannot be expected to perform legislatively impossible acts. When the leadership on the majority side does not understand the realities of passing appropriations legislation, then they put the leadership of the Committee on Appropriations in an impossible situation; and no matter how hard they try, they cannot deliver on an impossible set of orders.

So I would suggest, I know there is plenty of goodwill on the part of the majority on the Committee on Appropriations, and I know that people are used to being workhorses on the committee. They are used to trying to work things out in ways which make reasonable accommodations to people who happen to sometimes disagree with them. We had to do it when we were in control of the House. I would suggest that the majority party needs to understand that we had to do it when we were in the House if we wanted to get things done on time and if we wanted to get things done in a way which brings credit to this House.

So I think it is essential that we have a more reasonable attitude demonstrated by the majority leadership in this House. I think it is essential that we recognize that there are going to have to be major changes in the budget allowances provided these bills, because the President is not going to accept and the country is not going to accept short sheeting education, short sheeting job training, short sheeting other programs that are needed by middle class working people in order to provide $11 billion more than the President and the Pentagon are asking for, and in order to salt away money for tax cuts for high-income people. That just is not going to happen.

So if my colleagues want to know what is in store for us, recognize we are only halfway home in passing the bills through the House. Our principal obligation under the Constitution in this Congress is to pass our appropriation bills. I plead with my colleagues, we cannot get that done unless there is a much more flexible attitude on the part of the top party leadership in this House so that we can reach reasonable bipartisan accommodation and get the job done the way the country expects us to get the job done.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

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

Mr. DIAZ-BALART. Mr. Speaker, I think it is important to realize the longer we take discussing this rule, the longer it will be until we can get to the seventh appropriation bill, the seventh appropriation bill, which we want to pass tonight.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Colorado [Mr. MCINNIS] of the Committee on Rules.

Mr. MCINNIS. Mr. Speaker, I thank the gentleman from Florida for allotting me the time to address some of the statements that have been made previously.

First of all, I think we should start out with the preceding speaker, who keeps using on a routine basis the word short cheating. I am not sure what short cheating is, but I can tell the previous speaker that shortchanging is exactly what he is doing to the American people by continuing to frivolously argue a procedural motion. This is a motion that, when we were in the minority for at least the 6 years that we have researched, we never had a debate like this. We did it on a unanimous resolution.

Let me give my colleagues the history of what we have here, the criticism we are receiving. Let us first of all talk about what it is we are debating. What we are debating is a very simple management procedure, and

that is to put this House in adjournment so that the Members of this House can go back to their districts on July 4 and work in their districts. Very simple. Very noncontroversial. Every year except now. All of a sudden it is a golden opportunity to whine about the majority.

Well, let us look at what we did, when we were in the minority and they were in the majority on the July 4 resolution for adjournment.

In the 99th Congress, the first session, did they have a special rule for this? No. We did it on unanimous consent. Did they have their appropriation bills passed? No. The 99th, second session. Did we require a special rule? No. Did they have their number of appropriations bills passed? No. On the 100th, for the first and second session both, did we require a special rule? No. Did they have their appropriations passed? No. The same thing for the 101st. The same thing for the 102d. The same thing for the 103d.

Why are my colleagues trying to stall this? This is not a game. We need to get to work.

Last night Members on both sides of the aisle in this House worked until 2 o'clock. Tonight, especially the way it is going right now, we will probably be here until 2 o'clock again. These people need to get back to their districts. This is not a controversial issue.

What has happened is, some Members have captured this as an issue to cry about being in the minority, to stand up and whine and whine. Frankly, we are not accomplishing anything.

Let us make a couple of points of clarification. The gentleman preceding me is a very good speaker. He brought up a nice chart, it looks great. He talked about how when he was on the Committee on Appropriations, when he was chairman of the Committee on Appropriations, why they were able to pass all of these bills by the end of the fiscal year.

Well, we are not talking about the end of the fiscal year on July 4, That comes on September 30. That is still several months away. We need to compare apples to apples. When we compare apples to apples, we find that the minority cooperated, and that is a word that we ought to use around here, cooperated with the majority when we were in the minority for the July 4 adjournment so that Members could go back to their districts for the July 4 holiday, although, as all of us know, it is not really a holiday because we participate in parades and we want to work our districts, and I think we should work our districts.

□ 1830

I think it is also very important to note, and I hear it again from the preceding speaker, about on one hand the gentleman says we need to have more cooperation around here. On the other hand, taking a look at the record of the gentleman's comments, probably every fifth sentence he turns around and calls it extreme positions, the extremists over here, the short-cheating, these kind of verbal attacks. That is not going to get us anywhere. Let us cooperate. We have got a lot of work left yet to do tonight and I think we need to focus on that work. I think we would much better spend our time dealing with issues of substance instead of arguing about a simple management procedural resolution.

Mr. MOAKLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. OBEY], the ranking minority member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I would simply note for the gentleman's attention that three Members of your own caucus have described what you did on the budget last year as being silly extremism and I agree with them.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, I am stunned genuinely to hear the last speaker refer to whining, to refer to crying. I find even more stunning the comments of the distinguished chair of the Rules Committee referring to crybabies. I had thought that would be an incident that our Republican colleagues would just as soon forget, because all America knows there was only one crybaby involved in all this and that is what finally led to the Government shutdown last November.

Mr. Speaker, I think that America can look at what is happening here tonight and can say in short, ''Been there, done that.'' We had your hurry-up-and-stop approach to government all of the last year. Where did it lead America? It led us down the road to two very costly Government shutdowns, and when all was said and done and we followed your path, the American taxpayer got a bill for $1.5 billion of wasted taxpayer money because you did not do your job and then a crybaby came along and pouted and we ended up with a Government shutdown and no budget.

The law on this is very clear. You are such revolutionaries apparently you would believe in flouting the law instead of following the law. The law does not say anything to prevent Mr. SOLOMON from going to upstate New York and talking to all the other revolutionaries that he might want to talk to. It says you can take 3 days and have your watermelon and your apple pie and make your Fourth of July speech but if you do not have your work done, come back to Washington and get it done.

The only reason that you are having to offer this resolution is you do not want to do that work. You do not want to follow the Budget Act that is written into our law. If you did that, you would not need this resolution. You profess so much concern about the budget, about getting it balanced, about protecting future generations. I share that concern.

Mr. Speaker, it is unique that the gentleman from Cleveland would ask me to yield. He is the one who raised the crybaby point last November when a crybaby did lead to the problems that we have in this country.

Mr. HOKE. Will the gentleman yield since he used my name?

Mr. DOGGETT. On your time I will yield for the full 30 minutes but on my time I want to talk about the way you are flouting the law, flouting the Congressional Budget Act. If you think that act is inappropriate, then change the law, but it is on the books.

Tonight we find that only half of the appropriations bills have been passed, and we further find that our Republican colleagues, including those who have asked me to yield, have boasted of the fact that they do not plan to complete their work, never planned to complete it, because, purely for political advantage, they have decided to wait until September, not until July as the law requires but to wait until September to even bring up the last reconciliation act, so they plan to provide us the same old kind of brinksmanship that led to the Government shutdown, that led to the crybaby incident, that produced the failure of the last Congress. I think America does not want a repeat of that kind of failure. It cost us too much before, and it resulted in a great deal of pain and anguish for millions of American citizens. I know it takes you time to get this job done, especially when you want to cut Medicare and you want to cut education and you want to put all these restrictions on enforcing our environmental laws. It takes a lot of time to figure out how to do it. But it is wrong and you ought to stay here and get your job done.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as I listened with wonder to the other side, I thought it was the water for a while, but no, Mr. Speaker, it is the political calendar. And what marvelous, weird things the political calendar can do. Not once over the last 6 years did they finish their appropriations bills, and we always gave them unanimous consent. Now at least the distinguished former chairman of the Rules Committee, the distinguished ranking member said, ''Well, we thought that they would be different.''

The reality of the matter is we are different because we are balancing the budget. At least we expected them to be in one way similar to how we were, and, that is, in essential courtesy. But they did not grant us unanimous consent.

Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker, I heard with great dismay the other side of the aisle, some of the previous speakers, talk about the Republican extreme agenda. I want to talk about the Republican agenda and respond to their comments. I have heard that, I hope,

for the last time. They talk about Republican proposed changes in education, in job training, environment, and welfare. I want to talk about my perspective and how I came here and what I saw and what we tried to do.

First of all, let us look at education. We did not propose any cuts over the next 7 years in education. We actually proposed an increase in expenditures of $24 billion. It is not just how much money you spend on education or any other program. We are spending more money, billions of hard earned taxpayers' dollars on education, we are spending more on programs for education. The question is how you spend the money and what results you get.

Let us look at the results. Our children have diplomas they cannot read. I have 71 percent of my students in central Florida in one community college requiring remedial education upon entry. Is that success? We are paying for metal detectors in our schools instead of teachers. We have built an administrative bureaucracy, starting in Washington, in Atlanta, in Tallahassee, where we are paying administrators and we do not have money to pay teachers. Teachers and students are our last priority. It is this bureaucracy that we have built and we are supporting that the American people do not want.

Job training. Here is an article from several weeks ago in my local paper. This is a State of Florida report. State and Federal governments spend about $1 billion a year on vocational job programs in my State. Less than 20 percent of those who enter the job training program ever complete it. Of that, 19 percent get a job.

This is what the argument is about here. This is what it is about. We are spending incredible amounts of money, our people are out busting their buns sending taxpayer dollars here, and the job training programs in my State, one State, $1 billion, a total failure.

This is what the argument is about. This is what the shutdown was about, because for 40 years they did it their way, and this is the result. I have students that cannot read. You try to employ someone and get them with basic skills and you cannot do it.

The environment. We had a debate here yesterday about the environment. Superfund, supposed to clean up hazardous waste sites. What has it done? The money has gone for attorneys and studies. In Florida, we have one hazardous waste site that has had six project managers. One of the project managers came back and is now a consultant.

I sat on the committee that oversees the EPA, and you will find that the people that work now as consultants are former EPA employees, about 80 to 90 percent of them. An incestuous relationship.

A GAO study last year said that the sites that they picked to clean up, the few that they clean up, are not the sites that pose the most risk to our children's health and our public safety.

Is what we are doing with your dollars, your taxpayer dollars in the environment, what we have done, what we have set up, is it effective? The answer is no. You are paying more and getting less. Forty years of tax-and-spend. They tried taxing you even more here.

I submit the reason the American people feel like they have less is because they have less, because they have taxed you more in the past 3 years. You have less, you have less opportunity, and you have less left over in your paycheck, whether you are a senior citizen and they taxed your Social Security, whether they gave more money to those who wash up on our shores illegally than they gave in benefits to our veterans.

That is what this is about. It took shutting government down. And then the President tried to embarrass us. He was as guilty as anyone in the process. He did not want to work together. He wanted to make political advantage of it. This is what it is about.

Then Medicare. They destroyed Medicare. They are watching it die on the vine and they do not care about it. I have family members who are senior citizens that depend on Medicare. We want to save Medicare. We want to protect Medicare. They want to destroy it.

Mr. MOAKLEY. Mr. Speaker, would the Chair tell me how much time the gentleman from Florida [Mr. DIAZ-BALART] and I have remaining?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Massachusetts [Mr. MOAKLEY] has 12½ minutes remaining, and gentleman from Florida [Mr. DIAZ-BALART] has 11½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I am delighted to hear the gentleman who just spoke talk about how it took shutting the Government down. It was their deliberate action to shut the Government down twice, and to provide the American people with the pain that they felt in the United States Government being shut down. By their own admission, they deliberately shut the Government down.

As for withering on the vine, we know whose quote that is. The Speaker of the House has talked about Medicare withering on the vine, that ''We cannot go after it in this round, but we go after it next year, so in fact it will wither on the vine,'' destroying Medicare for the people today and tomorrow who depend on the Medicare system.

Also the gentleman from Florida spoke of Republicans balancing the budget. Well, my friends, on the contrary, the exact opposite is true. Republicans passed the budget in this House 2 weeks ago that in fact increased the deficit for each of the next 2 years by $40 billion.

By their own admission, the Republican freshmen revolted. They said they did not come here to increase the deficit, that in fact they came here to balance the budget, and they revolted. However, some of them had their arms twisted so that in fact the Republican majority could pass a budget that increases the deficit over the next 2 years. Let us get the facts straight.

Mr. Speaker, the adjournment resolution has been made necessary by the majority's failure to make the progress required under the Budget Act. This resolution is the perfect commentary for a Congress whose legacy is a failure to live up to its fiduciary responsibility to tend to the public interest. Half of the annual appropriations bills have not been passed by this Chamber.

□ 1845

The Speaker and the Republican majority, they want to go home for a Fourth of July vacation. They shut the Government down again by their own admission today, and they had to do it.

Mr. Speaker, last year Speaker GINGRICH shut down the Government, went home for Christmas vacation, and now the Republican majority wants us to pass this resolution. It is a little bit like getting a note from home, letting them off the hook because they have not done their homework.

This is the Republican revolution, and when will these revolutionaries grow up and take their responsibilities to the American people seriously? Commerce, State, Energy and Water, Treasury, Postal, Labor, Health and Human Services, and Education, the list of unfinished business goes on and on and on for the last 20 months. They have not fooled the American public where they have said that what they truly want to do is to cut Medicare, Medicaid, education and the environment to pay for tax breaks for the wealthy. That is what the last 19 months has been about, and in the last month, they capped it off with passing a budget that increases the deficit.

Mr. Speaker, I call on my colleagues, vote against this resolution. Let us stay on the job until the people's business is done in the people's House.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we want to get back to work. We never, when we were in the minority, took up an hour on this procedural motion. Obviously, they have the procedural right to do this if they so wish, and they are doing it. It is a shame because we want to get to work on the seven appropriations bill which we have to ready for consideration in the House, the transportation appropriations bill.

But not all Members on the other side of the aisle want to refuse to go to work. As a matter of fact, I would like to recognize for a couple of minutes at this point the distinguished gentleman from the other side of the aisle but who wants to go to work, the gentleman from Ohio [Mr. TRAFICANT], for 2 minutes.

Mr. TRAFICANT. Mr. Speaker, I do not want to get in the middle of a balanced budget debate. Quite frankly, I

do not think either party is going to balance the budget. I think people are going to be looking for jobs in Mexico the way things are going around here.

I have been here a number of years, and I think there was only 1 year under Jim Wright where we had all of these appropriation bills done by July 4th. The American taxpayers and workers have to work till July 3 to pay for Federal taxes, State taxes, local taxes, and for the regulatory burden they have; July 3.

We have staff around here that is burned out. Democrats very rarely finish their programs by the Fourth of July. I dearly love the ranking chairman, the former chairman of the Committee on Rules. This is no slight to the chairman. I am going to vote for the rule. I am going to vote for the resolution. I am going to vote to adjourn. The Republican Party is at least working on these particular issues. I think we have gone an hour on this. Quite frankly, I have never seen this happen before. Now, my last recollection was 1998, Jim Wright, we had all these appropriation bills done on time. We have set no record ourself. I am going to vote for the rule, and I am going to vote for the resolution.

I think as a body we should consider the staff that works here. Sometimes they go till 3 in the morning, get back at 7, and I think we should be a little more considerate.

Mr. MOAKLEY. Mr. Speaker, I yield 6 minutes to the gentleman from North Dakota [Mr. POMEROY].

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

Mr. Speaker, there are times when we are in our office working away and we hear one of the speeches on the floor coming over that C–SPAN channel and we are compelled to set the record straight. It is indeed this feeling of being compelled to set the record straight that brings me forward to address the rule before us.

While my preceding speaker, my colleagues and friend, the gentleman from Ohio [Mr. TRAFICANT], acknowledged that it may be unusual to have all the appropriations bills done by this point in time, I would make the point that we have never, ever seen such a debacle with the handling of appropriations bills that we saw in the first year of this 104th Congress.

This House of Representatives has never, ever shut the Federal Government of this country down because it could not, would not get work done. That is the sorry legacy of the 104th Congress, and I do not think it is too much to expect that they would therefore try to get it done by the time the law says it has to be done, not have to come to the floor, ever chomping at the bit to climb on some airplane and fly home and waive the law, waive the completion requirement for getting the appropriations business done.

In light of the record of this Congress, we have got to wonder, I think the American taxpayers have to wonder, just what is coming, what can they expect. Another shutdown when at the end of the fiscal year the work has yet to be completed?

There are some fact issues that have been egregiously misrepresented. Those include funding for education and training. In fact, I heard a preceding speaker allege that any suggestions that reductions in education funding simply are false statements. Well, let me tell my colleagues, those statements are the false statements. In fact, overall education and training budget authority is $60 billion below the President's plan for 1996 through 2002. The Republican funding cut for fiscal year 1996 through 2002 is $58 billion in real terms, or 19 percent below the 1995 enacted level. Nineteen percent below the 1995 enacted level. Nineteen percent below the 1995 enacted level, and we have a suggestion that there has been no reduction in education funding. Hogwash. There is a record here, and a record some of our colleagues might want to deny, but the fact of the matter is a record very firmly established, and the record is there have been cuts to education.

Medicare, oh, we are going to hear a lot in the next few months about people's concern about Medicare, but the fact of the matter is there was a resolution that passed this Congress that cut Medicare $270 billion. Our colleagues say it had to do with fixing the trust fund. Well, we know what it had to do with. It had to do with funding a $245 billion tax cut, disproportionately benefiting the wealthiest people in this country. It is a record, a record of the 104th Congress and, if I was in the majority, not a record to be very proud of.

There are a number of other examples. The reduction in earned income tax credit, the proposed $17 billion tax increase to working families. All of these have constituted the record of this Congress.

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

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

Mr. DOGGETT. Mr. Speaker, all of this, with all of those failures, all those attempts to wreck education, to wreck Medicare, what they call reconciliation, which was the right name for that bill that they did that it, all of that and then they have come, have they not, this year and they are actually increasing the budget deficit with the bills that they have proposed and not passed, they are going to increase the budget deficit this year after we had it on the path the last 4 years coming down every single year under Democratic leadership.

This year they have passed a bill to increase the deficit this year, then to do it again next year. Maybe that is why they want to go home: they are not too proud of the increases that they proposed this year and next year.

Mr. POMEROY. Reclaiming my time, I think the gentleman's point is well taken.

As we know, they barely passed that budget resolution, and now we read in the Washington Post today the Speaker has convened a team of Pentagon officers on loan to do an after-action review, military jargon for ''how come it was such a close call?'' I could tell the Speaker if he would just call me. It was a close call because it did not drop the deficit toward a balanced budget, it raised the deficit. The Speaker is going to send home Members of his own caucus; the only record they will have in advancing toward a balanced budget is the deficit going up on their watch. That is why the Speaker barely passed his budget.

Mr. DOGGETT. If the gentleman will continue to yield, I believe that the more the American people find out about these failures of this Congress that some of these folks are going to have an opportunity to go home for a lot longer than 3 days.

Mr. POMEROY. Mr. Speaker, I thank the gentleman for his question.

Mr. DIAZ-BALART. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Louisiana [Mr. LIVINGSTON], chairman of the Appropriations Committee.

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

Mr. LIVINGSTON. Mr. Speaker, being one of those Members who just happened to walk in, having been one of those Members who happened to be back in his office watching C–SPAN and being compelled to come to the floor to respond to the last speaker and his comments, I have to say that I am compelled to set the record straight.

We have just completed six bills in the appropriations cycle. We are going to complete the seventh tonight, the seventh, I remind the Members, before the July 4 recess.

And how interesting it is I have in my hand a record of the last five Congresses. I have to say the gentleman who preceded me might have been right; in the 103d Congress, both sessions, they did exceed the number of bills that we have had, but in the 102d, second session, the Democrats only passed six bills out of the House before the July 4 recess. In the 101st Congress, they missed in both sessions. In the second session, it was only three. In the first session it was only one.

Now, they did it all right in the 100th Congress, in the second session. But in the first session, they only passed six. And my goodness, in the 99th Congress, if I do recall correctly, the Democrats controlled not only the 99th but the 98th and the 97th all the way back for 40 years, and they had had a lot of practice. They had had a lot of practice, but they only passed one single appropriation bill in the second session and guess how many in the first session. I am shocked: zero. Zero appropriation bills before the Fourth of July.

Let us hear about this appalling record. In not only the 103d, the 102d,

the 101st, all the way back, do my colleagues know that since World War II, they only balanced the budget about three times, three single years? And all those other years they spent more than they received, sometimes as much as $100 billion a year, sometimes as much as $200 billion a year, sometimes as much as 300 or more billion dollars a year. And they aggregated about $5 trillion worth of debt.

Now, did they do anything about it? Did they sit in their office and feel compelled by their viewing of C–SPAN to come to the floor and condemn a record that accumulated $5 trillion worth of debt? Did they feel compelled to scream out about the $20,000 debt imposed upon every man, woman, and child in America? No, of course not. They would pass another program. They would establish another agency. They would create another department. They would go home for the Fourth of July and say, ''Look what I have done for you with your money. We are going to borrow more money.'' That is what they accomplished. They accomplished a record of profligate spending unparalleled by any nation in the world. What they have accomplished is giving our children a legacy that they will not be able to repay.

Now, this July 4, we can go home because of the record of the 104th Congress and we can say we passed a series of rescission bills in the spring of 1995 that cut $20 billion from what was appropriated by the previous Democrat Congress. In the fall, yes, the process took a long time, and I am sorry that it made all of us work so hard, and I am sorry that the President vetoed three bills, and I am sorry that the Democrats filibustered the biggest bill, the Labor-Health bill in the Senate. But the 1996 process saved the American people another $23 billion. We are midway through the 1997 process, and I hope we are going to save another $15 to $20 billion.

So below what was appropriated by the Democrats in the last Congress in which they had control, we have saved the American taxpayer some $60 billion. If you look at the budget projected by the President, had he had that spendthrift Congress, we have saved about $80 billion. That is a record.

□ 1900

That is a record on which we can be very, very proud for the Fourth of July.

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

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 60 percent of the legislation this session has been considered under a restrictive process.

Mr. Speaker, I include the following extraneous material for the RECORD:

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	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive	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	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive	N/A.
S. 2	Senate Compliance	N/A	Closed	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive	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	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive	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	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open	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	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive	N/A.
H.R. 1530	National Defense Authorization Act; FY 1996	H. Res. 164	Restrictive	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open	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	N/A.
H.R. 1944	Recissions Bill	H. Res. 175	Restrictive	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive	N/A.
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open	N/A.
H.R. 1977	Interior Appropriations	H. Res. 187	Open	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open	N/A.
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive	1D.
H.R. 2126	Defense Appropriations	H. Res. 205	Open	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. 1555	Communications Act of 1995	H. Res. 207	Restrictive	2R/3D/3 Bipartisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open	N/A.
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open	N/A.
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive	N/A.
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open	N/A.
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open	N/A.
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open	N/A.
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open	N/A.
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive	2R/2D.
H.R. 743	The Teamwork for Employees and Managers Act of 1995	H. Res. 226	Open	N/A.
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open	N/A.
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open	N/A.
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed	
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open	N/A.
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive	1D.
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive	1D.
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive	N/A.
H.R. 2491	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive	1D.
H. Con. Res. 109				
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	N/A.
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed	N/A.
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive	5R.
H.R. 2539	ICC Termination	H. Res. 259	Open	
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed	N/A.
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed	N/A.
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed	2R.
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open	N/A.
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive	N/A.
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open	N/A.
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open	N/A.
H.R. 2621	To Protect Federal Trust Funds	H. Res. 293	Closed	N/A.
H.R. 1745	Utah Public Lands Management Act of 1995	H. Res. 303	Open	N/A.
H. Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	N/A	Closed	1D; 2R.
H. Res. 309	Revised Budget Resolution	H. Res. 309	Closed	N/A.
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act	H. Res. 313	Open	N/A.
H.R. 2677	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995.	H. Res. 323	Closed	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	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	N/A.
H. Con. Res. 131				
H.R. 1358	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.	H. Res. 338	Closed	N/A.
H.R. 2924	Social Security Guarantee Act	H. Res. 355	Closed	N/A.
H.R. 2854	The Agricultural Market Transition Program	H. Res. 366	Restrictive	5D; 9R; 2 Bipartisan.
H.R. 994	Regulatory Sunset & Review Act of 1995	H. Res. 368	Open rule; Rule tabled	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	N/A.
H.R. 3019	A Further Downpayment Toward a Balanced Budget	H. Res. 372	Restrictive	2D/2R.
H.R. 2703	The Effective Death Penalty and Public Safety Act of 1996	H. Res. 380	Restrictive	6D; 7R; 4 Bipartisan.
H.R. 2202	The Immigration and National Interest Act of 1995	H. Res. 384	Restrictive	12D; 19R; 1 Bipartisan.
H.J. Res. 165	Making further continuing appropriations for FY 1996	H. Res. 386	Closed	N/A.
H.R. 125	The Gun Crime Enforcement and Second Amendment Restoration Act of 1996.	H. Res. 388	Closed	N/A.
H.R. 3136	The Contract With America Advancement Act of 1996	H. Res. 391	Closed	N/A.
H.R. 3103	The Health Coverage Availability and Affordability Act of 1996	H. Res. 392	Restrictive	N/A.
H.J. Res. 159	Tax Limitation Constitutional Amendment	H. Res. 395	Restrictive	1D
H.R. 842	Truth in Budgeting Act	H. Res. 396	Open	N/A.
H.R. 2715	Paperwork Elimination Act of 1996	H. Res. 409	Open	N/A.
H.R. 1675	National Wildlife Refuge Improvement Act of 1995	H. Res. 410	Open	N/A.
H.J. Res. 175	Further Continuing Appropriations for FY 1996	H. Res. 411	Closed	N/A.
H.R. 2641	United States Marshals Service Improvement Act of 1996	H. Res. 418	Open	N/A.
H.R. 2149	The Ocean Shipping Reform Act	H. Res. 419	Open	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	N/A.
H.R. 3120	To amend Title 18, United States Code, with respect to witness retaliation, witness tampering and jury tampering.	H. Res. 422	Open	N/A.
H.R. 2406	The United States Housing Act of 1996	H. Res. 426	Open	N/A.
H.R. 3322	Omnibus Civilian Science Authorization Act of 1996	H. Res. 427	Open	N/A.
H.R. 3286	The Adoption Promotion and Stability Act of 1996	H. Res. 428	Restrictive	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 Transporation 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	N/A.
H.R. 3562	The Wisconsin Works Waiver Approval Act	H. Res. 446	Restrictive	N/A.
H.R. 2754	Shipbuilding Trade Agreement Act	H. Res. 448	Restrictive	1R.
H.R. 3603	Agriculture Appropriations FY 1997	H. Res. 451	Open	N/A.
H.R. 3610	Defense Appropriations FY 1997	H. Res. 453	Open	N/A.
H.R. 3662	Interior Appropriations FY 1997	H. Res. 455	Open	N/A.
H.R. 3666	VA/HUD Appropriations	H. Res. 456	Open	N/A.
H.R. 3675	Transportation Appropriations FY 1997	H. Res. 460	Open	N/A.
H.J. Res. 182/H.Res 461	Disapproving MFN Status for the Peoples Republic of China	H. Res. 463	Closed	N/A.
H. Res. 465	Making in order a Concurrent Resolution Providing for the Adjournment of the House over the 4th of July district work period.	H. Res 465	Closed	N/A

* Contract Bills, 67% restrictive; 33% open. All legislation 1st Session, 53% restrictive; 47% open. *** All legislation 2d Session, 60% restrictive; 40% open. All legislation 104th Congress, 56% restrictive; 44% 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. PQ 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.

Mr. MOAKLEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. OBEY], the ranking minority member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, let me simply say that in the wake of the last speech, I was not aware that we were

supposed to be cheerleaders at what sounds like a high school football game.

Keep going. It is in character.

Mr. Speaker, I hope this does not come out of my time, but I hope you would educate Members of the House that they have an obligation to not speak unless they are in the well or at the microphone.

Mr. Speaker, this is a serious problem, and we ought to discuss it in a rational way. Members may not like what I said when I spoke earlier, but I think if they review the text of what I said, that I was exceedingly fair to the leadership of the Committee on Appropriations on that side of the aisle.

I tried to analyze what the problems were as they existed now. I am not really interested in debating what happened yesterday. I do not think the America public is very much interested in that. But I will simply take 1 minute to note that in spite of everything said by the gentleman from Louisiana, in 19 of the past 20 years, that terrible Democratic controlled Congress appropriated less dollars than we were asked to appropriate by Presidents of either party; we spent some $20 billion less than the Presidents asked us to; we never had a deficit larger than $74 billion until the Reagan budget passed in 1981, then it exploded to over $300 billion.

If it were not for the additional debt above that level, which was accumulated in the 1980's with the passage of the Reagan budgets, our budgets would be balanced today and everyone knows that if they have studied the situation.

The issue is not yesterday, it is what are we going to do about today. Of course, this is going to have to be waived. I understand that. But the fact is that we face the prospect of having at least four major appropriations bills vetoed unless we have a different mindset coming from that side of the aisle.

If the Republicans want to see these appropriations bills passed, they must reach bipartisan accommodation with people who do not share every opinion that they think is inviolate. They have to recognize that in a democracy it is essential to make concessions, at least over small things, in order to get people with differing views together.

We are supposed to find common ground. We are not supposed to do what they did last night, when, after their own committee leadership tried to put together a bipartisan compromise, they walked away from it. Now, I do not know what the reasons were, but when the gentleman from Ohio [Mr. STOKES] and the gentleman from California [Mr. LEWIS] worked yesterday trying to reach a bipartisan accommodation, the hard-heads in their caucus said, ''No, they did not want it''.

That is the kind of conduct the country has come to expect from the Republicans, but it is not the kind of conduct we can afford if these appropriation bills are going to pass, if they are going to be signed, and if we are going to wind up not having a repeat of the disgraceful performance of last year when the Government was shut down twice.

So I would simply urge Members to quit shouting like they were attending a high school cheerleading session, grow up, recognize their responsibility, try to work in a bipartisan way and get those bills passed; and to the gentleman from Arizona—every time somebody says something you don't like, you open your mouth and you start shouting from your seat. . . .

PARLIAMENTARY INQUIRY

Mr. HAYWORTH. Mr. Speaker, parliamentary inquiry.

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

Mr. HAYWORTH. Mr. Speaker, is it within this Member's domain to ask those words to be taken down? It is a personal attack and grossly unfair, and I would ask that those words be taken down in this House.

The SPEAKER pro tempore. Does the gentleman from Arizona demand that the words be taken down?

Mr. HAYWORTH. Mr. Speaker, with all due respect to the sanctity of this House, I demand those words be taken down.

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

□ 1915

PARLIAMENTARY INQUIRY

Mr. GEJDENSON. Mr. Speaker, I have parliamentary inquiry.

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

Mr. GEJDENSON. Mr. Speaker, I guess my question goes to the matter of what are the House precedents as far as a Member who is speaking and when there are Members in the Chamber who are acting disrespectful towards that Member? What is the proper procedure for a Member to take?

The SPEAKER pro tempore. The Chair will ask the gentleman to suspend until a ruling is made on the words taken down. Then the Chair will address the gentleman's question.

For what purpose does the gentleman from Wisconsin [Mr. OBEY] rise?

Mr. OBEY. Mr. Speaker, with the understanding that the Chair will admonish Members not to interrupt Members who are speaking, I ask unanimous consent to withdraw the last sentence.

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

Mr. DELAY. Mr. Speaker, reserving the right to object, I hope I do not have to object. I hope that this interlude has calmed down some of the heat that has been on the floor, and I remind Members that if we can get through this, maybe we can finish our business tonight. I rise under my reservation to find out if the gentleman intends to apologize to the gentleman from Arizona?

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

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

Mr. OBEY. Mr. Speaker, as I said, I would, as I have informed the Speaker, I would be very happy to apologize to the gentleman for calling him impolite, if the gentleman would have apologized to me for interrupting me while I was speaking. He declined to do that.

Mr. DELAY. Mr. Speaker, I object.

The SPEAKER pro tempore. The Clerk will report the words objected to.

The Clerk read as follows:

> And to the gentleman from Arizona, every time somebody says something you don't like, you open your mouth and you start shouting from your seat. You are one of the most impolite Members I have ever seen in my service in this House.

The SPEAKER pro tempore. In the opinion of the Chair, the last sentence of the gentleman from Wisconsin constitutes a personality in violation of clause 1 of rule XIV.

Without objection, the last sentence uttered will be stricken from the RECORD. There was no objection.

The SPEAKER pro tempore. Without objection, the gentleman from Wisconsin may proceed in order.

Mr. DELAY. Reserving the right to object, Mr. Speaker, I ask once again of the gentleman that in order to bring comity to this floor, and this is a very serious matter and we all understand how serious this matter is, normally under the precedents of the House, if a gentleman's words have been found to be out of order, of the regular order of this House and the Chair has ruled that the gentleman's words were out of order, under comity of the House the gentleman should apologize.

□ 1930

Under my reservation, Mr. Speaker, I would be glad to yield to the gentleman from Wisconsin for that apology.

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

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

Mr. OBEY. Mr. Speaker, as I said, I would be very happy to apologize to the gentleman from Arizona [Mr. HAYWORTH] for calling him impolite if he would apologize for being impolite to me.

Mr. DELAY. Mr. Speaker, I object.

The SPEAKER pro tempore (Mr. LAHOOD). Objection is heard.

PARLIAMENTARY INQUIRIES

Mr. VOLKMER. Mr. Speaker, I have a parliamentary inquiry.

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

Mr. VOLKMER. Mr. Speaker, what are the actions that a Member who has the floor and is speaking on the floor, and other Members speak up to interrupt him repeatedly, and the Chair takes no action against those Members speaking; what actions can the Member who has the floor then take under the ruling? Absolutely none; I will answer the question under the ruling; so, therefore, we can do the same thing.

The SPEAKER pro tempore. If a point of order is made, the Chair would rule on it, and the Chair did rule on it, and the Chair has tried to maintain decorum and comity throughout for those Members who were in the Chamber.

During the debate of this resolution comity has been maintained.

The Chair recognizes the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Speaker, I have a parliamentary inquiry.

The gentleman will state his parliamentary inquiry.

Mr. GEJDENSON. Mr. Speaker, I would like to commend the Speaker pro tempore (Mr. LAHOOD) because I think the gentleman did make a noble effort throughout, and the many times that he has held the Chair he has made a noble effort in trying to maintain comity on the floor.

But there is a serious question at hand here, and my question is this: that if a Member is speaking on the floor, and another Member is acting in a way that is disruptive——

The SPEAKER pro tempore. The gentleman from Connecticut is making a statement.

Mr. GEJDENSON. The parliamentary inquiry is: What actions can the House take against an individual, what are the parliamentary avenues available to a speaker when an individual, either verbally or through motions, is disrupting his time in speaking on the floor; because, Mr. Speaker, where we find ourselves is in the situation that when an individual tries to take his time on the floor there is often conversation. But this went beyond conversation, and I just need to know for future parliamentary situations what avenues an individual ought to take if a Member is sitting in the first row trying to, by motions or statements, disrupt the speaker.

The SPEAKER pro tempore. The Chair will take the initiative to maintain order in the Chamber when Members are speaking.

Mr. GEJDENSON. So, it is my conclusion then that the proper course would be to stop speaking; that would not shorten one's time; and then ask the Chair to establish order?

The SPEAKER pro tempore. The Chair would enlist the assistance of all Members in maintaining the spirit of mutual courtesy and comity that properly dignifies the proceedings of the House. Members who are under recognition should not be disrupted by other Members.

Mr. ROBERTS. Mr. Speaker, I have a parliamentary inquiry.

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

Mr. ROBERTS. Mr. Speaker, in this case would it not be appropriate for the Chair to rule to invoke paragraph 365, or in similar instances of Jefferson's Manual, in which it is stated:

Nevertheless if a Member finds that it is not the inclination of the House to hear him and that by conversation or any other noise they endeavor to drown his voice, it is his most prudent way to submit to the pleasure of the House and sit down, for it scarcely ever happens that they are guilty of this piece of ill manners without sufficient reason or inattention to a Member who says anything worth their hearing.

Would that not apply in this particular instance?

The SPEAKER pro tempore. The Chair will not rule on that.

(By unanimous consent, Mr. HYDE was allowed to speak out of order.)

APOLOGIES SUGGESTED

Mr. HYDE. Mr. Speaker, I was seated with the gentleman from Arizona [Mr. HAYWORTH] when this incident occurred, and there was provocation. A high-spirited gentleman from Arizona gets caught up in the heat of the moment, and believe me there was heat. On the other hand, the gentleman from Wisconsin [Mr. OBEY] is essential if we are going to do the transportation bill this evening. He is the ranking member on the Committee on Appropriations. Both are reluctant to apologize to each other. I would.

Please. I would suggest that both gentlemen, both gentlemen, express regret that this incident happened, and then we can get on with the business of the evening.

(By unanimous consent, Mr. HAYWORTH was allowed to speak out of order.)

CALLING FOR APOLOGY AND RESUMPTION OF THE BUSINESS OF THE HOUSE

Mr. HAYWORTH. Mr. Speaker, because I have the utmost respect for my colleague from Illinois [Mr. HYDE], although I might have a slightly different interpretation of the events as he portrayed them in front of this body, and because I realize that there is a schedule to be kept and that Members have many obligations, and taking into account the sensitivities of some other Members, I would be happy to say now that I am certainly prepared to move ahead this evening, and to those who misinterpret my actions as somehow being disrespectful, when, in fact, of course, we have the utmost of respect for differences of opinion. and differences in styles of speaking, and different personalities, and different points of view in this Chamber, I would say that I regret the interpretation of the incident.

I still lament the words of my colleague from Wisconsin [Mr. OBEY]. I would hope he would apologize for those words and that we can move along to complete the people's business in this House, for the people's business should supersede any personalities, personal ambitions, or personal affronts.

(By unanimous consent, Mr. OBEY was allowed to speak out of order.)

APOLOGIES

Mr. OBEY. Mr. Speaker, let me say that, like the gentleman from Arizona [Mr. HAYWORTH], I regret the incident that just occurred, and I will take the gentleman's comments as an apology.

I would likewise extend an apology to the gentleman for the comments which he found troublesome.

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. OBEY] be allowed to proceed in regular order.

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

There was no objection.

The SPEAKER pro tempore. The Chair would advise Members that the gentleman from Florida [Mr. DIAZ-BALART] has 3 minutes remaining on the debate on the rule, and the gentleman from Florida is recognized.

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have before us House Resolution 465. We next week will be able to reflect together with our constituents on how to move forward in the perfection, the implementation of the principles put forth by our Founding Fathers over 200 years ago that form the basis of our limited representative government, and we are ready this evening to get to work on another appropriations bill.

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 248, nays 166, not voting 19, as follows:

[Roll No 286]

YEAS—248

Allard	Bryant (TN)	Deal
Archer	Bunn	DeFazio
Armey	Bunning	DeLay
Bachus	Burr	Diaz-Balart
Baesler	Burton	Dickey
Baker (CA)	Buyer	Dooley
Baker (LA)	Callahan	Doolittle
Ballenger	Calvert	Dornan
Barr	Camp	Doyle
Barrett (NE)	Campbell	Dreier
Barrett (WI)	Canady	Duncan
Bartlett	Castle	Dunn
Barton	Chabot	Durbin
Bass	Chambliss	Ehlers
Bateman	Chenoweth	English
Beilenson	Christensen	Ensign
Bereuter	Chrysler	Everett
Berman	Clinger	Ewing
Bevill	Coble	Fawell
Bilbray	Coburn	Fields (TX)
Bilirakis	Collins (GA)	Flanagan
Bliley	Combest	Foley
Blute	Cooley	Forbes
Boehlert	Cox	Fowler
Boehner	Crane	Fox
Bonilla	Crapo	Franks (CT)
Bono	Cremeans	Franks (NJ)
Boucher	Cubin	Frelinghuysen
Brownback	Cunningham	Frisa

Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greene (UT)
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Packard
Parker
Paxon
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—166

Abercrombie
Andrews
Baldacci
Barcia
Becerra
Bentsen
Bishop
Blumenauer
Bonior
Borski
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
de la Garza
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gonzalez
Green (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Nadler
Neal
Oberstar
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wynn
Yates

NOT VOTING—19

Ackerman
Brewster
Davis
Ehrlich
Flake
Gibbons
Greenwood
Hall (OH)
Jacobs
Lincoln
McDade
Oxley
Peterson (FL)
Smith (TX)
Stockman
Torricelli
Towns
Weldon (PA)
Whitfield

□ 1959

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

So the resolution was agreed to.

A motion to reconsider is laid upon the table.

PROVIDING FOR ADJOURNMENT OF THE HOUSE FROM THURSDAY, JUNE 27, 1996, OR FRIDAY, JUNE 28, 1996, TO MONDAY, JULY 8, 1996, AND ADJOURNMENT OR RECESS OF THE SENATE FROM THURSDAY, JUNE 27, 1996, FRIDAY JUNE 28, 1996, SATURDAY, JUNE 29, 1996, OR SUNDAY, JUNE 3O, 1996, TO MONDAY, JULY 8, 1996.

Mr. DIAZ-BALART. Pursuant to House Resolution 465, I send to the desk a concurrent resolution (H. Con. Res. 192) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 192

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative days of Thursday, June 27, 1996, or Friday, June 28, 1996, pursuant to a motion made by the Majority Leader or his designee, it stand adjourned until noon on Monday, July 8, 1996, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, June 27, 1996, Friday, June 28, 1996, Saturday, June 29, 1996, or Sunday, June 30, 1996, pursuant to a motion made by the Majority Leader or his designee in accordance with this resolution, it stand recessed or adjourned until noon on Monday, July 8, 1996, or until such time of that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—INSTRUCTING COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT TO IMMEDIATELY TRANSMIT REMAINING CHARGES AGAINST SPEAKER GINGRICH TO OUTSIDE COUNSEL

Mr. SAM JOHNSTON of Florida. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 468) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 468

Whereas the Constitution of the United States places upon the House of Representatives the responsibility to regulate the conduct of its own Members:

Whereas the House has delegated that responsibility, in part, to the Committee on Standards of Official Conduct, which is charged with investigating alleged violations of any law, rule, regulation or other standard of conduct by a Member of the House;

Whereas the Committee on Standards of Official Conduct has failed to discharge that duty with regard to serious allegations of wrongdoing by the Speaker of the House;

Whereas, although an outside counsel has been appointed to investigate the Speaker, the Committee has failed to allow that outside counsel to investigate serious charges concerning the Speaker's political action committee, GOPAC, and its relationship to several tax-exempt organizations;

Whereas a formal complaint concerning these charges has been languishing before the Committee for more than six months;

Whereas new evidence of violations of federal tax law—in addition to the information contained in the formal complaint—has also been recently reported by investigative journalists around the country;

Whereas the failure to take action on these matters has raised serious questions about the impartiality of the Committee on Standards of Official Conduct: Therefore, be it

Resolved, That the Committee on Standards of Official Conduct is hereby instructed to immediately transmit the remaining charges against Speaker Gingrich to the outside counsel for his investigation and recommendations.

PRIVILEGED MOTION OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the privileged motion.

The Clerk read as follows:

Mr. ARMEY moves to lay the resolution on the table.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion to table offered by the gentleman from Texas [Mr. ARMEY].

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

RECORDED VOTE

Mr. JOHNSTON of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 229, noes 170, answered ''present'' 9, not voting 25, as follows:

[Roll No 287]

AYES—229

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
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
Lucas
Manzullo
Martini
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Packard
Parker
Paxon
Peterson (MN)
Petri
Pombo
Porter
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stump
Talent
Tate
Tauzin
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—170

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

ANSWERED ''PRESENT''—9

Cardin
Gephardt
Goss
Hobson
Johnson (CT)
McDermott
Pelosi
Sawyer
Wilson

NOT VOTING—25

Ackerman
Brewster
Bryant (TX)
Clay
Ehrlich
Flake
Gibbons
Gutierrez
Hall (OH)
Jacobs
LaFalce
Lincoln
McDade
Oxley
Peterson (FL)
Portman
Smith (TX)
Stockman
Taylor (NC)
Thornton
Torricelli
Towns
Velazquez
Weldon (PA)
Yates

☐ 2022

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PORTMAN. Mr. Speaker, because of an unforeseen conflict, I was not in attendance for one recorded vote, rollcall vote No. 287.

Had I been in attendance, I would have voted ''yea'' on rollcall vote No. 287.

QUESTION OF PERSONAL PRIVILEGE

Mr. DORNAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman has called the Chair's attention to the press account he claims gives rise to the question of personal privilege.

The gentleman from California [Mr. DORNAN] is recognized for 1 hour.

Mr. DORNAN. Mr. Speaker, I will be showing no charts or pictures of the principal focus of my discussion tonight, because of a discussion I have had with staff and leadership and references to a prior battle over photographs that we were funding by a young Catholic man named Robert Mapplethorpe who had died of AIDS and we were using tax dollars to defend some of the cruder photographs of this very, very gifted photographer. But we were told that it would hurt the decorum of the House to show what taxpayers are being asked to pay for. I accept that. But I have them here to remind American citizens watching on C–SPAN, Mr. Speaker, that there is a level of hypocrisy in this country and a moral decline that we may be the last Chamber in the world to have a decorum while all else melts around us.

The man, and my friend NEWT GINGRICH knows this, who I would have supported for minority whip back in 1989, and if he had won, he would be the Speaker today, and the gentleman from Georgia, [Mr. GINGRICH] knows this, is the man I most respect in this House, HENRY HYDE of Illinois.

HENRY just gave me some brotherly advice, that, Mr. HYDE, I would dearly love to take. He said, ''My friend, BOB, I love you like a brother. Go in the well and say that one of our own colleagues called you a hater, a bigot and a liar. Simply say, I am not a hater, I am not a bigot and I am not a liar, and I forgive anybody who used those words against me, and take a walk.'' He says, ''You will be a hero. Everybody likes to be a hero.''

So I showed him my remarks, I mentioned Moses, I mentioned that in God we trust, I mentioned Abraham, I mentioned a few lines from the end of Cecil B. DeMille's classic 10 Commandments ''and they did give themselves up to vile affections,'' and I showed him what I had slaved over. I told him I begin it with the words that my school teachers told me years ago:

''If you want to have everything going for you, just say, Come, Holy Spirit.''

I showed HENRY a letter. I said, ''How about if I open with this letter and then take your advice?''

''That's good, do that.''

Well, I will open up with the letter, and, so help me God, Mr. HYDE, I will then make up my mind.

Here is a letter from this month, June 7, about a speech I made on AIDS on D-day, the night before. It was about my 200th speech. The gentleman from Wisconsin [Mr. GUNDERSON] has made about seven, eight speeches in 16 years. I am about to break 200 tonight, I think, warning about the spread of the world's greatest health problem, at least in this country, particularly because it involves young men in the prime of their lives.

This is from a young man dying of AIDS. His name is John R. Gail, Jr. He is from Centerville, OH. It says:

Mr. Dornan, I caught your speech on AIDS yesterday over C–SPAN. I must commend you. I am a 29-year-old hemophiliac who was infected with HIV in 1983. Last September I

was diagnosed with my first opportunistic infection cryptosporidia, an intestinal virus which causes severe stomach cramping, chronic diarrhea, and the wasting syndrome.

I have already lost nearly 40 pounds and I am on long-term disability from work. Obviously this infection, after 13 years of being asymptomatic, has made me another AIDS statistic.

Mr. Dornan, above being a hemophiliac or having AIDS, I am a Christian. And I must tell you, it is refreshing to hear the truth being told about homosexuality and the homosexual agenda, as you did last night. Not many representatives would stand up and say the things you did yesterday, which I applaud.

I am not a bitter person and have forgiven the man who infected me. I can forgive a homosexual, but not their sin. It was a homosexual's perverse actions, polluting the blood supply, which will, without God's intervention, bring about my untimely death.

I am asking you, Congressman, to inquire about the status of the Richard Ray Relief Fund which could compensate the hemophiliac HIV-positive community for the wrongdoings of the pharmaceutical companies, the Red Cross, the CDC, the FDA and the National Hemophilia Foundation. The fraud and negligence perpetrated by these organizations was, and I am sure you are well aware, documented by the IOM in July of 1995. The bill has over 230 cosponsors, I think it is up to 240 now, but it seems to be stalled by the hand of a Republican. Please help us move H.R. 1023. I hope you are on it.

I have been on it for months.

I appreciate your attention to this great matter of importance to me and thousands of innocent hemophiliacs infected with the HIV virus. God bless you. John R. Gail, Jr.

□ 2030

Now, look, a lot of you folks tease me about my memory. I hate war, but I am fascinated by people that will put their lives on the line and die for our freedom of speech. I know that being a combat-trained fighter pilot, never tested in combat, that I have an extra, extra respect and affection for those like DUKE and SAM, PETE PETERSON, who were called upon, just by the year of their birth, to put their lives and their freedom for 6 and 7 years, in two of those cases, on the line for my freedom of speech.

Because of my affection for the military and the fact that my father won three Purple Hearts, they were called wound chevrons then in World War I, two for poison gas, I have memorized some statistics, and it has absolutely torn me up over AIDS. Listen to my words, please. If somebody is watching on TV, Mr. Speaker, I hope they take this down.

World War II, biggest killing in all of history; 292,131 combat killed-in-action deaths. Two hundred ninety-two thousand, one hundred thirty-one. AIDS, as of the 30th of this month, 360,000 dead and counting, including 4,000 children.

How about our war between the States, the Civil War? Combat deaths, not the 30,000 or more that died of pneumonia, Andersonville prison camp. Civil War combat deaths, 215,000 is the round figure, but to be precise, 214,938. AIDS, 360,000 dead and counting, 4,000 children; 4 million children worldwide in just 3 years.

How about all the other seven wars put together? Revolutionary War, War of 1812 with Mexico, with Spain, skipping over the Civil War, my dad's war, Vietnam that still torments us, and Korea, how about that total of all the other seven wars? It's 146,346; 143,346. AIDS, 360,000 and counting.

My motives are pure. I want to stop this death toll. In those 200 speeches, maybe I was not caring or Christian enough to tell you that we have got to work on this and get more money for care, of course. In Africa and Asia, millions of people are going to die alone, nobody holding their hand, no rabbi, minister or priest at their side, no loving parents ashamed of not embracing them instantly when they were first infected.

How many of you knew honestly till this moment, till I tell you now that by the turn of the century, and what a ghastly way to go into the third millennia, 60 million people will be infected, 12 million with AIDS, and millions dead including those 4 million children I mentioned.

Mr. HYDE, I have got to go on, HENRY. I dedicate this speech to John Gail.

Mr. Speaker, I rise to claim my privilege under House rule 9 to address the House and reply to some, it says scurrilous but I will soften it, pretty tough attacks on my honor. We just spent 40 minutes tonight talking about the word ''impolite,'' my friend David, my friend J.D. back and fourth. Forty minutes on ''impolite.'' ''Impolite'' is not up there with hater, bigot and prejudiced person, smear artist. No, no, this is different.

Mr. GUNDERSON's attacks on me from this very lectern May 14 have worked their way throughout the national media. He compounded his insults by telling a stringer for the Washington Post, according to her puff piece printed on June 2, that I am ''full of prejudice and hatred.'' That is so far over the line, Mr. Speaker, it would necessitate usually a 40-cannon broadside. I will try to be a little more gentle than that.

It is worth noting that in 16 years of service together, Mr. GUNDERSON and I have never exchanged a cross word off this floor. We have never been impolite, discourteous, or uncivil toward each other, not once. Mr. GUNDERSON will confirm this, just ask him. In fact, ask anyone around here, and if they are honest, these are the adjectives of my staff and my wife and kids. Ask anyone. If they are honest, they will tell you I am one of the most cheerful, optimistic, enthusiastic, upbeat, irrepressible, good natured, and affable Members with whom they serve, discounting this area right here. And loyal.

Yes, for certain I am passionate at times and, yes, unrelenting in my deep concern about the deterioration of our culture, and that concern is sometimes dismissed in a negative way by a few adversaries and quite often in the liberal press. They sometimes have a problem with objective truth and motivations about a lot of us around here.

As I pointed out occasionally to supportive friends who have asked me about the passion, I have told them it is only unusual, even in this historic Chamber that has weathered a civil war and civil rights battles, only unusual here, because today so many Members of Congress, like so many American citizens, lack passion about anything, in spite of that violent world out there.

The Khobar housing area comes to mind. And because there are so many here, while aspiring to be nobles, I know we have all seen ''Brave Heart,'' while aspiring to be nobles have no heart, let alone a brave one, and turn a deaf ear to William Butler Yates' warning that everywhere the ceremony of innocence is being drowned. First, a tiny prolog.

The trigger for Mr. GUNDERSON's point of privilege against me was a ''Dear Colleague'' letter. I did not want to discuss this stuff on the floor. I did not want to read the Moreno report on the floor. I circulated a factual report on a so-called homosexual circuit party of more than 2,000 bumping and grinding partiers misusing the largest Federal auditorium in our capital.

On Thomas Jefferson's birthday, April 13, to celebrate licentious and lewd behavior at a mockingly called event, Cherry Jubilee. The ads would show you it has nothing to do with our blossoms, cherry blossoms.

Mr. Speaker, after a fair evaluation of all the facts, I can unequivocally state, I have been down to the Mellon twice, the auditorium, that the report issued by journalist Mark Moreno, who was not alone, had another journalist with him, that it was true and accurate. Let me repeat that, contrary to Mr. GUNDERSON's second-hand defense of the 9 hours which he said he did not attend at the majestic Andrew W. Mellon Auditorium, the eyewitness, multi-corroborated by even some homosexual journalists in the Washington Times the day after Mr. GUNDERSON's point of personal privilege. They were waiting with their evidence for somebody to trigger it. They thought I would do it with a special order. Mr. GUNDERSON did it.

So Mr. Speaker, I now step out into the minefields of political correctness, evil minefields, I believe, alone, but I hope and pray alone not for long. Come, Holy Spirit.

On May 2 last month, here in our awe-inspiring Rotunda, which is our secular cathedral nave, this 104th Congress, at a very, very moving ceremony, awarded our congressional gold medal to the Reverend Billy Graham and his wonderful, devoted wife of 53 years, Ruth. During that inspiring ceremony, while thanking us and addressing Vice President AL GORE and his beautiful wife Tipper and all of our leadership, Mr. GINGRICH, Bob Dole, our former Senate leader, and his wife Elizabeth, and Messrs. ARMEY, GEPHARDT,

DELAY, BONIOR briefly, Senators LOTT, DASCHLE, all the Senate leaders and dozens of Members of both Houses. I see some of the faces here that were there.

Reverend Billy Graham stated with great emotion, great emotion, ''We are a Nation on the brink of self-destruction.'' He was not talking about most-favored-nation status for China. He was not talking about another B–2 bomber, and he was not talking about a 4.3-cent gasoline tax. He was not even really talking about the budget deficit, the debt, which is immoral to do this to our children yet unborn. We know what he was talking about, partly the subject matter that brought me to the floor tonight, I repeat, Dr. Graham, ''America is a Nation on the brink of self-destruction.''

A national poll last month stated that 76 percent of our fellow Americans believe that our country is in spiritual and moral decline. This Member agrees; I am one of the 76 percent. I love my country. Who here does not? Who here could not? And I am sick at heart at its lack of direction in moral matters, in State and civic affairs involving character. No references tonight to any other parts of this town.

I beg my colleagues to read carefully this cover article in the June 17 edition of the Weekly Standard. It is titled, ''Pedophilia Chic: The Norming of Foul Perversion, Child Molestation.'' It seems that no longer is there any conduct considered a flat-out evil. In our Hollywood-type popular culture, there are hardly any taboos that remain. The words ''objective disorder'' fall on deaf ears at the networks and at the New York Times.

It was just 12 days after Reverend Graham's warning that Mr. GUNDERSON rose on the House floor. In a ''Dear Colleague'' and at this lectern, he repeatedly called me a liar, of course using other words, impugned my character with the direct use of words like ''smear,'' ''lies,'' ''biased conduct'' and ''an international effort to personally destroy.''

Here is one quote: ''The gentleman from California has no right to misrepresent the facts in this, his latest attempt to smear the homosexual community.''

Of course he used the adjective ''gay'' as a noun, in place of the perfectly neutral nonpropaganda noun ''homosexual.'' Seven times he said ''misrepresent the facts''. Mr. GUNDERSON's words or variations thereof were in the Washington Times, the Post, Congress Daily, Associated Press; moved to slander from sea to shining sea. In my home county, a young reporter embellished on the slander and put words in his mouth. Said he called my effort a character assassination. Then the reporter went on repeat the obnoxious charge that I was out to ''smear the homosexual community''.

Mr. Speaker, I think it is kind of low-life, this tact. I know Mr. GUNDERSON was prodded to do it. He said in his opening that he was going to let sleeping dogs lie, or words to that effect, and I think I am entitled, the ''impolite'' cost us 40 minutes tonight, then I think I am entitled to make my case for my motivation.

So let the facts speak for themselves. He says that I and others unfairly used stereotypes when analyzing conduct. Well, just what would be considered typical versus stereotypical conduct? Being fired from a Federal job for a tryst with a secretary. Excuse me, with the chief of staff. How about a 1991 public report of drink-throwing at an inside-the-Beltway bar that was about to be closed and was closed for pornographic pictures on its wall? How about another more recent drink-throwing rerun at a sodom and masochism bar December 16, last December, 6 months ago. Again, the altercation created sleazy newspaper stories involving a Congressman. Is that considered classy conduct? Does it diminish the integrity of our House as a whole? You bet it does. What would happen to an officer of the military involved in similar squabbles? Is this stereotypical behavior or just typical?

Mr. Speaker, no one believes that any Member of Congress is risking his or her life by serving in this Senate or House. Out in the field, yes, sir. Leo Ryan comes to mind, Larry McDonnell. No, we do risk our lives. I flew on the aircraft that killed Ron Brown and 34 other people, with SONNY CALLAHAN and two or three Members I see here tonight, four flights less than a month before that killing took place, that terrible accident. But there are people who serve under us that we make adhere to a tougher standard that do risk their lives. A slim majority of Members of Congress, eight people, swing four either way, sent thousands of troopers of our 1st Armored Division by Clinton into harm's way in Bosnia. And yet Congress is going to ignore this cherry romp of hedonism right down here on Constitution Avenue?

☐ 2045

Our toleration of low standards here in Congress over the years that I have observed is at the core of my challenge today, Mr. Speaker. Our Federal buildings, and I have been told today they are going to do it again next April for the third time, our Federal buildings must never, never be used to facilitate, if not glorify, immorality.

We in Congress are culpable for any immorality taking place on public citizen-owned property in Washington. And if we fail as custodians of these beautiful citizen-owned buildings, you bet, culpable. And what dangerous policy are we following if we dismiss the consequences of glorifying homosexuality right here in our Capitol?

My colleagues need only reflect on the lives of those Members of Congress, past and present, who found or still find alluring, if not addictive, this lifestyle. I say this with no joy. Three of our Members have died from AIDS, another barely escaped expulsion.

I will leave the rest for the written record because it involved a child, a 16-year-old teenage page, in Spain. I never heard of a page going on a domestic CODEL. How do you get to go on an overseas congressional delegation and lose your innocence? Another Member was dishonored with a very severe House reprimand; involved a pimp/prostitute. A lot of pity from people from a West Point sense of honor. Leave the rest for the record.

Then we saw two other Members have their careers ended by election defeats after they were discovered trolling for teenagers at so-called hot action bars. One of them, a friend of mine, was the father of three teenagers. The other, first Republican in 100 years in his seat, looked like a brother of mine, redhead, busted by our Capitol Hill police in one of the men's rooms in the Longworth Building. Sad. At a porno theater, where people were diving out of windows, some died, and eventually died himself of AIDS.

Now, there is another word, Mr. Speaker, that I learned in preparing for tonight. It is a Greek word. Ephebephilia. E-p-h-e-b-e-p-h-i-l-i-a. It means someone who targets 18- and 19-years-olds. I guess in some of our Appalachian Mountain States, where the age of consent is 15 or 16, you target that narrow band, kind of the way Hugh Hefner does with heterosexual baby faced young girls for his centerfolds who look younger than their 18 that they have to be legally. He has been caught twice using a minor.

Now ephebephilia, like pedophilia, is a mortal sin of seduction, a transgression in Greece against 18 and 19-years-olds. Why do you not study the decay of classical Greek culture, my colleagues? Whether it is ephebephilia or pedophilia, in God's eyes it is all the same.

There are a lot of Members who stay in privacy. I respect that. It is just when they are using it to advance an agenda, trying to have it all ways, kind of like truth in advertising that I got upset once on this floor. I am going to leave the rest for the record.

I have a Member on our side, could be a chairman of a major House committee next year. Given today's tragic loss, one of my best friends in the cloakroom, who, by the way, told me to do this. Bill Emerson told me to do this. I swear to God he told me to do this. This list does not include Members who keep privacy. Credit to their good judgment. One of our Members claims they are all Republicans. Quite a bloodhound, I guess. Tends to occasionally to take away their privacy; uses the word ''out.'' And I hope he never does it. I thought there was one code that was unbroken in the homosexual community, and that is everybody gets to make their own call in privacy.

My colleagues, homosexuality is not this adjective ''gay.'' At least in this Chamber, where people's careers have

brought them to this pinnacle, it has been very sad, not happy. I would like to know how I, a God fearing American, a very lucky husband of 41 years, a father of 5 stalwart God loving children, adults all, a grandfather of 10, No. 11 in the hanger, and a very hard working double House chairman, who is trying his very best to slow the AIDS toll, how could I possibly smear activists, as Mr. GUNDERSON accused me, given what they have done, and many continue to do, to themselves?

In that June 12 Post Magazine story, ''Mr. GUNDERSON asserts DORNAN is full of prejudice and hatred.'' That one quote alone, as the parliamentarians told me, entitled me to an hour. And in the same breath he used ''Is Dornan dangerous? Sure, because he can use passion to intimidate and to roll over those who are unwilling or unable to stand up to him.''

That is pathetic. I know this is going to sound patronizing, but I mean it from the bottom of my heart. I pray for STEVE GUNDERSON and all others who like my colleague live on the edge. But I must fight back here tonight. I must fight back. These charges have their intent to destroy not my reputation only, but it brands my work in Congress as driven by the twin evils of hatred and bigotry.

It is not going to work. It is not in my nature to allow something like that to go unanswered. I went through jet pilot training to serve in peacetime, ready to defend our freedom of speech. I went through that pilot training when Mr. GUNDERSON was 2 years old. I marched with Dr. Martin Luther King when Mr. GUNDERSON was 12. The next year, in 1964, I had FBI people tell me the Ku Klux Klan has a contract out on this Republican's head in a beautiful state because I was putting my life on the line against bigotry, registering to vote African-Americans.

Mr. Speaker, in the 1880's, when immoral dueling was commonplace, this would not have happened. Never would I have had my honor assaulted this way. I will leave out the line.

Mr. Speaker, the impact of casual sex propaganda and mainstreaming and, in some cases, romanticizing of AIDS is having a deadly effect upon our young, and lately upon our very young. I will tell you some quotes from Dr. Fauci up at NIH later, and that is why I circulated the facts about that circuit party.

It is also my intent to reassert the truth of what happened at that dance, and we are not talking ballroom dancing here, Mr. Speaker. So that no one will be misled, Mr. GUNDERSON, in his assault, associates me with two honorable journalists, one of them a courageous African-American writer, the other an excellent investigative reporter. And he attacks both of them as motivated by hate and prejudice, the journalism of hate, bigotry and prejudice.

In his attack he invited the two writers to come and visit the victims of the AIDS disease. I checked with the other two; we have all done that. And he said we should learn that these are not some faceless pretty corpses but rather sons, brothers, uncles, lovers and friends, and, in increasing numbers, also mothers, sisters, and daughters. Strangely, he left out dads and aunts, and in the case of two of our Congress who are dead from AIDS, their prior important roles as husbands and fathers.

It should comfort the gentleman from Wisconsin to know, if his real goal is the truth, that this Congressman has forgotten more about the worldwide medical impact of AIDS than the Member from Wisconsin has ever known. And I might add, as some of my colleagues claim, that I forget little, if anything.

According to that June 2 article, Mr. GUNDERSON said he has had four of his closest friends waste away and die from AIDS and another is HIV positive. What a gut-ripping, heartbreaking experience. But maybe he has kept these tragedies within his circle. I do not recall him publicly warning anybody, young or adult, not from this lectern, that the wages of promiscuity, for heterosexuals, too, is now death.

Does he defend the Magic Johnson rationale: I am simply an innocent victim and we are all in this together; it is really an innocent disease? Or, rather, champion what I think is the more honorable approach of heavyweight prize fighter Tommy Morrison, who stated through tears, it is my fault, my conduct, my immoral behavior. If I can save one young person from doing what I did and save them from becoming infected with this killing disease, then my suffering will not have been in vain. No coming back to the boxing ring for one short season. As that big beautiful smile, and the most incomparable smile I have ever seen in my life on Magic Johnson gave us for a while on the basketball court.

And where was Mr. GUNDERSON or any other Member in 1986, when I pleased with my colleagues, mostly on my side, come to Paris with me to visit the Louis Pasteur Clinic to investigate this explosion of this pandemic. Where were they when I went to Geneva later that year, with my wife Sally, to learn all we could about this health nightmare by getting extensive briefings at the World Health Organization? How about visits to the Centers for Disease Control? I never saw anybody sign in down there except NEWT GINGRICH. It is in his district, or was. How many times has any Member, to gain AIDS knowledge, visited the National Institutes of Health, just a short 15, 20 minute drive from Capitol Hill up to Bethesda? Well, I have made all these informative trips several times over the last decade.

And what did Mr. GUNDERSON do with his unjustified, now illegal, Jim Wright-initiated 2 years of congressional pay raise 1989 and 1990? Well, my 2 years of those raises went to AIDS hospices.

Mr. Speaker, I do not know what my colleague does in his free time to educate himself about the worldwide aspects of this, but I have been carefully tracking this nightmare for 13 years. Just last month I visited the Armed Forces Medical Intelligence Center at Fort Detrick where I received a startling and tragic update about the exponential spread of AIDS worldwide.

In just 3½ years from now, I told you this, 60 million will be infected, 12 million full-blown AIDS. Sadly, most of them with little or not health care. And dead? Nobody really can track the dead worldwide. No one knows for certain how many millions by 2000 in the year of our Lord will be gone.

I also learned the following stunning, shocking medical fact. The military forces of Zimbabwe were 75 percent infected. Not 7.5, not 17. Three out of every four of that officer corps, their sergeants and their kids are infected with AIDS. You know what this did? Because of this, their forces are rejected permanently by the U.N. for any future peacekeeping assignments. And at least six more nations are going to be stigmatized any day now on a no-go list with unacceptable for peacekeeping duty.

Zimbabwe peacekeepers brought the specter of AIDS infection and death to Somalia. How sad. Death in the name of peace. Make love, not war. That means more pressure on our American infection-free forces to travel worldwide on peacekeeping missions? Is that not obvious, Mr. Speaker? It is a powerful reason to keep our own military mercifully 100 percent HIV-AIDS infection free.

A 100 percent non-AIDS infected military is my proper goal as the chairman of Military Personnel. And I take a lot of, to quote a four-star, bovine scatology from the homosexual lobby for my perfectly logical and fair legislation and a lot of that scatology from the other body.

Where was Mr. GUNDERSON or any other Member of the 99th Congress back in 1985 when I gave the first of almost 200 of my floor speeches warning about how our blood supply was contaminated and was beginning to spread the epidemic that year at a ferocious rate? Who came to this floor anywhere and discussed unsanitary promiscuous behavior or debated using infected needles and the cross contaminating of both cohorts? Where have the homosexual activists been over the last 15 years?

Well, there are now thousands of homosexuals who are working tirelessly and heroically to comfort and, yes, love the ill with a pure philos love, a Christian love, a Judeo-Christian love, and God bless them. But other than telling us we are all culpable, these are the leaders, and all at risk, for some it has been just business as usual. Trying to get money out of us, which we give most generously, and I have been there 100 percent, and they still push, some of them, public relations mumbo-jumbo in-

stead of tried-and-true solid public health policy.

Mr. Speaker, anybody can tell my colleague from Wisconsin that I have spoken with more young men before they died of AIDS than most that serve here. When a person grows up and has lifelong roots in Manhattan, New York, and Beverly Hills, CA, as I did and as I do, you will see in 10 years more tragedy involving drug abuse and fast track heterosexual casual sex than you will see in the wholesome dairylands of Wisconsin in 100 years, at least until these not so gay 90s'.

In fact, Mr. Speaker, it is interesting to know over the last 10 years, Mr. GUNDERSON has spoken on this floor about AIDS about eight times. Unbelievable for a self-proclaimed person who is involved. If you do not count a one-sentence in passing mention of AIDS in 1989. Then, amazing as this seems, his very first speech, and a short one at that, was his annoying, at least to me, Christian second-to-none speech, and that was only 2 years ago.

□ 2100

I, on the other hand, addressed this Chamber on the subject of AIDS, I repeat, about 200 times. That is Mr. GUNDERSON's rate times 24. This speech tonight alone contains more references to AIDS both in quantity and quality than Mr. GUNDERSON's eight short speeches over 16 years all run together.

I repeat, in 1985, I offered a successful and nearly unanimous amendment in this House, 11 years ago, to close those disease-infested, unsafe-sex-with-multiple-strangers bathhouses, the aforementioned anvils from hell that broke and slowly killed so many midnight cowboys in New York City and San Francisco.

Frankly, given the contrast and the attention we both have given to this tragic retrovirus nightmare, the widely used homosexual protest bumper sticker ''silence equals death'' has a special resonance, don't you think. I have never been silent because I truly believe in tough love. Meaningful compassion demands positive action.

When Mr. GUNDERSON attacks my belief system on what constitutes serious sin and what constitutes the corruption of youngsters through bad example, he also attacks my religion. The Catholic Church and Pope John Paul II are unrelentingly slandered by the top and the middle management of the homosexual food chain, to see the disgusting, apocryphal scene in Berlin with stark naked people throwing blood red paint on the holy father's vehicle. Main driving force is this issue to that atrocity. However, thanks to God's unrelenting love, and I have seen this when death is near, it is back to the arms of holy mother church, Dominus vobiscum.

What does Mr. GUNDERSON really know about my love for the dying or my empathy for human suffering or my work with the families of our missing in action in Vietnam and now Korea where he left hundreds behind under a Republican hero, a five-star general, President Eisenhower? What does he know about my empathy for human suffering? Jesus died for sinners, actually for each individual sinner.

I am a sinner. Most of us around here commit at least little, small sins on a pretty regular basis, do we not. Every one of us, every day with every suffering person can and should say, there but for the grace of God go I. My motives are based on compassion and on love for my fellow man and a pure desire to defend innocent youth and children.

I resent anybody out there hiding behind the facade of caring, thinking about other things. Does every Member truly grasp the enormity of the suffering that was involved with those 360,000 Americans slowly wasting away, and counting. I can't absorb the enormity of that level of suffering. Who but a handful among us in Congress, I repeat, even knew that 60 million are going to be infected at the turn of the century. What a way to enter that millennium, I repeat. And the calamity is behavior-driven, conduct-driven in the main. No ifs, ands or buts about that harsh argument.

Notwithstanding the pandemic nature of this worldwide plague, the truth is, and honest reporters have known this for years, AIDS simply is not, not everyone's disease. Is it a plague? Of course it is. Is it an epidemic, an international pandemic? Beyond question, but it simply is not everybody's disease.

Read the May 1 story which will be in my full remarks in the Wall Street Journal. Almost everybody in this room has a better chance of being hit by their own personal lightning bolt, a direct message from God to come home as fast as you can, a lightning bolt, before they have a chance of becoming HIV positive.

Let us apply some logic. Two thoughtful leaders from AIDS Project LA in my office last night told me that if AIDS is everybody's disease, then it is nobody's disease. They just do not want it to be called totally, to use their words, a gay disease. They say it is not everybody's disease. Is AIDS your disease, Mr. Speaker? I did not mean to single you out. No. Is it my disease? No.

How about all of the floor staff and clerks around us? Of course, probably not. How about the entire membership of Congress, all 435 of us? Okay, here is where we pick up a few at risk. I was told a long time ago that there were some HIV positives between the House and the Senate; the person is long gone who told me that. He said that only about 50 Members had even been tested.

So if we include all of our staffers, about 30,000, we would probably pick up a handful who are infected. That is also because government, like Hollywood, like Broadway, like big cities, it attracts a disproportionate number of homosexuals who want to work here for their country beyond the 1 or 2 percent estimates nationwide.

I am sure you get my point, Mr. Speaker. But if you say that this group or that group is a high risk, you have just stigmatized a small percentage of our population as high risk for venereal disease. The only fatal sexually transmitted disease in the United States is AIDS. So by accepting logical truth, you can be called a bigot, a hater, or prejudiced.

Those are the vile words hurled at me, at an African-American columnist, at a hard-working reporter, and my good friends at the Family Research Council and at you who instinctively believed Mark Morrano's report about illegal conduct at the Mellon auditorium.

By the way, would it not be equally scandalous to rent out this architectural showpiece, the Mellon auditorium, for a Hustler, Penthouse, or Playboy, no-holds-barred celebration of free love with centerfold models, as the bartenders were on April 13, in neon day-glo underwear. That is all they had on, with or without the drug use, with or without the half-naked gyrating, with or without the crude name like Screw Alley for the beautiful arched carriage entrance on the east side of the courtyard, without anything like that, we are going to give that place to Hustler or to Guccioni's Penthouse? I don't think so, the kids would say.

Now, if I can have an animus towards the promotion of fornication and adultery that is promoted in Hustler, why can I not have an animus toward glorifying homosexuality, particularly circuit parties. I refer you to the U.S. Supreme Court decision, I have my eye on the clock, Romer versus Evans, May 20, just last month, most timely and very instructive. Pro-family folks, especially you in Colorado who crafted that, do not be discouraged by what I am about to say. But sadly, Colorado's amendment 2 was imprecisely written and its exact wording is what allowed six justices to choose process over substance with that majority decision.

Let me explain at this key point, Mr. Speaker, what I am about to say, brightly illuminated by this Supreme Court decision, will lend itself to a resolution of the question before us today. That is, Mr. GUNDERSON questioning my motives, my character. For the purposes of law, you could debate this for days. There is no such thing as homosexual orientation in law. It does not exist. In law, homosexuality is no more nor less than a sex act. Loving friends living together for years can be bonded by philos love with never even a thought of eros love. So under the law, you cannot be H-O-M-O without the S-E-X-U-A-L, any more than under law you can be hetero without the sexual.

This is a crucial distinction in the law. Why? Because laws and public policies are based on human actions,

not the penumbra of orientation, inclinations, tendencies or temptations never acted upon.

President Jimmy Carter comes to mind. That is what you get for giving an interview like Bill Buckley to Playboy. What goes on in the thought processes of the human brain, that is not law. Law involves conduct, behavior and, yes, sometimes, rarely, speech, such as treason, libel or yelling fire and in a crowded enclosure.

There are no laws against what a man or woman thinks not will there ever be in a truly free country. In the eyes of the law, thoughts do not rape or molest. Desires do not sexually exploit another person or spread disease. Only human actions can do those things. All of the consequences pertaining to the behavior of male homosexuality center on sex acts. In James Carvillean-speak, it is the conduct, stupid.

Unfortunately, Colorado's amendment 2 carried the term orientation. It allowed Justice Kennedy and five others to perpetuate the myth of some kind of innate homosexual personhood. I do not have to tell you, Mr. Speaker, how ridiculously inane that notion is.

Imagine, if you will, some of these beautiful babies, occasionally held in their parents arms or in our cloakroom of late, imagine those babies. Can anyone really make a scientific case that somehow those parents are holding budding little bisexuals, cross-dressers or pedophiles just waiting for puberty to reveal their true orientation?

Such arguments are made regularly, usually by homosexual priests or homosexual scientists or homosexual doctors and are rarely, if ever, exposed as mostly psychobabble and pseudoscience, certainly not by my friends at Newsweek, Time or the other liberal weeklies, including in the law concepts of orientation and class of persons like amendment 2, it spawned the death of that amendment.

But the argument with which I took the greatest exception in the flawed Kennedy-written majority decision and the focus that is most relevant to this question of privilege here tonight, Mr. Speaker, is Kennedy's use of the words animus and animosity to describe the motivation of the framers of amendment 2, 53 percent of Colorado's voters who voted for the amendment, and the beliefs of the polling of the overwhelming majority of Americans.

Animus, this is the same charge that Mr. GUNDERSON has leveled at me, using rougher language. In that long reviewing June 2 Post magazine puff piece, to be specific again, he said that my effort in exposing the truth about this weekend was just my latest attempt to smear the homosexual community. That I am motivated by hatred, a much nastier word for animus, not by a sincere desire to protect Government property from scandal or abuse and, of course, not by sincere conviction that all Members of Congress should prevent our Congress from giving bad example to the youth of our Nation by sending them the destructive message that promiscuous sex, hetero, homosexual, bi-, tri- or commune sex is normal and healthy and regularly allowed to showcase itself in our taxpayer-owned buildings.

I repeat, we have learned the hard way that the wages of that sinful message is death, 360,000 and counting.

So Mr. GUNDERSON tells this Chamber and, through C–SPAN, the Nation that I am out to smear.

I read to you, Mr. Speaker, what Justice Scalia said in his dissenting opinion about this animus. Scalia writes in his opinion that Coloradans are entitled to be hostile toward homosexual conduct and that the court's portrayal of Coloradans as a society fallen victim to pointless, hate-filled gay bashing is so false as to be comical. Comical, he writes.

Mr. Speaker, Justice Scalia thought his opinion to be so important he took the time to read it in its totality aloud to the Supreme Court, and it was much longer than the majority decision. Please reflect on Justice Scalia's words, Mr. Speaker. He is saying that you and I and all Coloradans are entitled, he even italicized that word in his opinion, entitled to be hostile toward conduct, not hostile toward any person but hostile toward the conduct.

Only craven, cowardly bullies hurt or bash individuals, and they should be severely punished with the full force of the law. A law-abiding citizen does not even physically abuse a guilty drunk driver at an accident scene involving the death or injury of a child, and that is a pretty tough provocation. He makes a citizen's arrest and grits his teeth and cries and waits for the police.

So let me state for the RECORD again, Mr. Speaker, before a million or so people at this time of night watching, and I am not referring to any individual in particular. It is the conduct, stupid, or it is the conduct, sweetheart.

Mr. GUNDERSON knows in his heart of hearts, I hope, that, if he were being physically assaulted out there on the street, BOB DORNAN would be one of the very first, if not the first, to defend and protect him even at the risk of my life, even limping all the way. And if you doubt that, just ask Congressman CUNNINGHAM, Congressman MORAN and about a half dozen of our Capitol Hill Police Officers.

I, like most Americans, I am sorry, I do have an animus toward homosexual conduct and at that ostentatious, in-your-face conduct that was exhibited at the Cherry Jubilee group grope.

In his floor statement, the gentleman from Wisconsin attempts to portray the homosexual conduct at that stately building as, quote, a gift of love, not a weekend of illegal activity. Even the remotest touch of common sense is going to tell any American, Mr. Speaker, that the 8,160 foot square foot Mellon auditorium, this beautiful hall is only 7,600, Senate Chamber 4,300, 8,160. When filled with 2000-plus writhing, bumping and grinding dancers, hundreds of them half naked, that is anything but a gift of love.

I would like to show you that nonoffensive picture in color there, blowup of one of the slides, unless of course you define lust as love, which is kind of similar to a Member of Congress using love as an excuse to responding to an ad in a homosexual newspaper which was signed off by ''hot bottom.''

□ 2115

That is not love, that is lust.

Just why would I have animus and not a homosexual jamboree? Fair question, easy answer.

The gentleman from, Mr. GUNDERSON, claimed the Cherry Hop raised about $50,000. Forty-five; I have just talked to the Whitman-Walker Clinic. Again he claimed, or he said that, and think about this, Mr. Speaker, $45,000. If just one person after a night of, quote, copping feels; that is the description by an anonymous homosexual columnist reporting on the hop for the homosexual metro weekly paper quoted in the Times after Mr. GUNDERSON's remarks, after a night of copping feels on the dance floor, if just one human being after furtively sharing a little cocaine, and it is all in the report, with an all too friendly drug tripper in a latrine stall, if only one person after that gala back in a motel or a hotel shared the virus that keeps on giving, the fatal AIDS virus, then that mere $45,000 raised is but a drop in the bucket. It is not even half a year.

For one person who does not even have AIDS yet, if they are in one of our hopeful Government programs, they would not even cover the fraction of the cost that one single AIDS patient would require through his medical decline and death.

I hope you get that because the head of the Whitman-Walker Clinic, Jim Graham, in a very pleasant conversation tonight, did not get it. He said it is not where you get, it is if you got it. You come together in a Federal building and one person gets it, there goes all the money from the whole event, and Mr. GUNDERSON said they spent $14,000 on the lights alone, just on the lighting. You should have seen the place that night. All those six massive door columns lighted with the lights of the rainbow.

Now, God demands compassion and prayers for the infected patient and for the dying. Jesus commands it. What you do for these the least among you, do for me. Every AIDS victim lying in a bed is Jesus Christ. Every little finger you lift to help them, you are helping Jesus. It is right there. Of course we have to have love and compassion, but focused animosity is logical when it is directed at the behavior of arrogant risk takers. Jim Graham agreed with me on this. Those hell-bent for leather put lust before long life, folks, and therefore they overload, if not bankrupt, their whole systems.

Dr. Tony Fauci told me just a few weeks ago up at NIH—I met some of

the lucky patients up there, they called themselves lucky; I had to wince at that one—he told me that there are now many young homosexuals becoming HIV-positive because of mere frustration, mere annoyance, at having to avoid AIDS with less risky sex. So mentally exhausted with safer sodomy, they succumb to high-risk lust for this inevitable fate.

Mr. GUNDERSON says we must not lecture one another if there is to remain any element of mutual respect, unquote. Well, if lecturing is out, fine. Then I simply plead with young Americans at risk stop hurting one another, stop killing one another, stop the promiscuity. This goes for young heterosexuals: Stop the dangerous and the unhealthy conduct. Stop holding up homosexual conduct or heterosexual sleeping around before the youth of our country as wholesome and normal and healthy.

Yes, there should not be hostile Roscoe—I am sorry, using the first name on military bases—thank you for that amendment. I think it is going to survive.

Let me turn around another Gunderson insult. He accused me of trying to personally destroy those with whom I might disagree. Well, those of us who truly believe that we are our brother's keepers, and I thought that is why we all ran for election here, to help our brothers and sisters. I am not trying to destroy your risk-takers; trying to save your immortal souls and your mortal lives in the measure.

Mr. Speaker, the gentleman from Wisconsin, [Mr. GUNDERSON], said I had a large hand in intentionally misrepresenting facts and falsifying information. He repeated that 6 times. For the record, these salacious advertisements—I was going to show them—at my side are exactly what I am talking about when I criticize the melee at the Mellon. Cherry Jubilee consisted of three inclusive events.

Mr. Speaker, I will put in the RECORD the 3 phases of this weekend. I will call to people's mind the Tailhook incident; as ugly as that was, the outrageous double standard that we tolerate, given the code of honor that we Americans demand from our military, how pathetically low our standard of ethics is here and in the Senate. Even Packwood avoided being expelled for over a year. Then he quit, among tearful goodbyes:

Goodbye, Mr. Abortion, good bye, Mr. Womanizer, good riddance.

I talk about the second event, the main event, talk about my going down there, talking to this wonderful lady who has had the main stewardship under the GSA, not, as Mr. GUNDERSON said, Commerce, the GSA how they balked at her asking him to wrap it up at midnight. Then she tried to compromise, 1 o'clock, and finally it was 9 hours till 6 a.m., on the Lord's day.

Then I talk about the recovery brunch; that is their name; supposedly at the Longworth. I guess the gentleman from Wisconsin, [Mr. GUNDERSON], realized he needed a bigger venue, violated all of our House rules about nothing in the courtyard at Rayburn till 4:00, started at 1:00. They blocked the reporter, Marc Morano, from going in.

I stood in front of that Mellon; this is where I tried to have a joint House-Senate session for Mr. Gorbachev. No dictator had ever spoken there where Churchill and MacArthur stood. So I knew this Mellon years ago; was 87, and yet I stopped, I was the lead man, with a little help from Mr. GINGRICH and Mr. WALKER—to be truthful, not much help; it was my show. I stopped Gorbachev. I did not want him here. Some of my colleagues yelled to me in the elevator, ''Well, I want to hear what he has to say, Bob.'' I said, ''Good. You ever heard of the Mellon Auditorium?'' This is 9 years ago. ''Let's go down there; it's bigger than the House floor.''

Well, I went down there, and this lovely lady told me, and I do not want to get her in trouble, that the next day was a pig sty, that the floor was covered with a slime from mixed drinks. It was a whole bigger floor than this. She says they called the Whitman-Walker Clinic; he admitted this to me on the phone today. He said, ''Well, we cleaned it up; didn't we?'' And it is Sunday at triple time, out of AIDS money that has been raised, triple time. They had to go down there and clean it while 600 of the 2,000 of the partiers were recovering in our Rayburn courtyard.

And that Mellon is straight across from the National Museum of American History, on our No. 1 boulevard, Constitution. I paced it off, 106 paces to the north wall of the American History Museum, and guess what is on the other side of that wall? Old Glory, the Star Spangled Banner, the original that Francis Scott Key wrote. It is 30 by 34 feet. It is on the wall facing the Mellon. And what did he write in the Star Spangled Banner? ''In God we trust.'' There are the words up there: ''In God we trust.'' It is Constitution Avenue; as my colleagues know, along with Philadelphia, Pennsylvania Avenue, it is the No. 1 boulevard for this country.

Put the rest in the record here.

Continues the description of that whole wild night. Sad.

And Mr. Graham told me they are going to do it again next April in one of our Federal buildings. Think Tailhook. The careers of four-star admirals, one of them with 400 combat missions in the most dangerous air environment in the history of mankind, had his career ended.

''No sink back for you, war hero, and you weren't even at the event.''

Well, we do not think you were tough enough on it, and that is 5 years ago, when we are still destroying the careers of people who put their lives on the line to die for freedom of speech. But nobody pays attention to this majestic auditorium down there.

Eyewitnesses. Boy, Mr. Speaker, I have got a great close here about Abraham, Moses, a couple of lines from, as I said, the Ten Commandments. It will all be in the RECORD tomorrow. I hope some of my colleagues assign a staffer to read it if they are too busy to. It lays out the whole case with other eyewitnesses, and then it comes to STEVE'S words, that this was the love of God personified. Wow. That is not my American tradition, to paraphrase him, or my American family. It sure as hell and heaven is not my Judeo-Christian ethic or code of ethics. This does not represent the God of Abraham or Moses up there in the central place of honor, full-faced, marbled, looking right at me right now.

He is looking at you too, Mr. Speaker. This does not represent the God of love, certainly not the Father of Jesus or love in any faith I have ever heard of. This is pagan in every sense of that word. This is a bad rerun of worshiping Mailik and Baal.

Mr. Speaker, the tension between me and three of our colleagues here, I guess, is a reflection of the national debate on our moral spiritual decline. It is a debate that seems to have been, temporarily, I pray, stifled, if not snuffed out, in the great Democratic Party, very much alive in my Republican party. Some people rub their hands waiting for a big fight in San Diego, but there can be no compromise in this struggle.

Members in this institution, a lot of them, on all the moral issues, even partial-birth infanticide to go away; there are some even more laid back, if not cowardly, who say, so what? That is a Carvillean quote, I guess, ''So what?'' And I pity the children in the love department with people who say, ''So what?''

Unfortunately, a struggle over the virtue, the future of our Nation as a land of godly people, can only subside when one side wins and the other loses, and history tells us that the battle will wax and wane until the Second Coming.

I know what I am doing by getting out of here, I know the danger it holds for me and my large family. I will finish in an hour special order next week. Enjoy your Fourth of July, and I welcome anybody to come over and debate me and see if we can slow down the death of 360,000 and counting.

Mr. Speaker, I rise to a question of personal privilege.

Mr. Speaker, I rise to claim my privilege under House Rule IX, section 1, to address the House in reply to the scurrilous attacks on my honor, my truthfulness, and my motives by the retiring Member from Wisconsin's Third District, Mr. GUNDERSON.

His verbal attacks on me last May 14, from this very lectern, have worked their way throughout the national media. He compounded his insults by telling a stringer for The Washington Post, according to her puff piece on him, printed on, Sunday, June 2, that I am, quote, ''full of prejudice and hatred.'' That's so far over the line, Mr. Speaker, that

it necessitates a 40-cannon broadside in response.

Mr. Speaker, it's worth noting, that in more than 16 years of service together, Mr. GUNDERSON and I have never exchanted cross words off this floor, nor have we ever been impolite, discourteous, or uncivil toward each other—not once. Mr. Gunderson will confirm this. Just ask him. In fact, ask anyone around here and, if they're honest, they will tell you that I am one of the most cheerful, optimistic, enthusiastic, upbeat, irrepressible, good natured, and affable Members with whom they serve. And loyal. Yes, for certain, I'm passionate at times, and, yes, unrelenting in my deep concern about the deterioration of our culture. And that concern is sometimes dismissed in a negative way by a few adversaries around here, and often spun negatively by doctrinaire liberals in the media who care little about objective truth or the real intent of a heart that even some detractors have called a braveheart. As I've pointed out occasionally to supportive friends, my passion is only seen as unusual, even in this historic debate chamber that's weathered a civil war, because today so many Members of Congress lack passion about anything, in spite of that violent world out there. Also because there are so many here, who, while aspiring to be nobles, have no heart, let alone a brave one, and turn a deaf ear to William Butler Yeats' warning that ''everywhere the ceremony of innocence is drowned.''

First, a brief prolog. The trigger for Mr. GUNDERSON's point of personal privilege was my ''Dear Colleague'' letter, circulating a factual report on a so-called ''homosexual circuit party'' of more than 2,000 bumping and grinding partyers misusing the largest Federal auditorium is our capital on April 13 to celebrate licentious and lewd behavior, at the mockingly named ''Cherry Jubilee.''

Mr. Speaker, after a fair evaluation of all available facts, I can unequivocally state that the report issued by journalist Marc Morano is true and accurate. Let me repeat that. Contrary to Mr. GUNDERSON's absurd, secondhand defense of the 9 hour display of hedonism at the majestic Andrew W. Mellon Auditorium, the eye-witness, multi-corroborated account of reporter Marc Morano is unassailable. And to ensure that there are no misunderstandings about the substance and accuracy of Mr. Morano's report, I am going to read that vivid account for you now.

''An all night homosexual 'circuit' party called Cherry Jubilee' 'Main Event' took place in Washington, D.C. on April 13, 1996. The dance party featured public nudity, illicit sexual activity and evidence of illegal drug use. The sponsors of the homosexual festivities included a GOP congressman and a host of corporations. A federal building the Andrew W. Mellon Auditorium, played host * * * and was the backdrop for the illegal activity. The sponsors included * * * American Airlines, Snapple, Miller Lite Beer, Starbucks Coffee, and Ben & Jerry's Ice Cream. The 'Main Event' was followed by a 'Capitol Hill Recovery Brunch' in the Rayburn House Office building. Representative Gunderson secured the Rayburn building for the 'recovery brunch.'

''The Mellon Auditorium is a taxpayer owned and federally operated building complete with classical ornate Doric columns directly across the street from the Museum of American History on Constitution Avenue. The 'Main Event' was being described by the City Paper as a 'New York style homosexual circuit party * * * usually drug infested.'

''Main Event' tickets were very hard to come by. The event sold out, which left a scramble for ticket scalpers outside the entrance. Two thousand men attended, most between the ages of 25–35 years old. Many of the men who attended were of obvious affluence. Limousines and even a Rolls Royce lined Constitution Avenue as the party goers arrived.

''The clothing was trendy with skin tight black jeans and tanktops. The bartenders wore bright neon underwear and nothing else. Many of the men arrived with leather and rubber pants and neon rubber loin cloth underwear only. Most of the shirts came off as the men headed for the dance floor.

''Body piercing was ubiquitous with piercing in nipples, navels and ears. Chains and dog collars were also prevalent. Cross dressing was common sight, as a heavy presence of transvestites and other 'transgendered' men attended. Men with wigs and dresses in heavy make up strolled through the auditorium. Several pairs of lesbians attended as well, parading in very skimpy clothing.

''Most attendees greeted each other with open mouth kisses. No fights or altercations * * * the men were generally very neat, with meticulous hair and clothing. There were few if any men who could be described as overweight.

''As the constant thump, thump, thump of the techno music heated the crowd, the dancing became increasingly lewd and suggestive. As the night wore on, the dancers began simulated sexual gyrations. The dance floor became a torrent of intense groping and stroking. Some couples dancing on table tops, mimicked anal sex through their clothing while others pantomimed oral sex. At one point while dancing on a table top, one of the lesbians lifted her bra and exposed her breasts. Meanwhile, several inflated condoms were batted about like volleyballs.

''At about 4 am, two men proceeded engage in illicit sexual behavior in the main auditorium. One man lowered his head (onto the crotch of another man and began to perform oral sex). This act occurred just off the dance in full view of the crowd. No one seemed to be fazed by it one bit.

''The restroom stalls at the Mellon Auditorium were constantly being occupied by two men at a time. (Gropes and groans) could be heard emanating from the stalls with double occupancy. Stall doors would open and two men would nonchalantly exit.

''Every conceivable isolated spot became a dilemma for security. Security officers had to diligently watch the outside side courtyard stairwell in the smoking area. The steps led down to a dark basement alley way on the side of the building where many of the men were congregating. The progression of couples heading into the darkness eventually forced security to intervene. Orange cones were placed to close the area off, as a security officer was assigned to stand watch. Public urination was common as the men relieved themselves outside and even in front of the stately building facing Constitution Avenue. * * *

''Despite signs posted everywhere stating, 'Use or possession of illegal substances strictly forbidden,' evidence of illegal drug use was present. Snorting could be heard throughout the evening in the restroom stalls. At one point a straw fell on to the bathroom floor from inside a stall. There was also clandestine exchanges of money and substances in dark corners of the dance floor throughout the night.

''Despite the flaunting of public nudity, illicit sexual activity, and illegal drug use at both of these homosexual events, (April 1993 and April 1996) law enforcement never intervened. Contrast this with the controversy that inevitably follows when someone attempts to celebrate Christmas with a nativity scene in a public building or park (or the Tailhook scandal which took place in a private Hilton Hotel).

''* * * The April 1996 Cherry Jubilee weekend proves that the homosexual agenda is advancing in Washington. The use of two federal buildings during the Cherry Jubilee weekend in Washington, D.C. reveals how successful the homosexual lobby has been in 'mainstreaming' their agenda. Voters, consumers and stockholders should hold the government and corporations such as American Airlines accountable when they underwrite events like Cherry Jubilee. The voters need to ask which side of the 'culture war' the Republican Party is on and what real change the so-called 'GOP Revolution' has wrought. The GOP leadership on Capitol Hill needs to explain how an event which featured illicit sexual activity, public nudity and evidence of illegal drug use was allowed to occur in a federal building on the 253rd anniversary of Thomas Jefferson's birthday.''

Now, ironically, Mr. Speaker, this disgraceful misuse of taxpayer-owned property might never have happened if I had come to this well and alerted Congress to a growing phenomenon of misuse of Federal facilities to advance homosexuality, and exposed a prior outrage at the majestic Andrew W. Mellon Auditorium back on April 25, 1993, when an all day, sadism freak show defiled the auditorium and our Capital City. I also should have alerted Congress to a June 1995 abuse of the impressive headquarters building of the Department of Interior. I was diverted from reporting on this latter outrage by the pace of House voting, the Presidential race, and my chairmanship of two very active subcommittees.

Last year, throughout the month of June, in the impressive lobby of the Interior Department, there was an in-your-face display glorifying homosexuality. A large, lavender painted, free-standing billboard praised, with large photographs, four homosexuals high in our Government and held them up as role models. One, a female, is no longer in Washington having left to lose an election in San Francisco. Another is still an Assistant Secretary at the Patent Office. And the other two are male homosexuals serving here in Congress. Unfortunately, the short bios under the Congressmen's photos were lies. The bios deceptively stated that both Congressmen courageously came out of privacy and voluntarily, with great pride, revealed their homosexuality here on the floor of Congress. Of course, the truth is quite different, Mr. Speaker. One of them was censured by this House for his statutory rape of a 16-year-old boy, one of our pages, and Secretary of the Interior Bruce Babbitt knows that; and the other Member was severely reprimanded by the House for conduct unbecoming a Congressman because of his involvement with a male prostitute-pimp who was running a full service procurement operation

out of the Member's D.C. apartment, that and much more. The eccentric Bruce Babbitt also knew that ugly tale. Babbitt authorized the homosexual propaganda display knowing that neither Member of Congress came out of secrecy freely, but were brought out of privacy by crimes. This outrage at the Interior Department building went unchallenged here in Congress, and therefore went unknown to American taxpayers. If I had protested those prior abuses of taxpayer-owned facilities, just maybe, 10 months later, a similar outrage wouldn't have taken place on Constitution Avenue, again at the beautifully gilded Mellon Auditorium.

Better late than never.

So Mr. Speaker, I now step out into the minefields of evil political correctness, alone, but I hope and pray, not alone for long. Come Holy Spirit. On May 2, last month, here in our awe-inspiring Rotunda, America's secular cathedral nave, this 104th Congress, at a very, very moving ceremony, awarded our Congressional Gold Medal to the Rev. Billy Graham and to Ruth Graham his devoted and wonderful wife of 53 years. During the inspiring ceremony, while addressing Vice President GORE and his wife Tipper, Speaker NEWT GINGRICH, former Senate Leader Bob Dole and his wife Elizabeth, and all of our congressional leaders including Mr. ARMEY, Mr. GEPHARDT, Mr. DELAY, Mr. BONIOR, Senators LOTT and DASCHLE and all of the other Senate leaders, and dozens of Members of both Houses, Rev. Billy Graham stated with great emotion, ''We are a nation on the brink of self-destruction.'' I repeat Dr. Graham: America is ''a nation on the brink of self-destruction.'' A national poll last month stated that 76 percent of our fellow Americans believe that our country is ''in spiritual and moral decline.'' This Member of Congress agrees. I am one of the 76 percent.

I love my country and I'm sick at heart at its lack of direction in moral matters, in state and civic affairs involving character. For example, I beg my colleagues to read carefully this cover article in the June 17 edition of the Weekly Standard. It's titled ''Pedophilia Chic.'' The norming of foul perversion. It seems that no longer is there any conduct considered a flat out evil. In our liberal popular culture, hardly any cultural taboos remain. The words ''objective disorder'' fall on deaf ears at the networks and at the New York Times.

On May 14, 12 days after Rev. Billy Graham's warning, Mr. GUNDERSON rose on this House floor to a question of personal privilege. In a ''Dear Colleague'' and at this lectern, Mr. GUNDERSON repeatedly called me a liar—using other words—and impugned my character with the use of words such as ''smear,'' ''lies'' and ''biased conduct'' and ''an intentional efforts to personally destroy.'' Specifically, Mr. GUNDERSON claimed that ''the gentleman from California has no right to misrepresent the facts, in this, his latest attempt to smear the homosexual community.'' Unquote. Of course, he used the adjective ''gay'' as a noun in place of the neutral, nonpropaganda noun ''homosexual.'' Seven times he used the phrase ''misrepresent the facts.''

Mr. GUNDERSON's words or variations thereof were repeated in many news stories throughout America including the Washington Times, the Washington Post, Congress Daily, and the Associated Press which moved his slanders from sea to shining sea. In my home county newspaper, the Orange County Register, a reporter embellished on the slander, ''Gunderson * * * called the Dornan effort a character assassination'' and the Register reporter repeated Mr. GUNDERSON's absurd and obnoxious charge that I am out to, quote, ''smear the homosexual community.''

Mr. Speaker, this is all so low-life, this attack on my honor, that I am entitled to discuss the reliability of how Mr. GUNDERSON deals with the truth and with facts and how he reports events and how I deal with facts and my reputation for dealing with the truth. Mr. GUNDERSON said here that I, quote, ''sought to question [his] integrity.'' Well, I did not on the House Floor. But now, let the facts speak for themselves.

Let's start with Mr. GUNDERSON's reporting skills. He reports that nothing illegal took place at a frenetic party he did not even attend. By comparison, let's analyze his anonymous report to the Washington Post of a meeting of seven Republicans that he did attend. The relevancy to my point of privilege will be self-evident, Mr. Speaker.

Let me defend our Speaker, my friend Mr. GINGRICH from a vicidusly exaggerated, self-serving tale that the front page.

Here is the January 18, 1996, edition of the Washington Post. Look at this front page story. Preferred position—first story, upper left, two columns, lead title ''Inside the Revolution,'' I quote the largest headline, ''Stung and Beset, Speaker Breaks Down and Weeps,'' by Michael Weisskopf and David Maraniss. Maraniss is the author of the incendiary book ''Inside the White House.''

This supposed news story, that purportedly was about the dropping of wildly obscure ethics charges against the Speaker, I soon learned was exaggerated to the point of grotesque untruth. Quote, ''An old congressional ally who had stopped by the office to talk about farm issues rose from his chair and hugged them both (the Speaker and his wife). Gingrich could no longer hold back his emotions. ''He began sobbing uncontrollably.'' the Post reports.

Now, whom do you think that old congressional ally was, Mr. Speaker? That so-called ''ally'' who went to the Washington Post and grossly distorted private emotion in the Speaker's office was none other than STEVE GUNDERSON. The truth was twisted, much to Speaker GINGRICH's detriment, and the distortion did damage to the Speaker's reputation, his manliness, and raised the question of his emotional stability. That's some ally, Mr. Speaker. And it wasn't even true.

Obviously, ''sobbing uncontrollably'' is not the John Wayne image a leader hopes to maintain in order to lead 435 men and women of very strong wills, many with very single minded dispositions.

A supposed ally ratting out a leader, as a blubbering softie, would by itself be disloyal in the extreme, but when it's not even true that is indicative of an ally who is ''integrity challenged.'' Mr. GUNDERSON's problem, as a volunteer informant for a liberal newspaper, was that there were other eyewitnesses in the Speaker's office during the nonsobbing, such as Representative and soon-to-be Kansas Senator, PAT ROBERTS, and my hard charging colleague from California, RICHARD POMBO.

Both Congressmen told me directly that yes, that day there were some tears of justifiable frustration. ''Weeping?'' No way. ''Sobbing uncontrollably?'' Absolutely not. Mr. Roberts' final statement to me just a few days ago: ''There was no uncontrollable sobbing.''

So much for Mr. GUNDERSON's reporting skills, and of course, his loyalty.

Mr. GUNDERSON whines that straight Members, such as I, unfairly use, quote, ''stereotypes,'' unquote, when analyzing homosexual conduct. Well, Mr. Speaker, just what would be considered typical versus stereotypical conduct? How about getting fired from your very first Federal job for an office morale-destroying, homosexual tryst with the chief of staff? How about a 1991 public news report of a drink-throwing squabble at an inside-the-beltway homosexual hangout, which was about to be closed because of the pornographic pictures on its walls? How about a more recent drink throwing rerun at an S/M bar, that's a sadism bar, on December 17, 1995? That's last December, just 6 months ago. Again the barroom altercation created sleazy newspaper stories involving a U.S. Congressman. Is that considered classy conduct? Does it diminish the integrity of our Congress as a whole? You bet it does. What would happen to an officer in the U.S. military involved in similar bar squabbles? Is this stereotypical behavior or just typical?

And don't you just loathe the ''typical'' double entendre names of some of these homosexual watering holes? ''The Green Lantern.'' What's that mean? Come and get it, all systems are green and go! ''The Badlands''—do they really know in their hearts that trolling bars is ''bad'' for them? How about the bars with hot tubs and private two-man cubicles in upper rooms and side chambers—the same types of bathhouses I helped to close with near unanimous legislation on this floor back in 1985—those non-Glory Holes had particularly offensive names such as: ''The Mineshaft,'' ''The Anvil,'' and worse. Are those bathhouse dives typical or stereotypical?

Mr. Speaker, since Mr. GUNDERSON said I questioned his integrity, let us thoughtfully analyze this word ''integrity.'' In the May 13, 1996, edition of one of our military newspapers, the following powerful thoughts were expressed by a four star leader in an article on ''integrity.'' His article also covered ''honesty'' and ''courage'' and ''professionalism.''

I want to quote a few germane paragraphs for this reason: the so-called Tailhook Scandal, still bedeviling and ripping our great U.S. Navy, is 5 years old, 5 years old, and it is still destroying careers. Imagine for a moment, Mr. Speaker, if the out-of-control homosexual romp that we judge today had happened on any U.S. military base or post anywhere throughout the world. What would the repercussions have been? Batten down the hatches. That thought gives new, sickening meaning to the words ''double standard.'' But, first, those powerful words from a real leader, a four-star, combat-tested Chief of Staff. Apply his challenging thoughts to U.S. Congressmen and Senators.

''The majority of our members understand well that integrity is essential in [military] an organization where we count on fellow members and that honesty is the glue that binds the members into a cohesive team.

''And they easily take responsibility for their actions and exhibit the courage to do the right thing.

''Yes, most [Air Force] professionals place service before self and willingly subordinate personal interests for the good of their unit,

[the Air Force] and the Nation and, if called upon, are willing to risk their lives in defense of the United States.

''Furthermore, professionals in our service strive to excel in all that they do, always understanding that our responsibility for America's security carries with it the moral imperative to seek excellence in all our [military] activities.

''* * * Because of what we do, our standards must be higher than those that prevail in society at large. (Shouldn't this mean Congress, Mr. Speaker?) The American people expect this of us, and rightly so. In the end, our behavior must merit their trust, respect and support.

''[Air Force] leaders [commanders] and supervisors must ensure that their colleagues [troops] understand the requirements of our [military] profession—and measure up to them. * * *

''* * * when an individual exhibits personal negligence, misbehavior (or disobedience), this is not a mistake! That is a crime, and crimes are matters of serious concern for superiors.

''In short, if a service member willfully ignores standards, falsifies reports, engages in inappropriate off-duty behavior, then we must immediately take appropriate disciplinary action''—certainly that would include hitting on teenage pages?

''* * * as a force, we must insist on disciplined and principled behavior.

''When an individual fails to meet the higher standards expected of [military] professionals, then we must hold him or her accountable and document the offense in their records * * *.'' And revisit it if provoked again.

''Ours is not a 'have it your way' kind of service. Members cannot be allowed to pick and choose which aspects of our [Air Force] standards, [Air Force] instructions, Defense Department directives or the Uniform Code of Military Justice laws they will comply with.

''That would undermine the good order and discipline that is so crucial to any outfit. If you are unwilling—to comply with our [Air Force] standards; to embrace the values of our profession; to meet the unique requirements of [military] service; or to accept the resulting limits on individual behavior—then get out!

''Our responsibility for safeguarding America is far too important and too critical to allow it to be jeopardized by those unwilling to measure up.''

Mr. Speaker, I will revisit in my closing words three of those powerful sentences and identify the flag officer who delivered them. Mr. Speaker, no one believes that any Member of Congress is risking his or her life by serving in the Senate or the House, so how dare we live by a lower, a much lower, standard of ethics and professionalism than we demand of our younger military men and women who serve under our jurisdiction, and who do risk their very lives. A slim majority of Members of Congress allow thousands of troopers of our 1st Armored Division to be sent by Clinton into harm's way in Bosnia, and yet our Congress ignores garbage like this ''Cherry romp'' of hedonism right here down on Constitution Avenue. Our toleration of low standards here in Congress is at the core of my challenge today. Our Federal buildings must never, never be used to facilitate and glorify immorality. We in Congress are culpable, for any immorality taking place on public property in Washington, if we fail as custodians of these beautiful citizen owned buildings. And what dangerous path are we following if we dismiss the consequences of glorifying homosexuality here in Washington, DC, our capital.

My colleagues need only reflect on the lives of those Members of Congress, past and present, who found, or still find, homosexuality alluring, if not addictive. Three of our Members have died from AIDS. Another barely escaped expulsion while suffering the dishonor of a severe House censure for seducing a minor, *i.e.*, the statutory rape of that teenage page sent here by his parents in our care. And, by the way, that young page was seduced on a codel to Spain. How was that outrage put together? I've never heard of a page traveling with a domestic congressional delegation let alone with an overseas congressional delegation.

Another Member was dishonored with a severe House reprimand for sponsoring and using a pimp and is pitied by those who have a West Point sense of honor. Both Members should have been expelled so as to maintain the world's respect for our U.S. Congress, not to mention the Nation's respect. Two other Members saw their careers ended by election defeats after they were discovered trolling for teenagers at so-called hot action bars, one of them a father of three teenagers. Even if they had only hit on 18, 19, or even 20-year-olds, that is still ephebephilia. Look the word up, Mr. Speaker. Ephebephilia, like pedophilia, is a mortal sin of seduction, a transgression against teenage youths 18 and 19 years old. Study the decay of classical Greek culture. Then there are four Members who stay in privacy but can never aspire to run for higher office because the political leaders in their States know their secret.

And then there was the Hill staffer who was fired from his very first Federal job in 1979 for a homosexual affair with an administrative assistant, his AA, bringing about the expected and usual collapse of office morale due to favoritism. Their liaison even included a mock honeymoon to Jamaica. This staffer returned a year and a half later as an elected Congressman and had a 16-year run until his double life became known. Now, although 15 years from retirement age, he can't run for reelection, although he yearns to do so and would have ended up as chairman of a major House committee.

This list does not include several Members who are deep in privacy, probably a credit to their good judgment. One of our Members from New England claims they're all Republicans. He's quite a bloodhound, this Member. And he periodically threatens to expose—out he calls it—these 4 or 5 Members—actually he claims 12 or more, if they don't vote the way he insists on certain security risk issues. He also threatens to out them if Chairman DORNAN dares to hold hearings on whether people are a security risk if they conceal scandalous personal secrets such as alcoholism, financial chicanery, adultery, or bisexuality. Isn't that a form of not-so-subtle blackmail, Mr. Speaker?

Yes, my colleagues, homosexuality is sad, not happy or gay, even when someone's career has brought them to these hollow Chambers.

And why do we fear discussing, here in Congress, what spreads the AIDS virus? How many will have died by mid-year 1996? Dr. C. Everett Koop advises us to include AIDS death statistics about 20,000 individuals who succumbed to AIDS in the early eighties and whose physicians, attempting to understandably avoid family embarrassment, reported those deaths as the result of final condition such as cancer or pneumonia, rather than report them as AIDS-related deaths. If we tally those 20,000 in the aggregate total, then in just a few days, by June 30, 1996, 360,000 Americans, including more than 4,000 defenseless children, will have died a horrible death brought about by an infectious fatal venereal disease known by the bland sounding acronym, AIDS. Mr. Speaker, World War II total combat deaths, total killed in action, were 292,131; U.S. AIDS deaths toll 360,000 and counting. U.S. Civil War combat deaths, both sides, North and South because all combatants were Americans, our War Between the States killed in action, 214,938; U.S. AIDS 360,00 and counting. And all seven of our other wars from the Revolutionary War, the War of 1812, war with Mexico, with Spain, World War I, Korea through Vietnam, total killed in action, 143,346. That's 7 wars of KIA, 143,346; U.S. AIDS, 360,000 dead and counting. And the death toll is far worse in Asia and Africa—worldwide over 5 million dead, and counting. And this unparalleled killer has been driven, in the United States, in the main, by homosexual behavior. Except for those 4,000 defenseless children and the innocent victim recipients of infected tissue or infected blood products, such as hemophiliacs, it's conduct driven. And, except for, sadly, the innocent victims of lying philanderers, who callously infected their unknowing partners in the name of love. It's conduct driven.

Mr. Speaker, how can I, a God-fearing American, a very lucky husband of 41 years, a father of 5 stalwart, God-loving adult children, a grandfather of 10—No. 11 is in the hanger—and a very hard-working double House chairman who is trying his best to slow the AIDS death toll, how could I possibly smear homosexual activists, as Mr. GUNDERSON accuses, given what they've done and continue to do to themselves?

In that June 2 Washington Post Magazine story, Mr. GUNDERSON asserts, ''[DORNAN is] full of prejudice and hatred.'' That one quote alone would justify my point of personal privilege. And in another Post attribution, apparently in the same breath, Mr. GUNDERSON muses, and I quote, ''Is [DORNAN] dangerous? Sure. Because he can use passion to intimidate and to roll over those who are unwilling or unable to stand up to him.'' Pathetic, Mr. Speaker. I pray for STEVE GUNDERSON, and all others who like my colleague, live on the edge, but I must fight back. Mr. GUNDERSON's scurrilous charges have as their intent the destruction of my reputation by branding my work in Congress as driven by the twin evils of hatred and bigotry. Well, it won't work, because it's not in my nature to allow lies to go unanswered. I went through jet pilot training when Mr. GUNDERSON was 2 years old. I marched with Dr. Martin Luther King when Mr. GUNDERSON was 12, and the next year, 1964, I put my life on the line against bigotry. Mr. Speaker, in the 1800's, when immoral dueling was commonplace, Mr. GUNDERSON would never have assaulted my honor with such vile language. It's beyond butch, to coin a phrase.

Mr. Speaker, the impact of casual sex propaganda and the mainstreaming and in rare cases even the romanticizing of AIDS have

had a deadly effect upon our young, lately upon our very young, and that's why I circulated the facts about the so-called circuit party weekend of April 12, 13, and 14.

As a point of fact, Mr. Speaker, the use of the word ''cherry'' has nothing to do with our beautiful and famous blossoms, but rather it's used for its sexual connotation as shown in these soft-core pornographic ads for the 34 events. And take notice, in shock I hope, of the large commercial, public shareholder corporations contributing to this sexual license and gross irresponsibility—American Airlines, Starbucks Coffee, Snapple, Miller Lite Beer, and Ben & Jerry's Ice Cream. I pray to God, literally, that these corporate giants innocently followed the lead of the Whitman-Walker Clinic, which, if it continues its propaganda and irresponsibility, should be denied their steady diet of our tax dollars.

Also, the use of the religious word ''jubilee'' is blatant sacrilege. A jubilee is a 50-year celebration of forgiveness in the Hebrew faith, and a ''jubilee'' is a 25-year celebration of joyful prayer in my Catholic faith, that same Catholicism that is the No. 1 target of Actup, the homosexual gestapo. No act of hatred or desecration is beyond the pale for Act Up, including blasphemy and desecration of the Holy Eucharist, inside churches.

It is also my intent to reassert the truth regarding the April 13 Saturday dance, and, Mr. Speaker, we're not talking ballroom dancing here, so that the real facts will not remain in question by anyone misled by Mr. GUNDERSON about what really went on.

Of course, this was not the first time this historic Federal building has been desecrated during Clinton's tenure, as Mr. GUNDERSON briefly conceded in his attack. When he referred to April 25, 1993, he twice used the letters ''S and M,'' without explaining what the letters stand for. What Mr. GUNDERSON referred to was a sadism and masochism all-day freak show inside the stately Mellon. Someone, maybe some Clinton toady, had authorized an all day leatherman, S and M open house, with multiple displays of perversion including hard care pornography slide shows promoting unsafe sodomy, maximum unsafe sodomy. Most of this bizarre deviancy is quite foreign to average Americans. And all of that 1993 S and M madness was on a day when the Tailhook scandal tribulations were expanding.

During his May 14 attack, Mr. GUNDERSON associates me with two honorable journalists, one of them a courageous African-American writer, the other an excellent investigative reporter. Then he attacks both of them as motivated by ''hate and prejudice'' and by the journalism of ''bigotry and prejudice.'' In his attack, Mr. GUNDERSON invited the two writers and me ''to come visit the victims of this (AIDS) disease''—we've done that—so that we might, quote, ''learn that these are not some faceless pretty corpses,'' but rather ''sons, brothers, uncles, lovers, and friends * * * and in increasing numbers also mothers, sisters, and daughters.'' Strangely, he left out dads, aunts, and, in the cases of two of the Congressmen dead from AIDS, their prior roles as husbands and fathers.

It should comfort Mr. GUNDERSON to know, if truth is his real goal, that this Member from California has forgotten more about the worldwide medical impact of AIDS than the Member from Wisconsin has ever known. And I might add, my colleagues say, I forget little, if anything. According to the June 2 Post article, Mr. GUNDERSON has had four of his six closest friends waste away and die from AIDS and another is HIV positive. That's heartbreaking, but obviously he has kept these tragedies within his inner circle and has never once publicly warned anybody, young or adult, that the wages of promiscuity is death. He certainly never warned anyone from this lectern. Does he defend the Magic Johnson rationale that ''I'm simply an innocent victim, and we're all in this together, it's everybody's disease'' or rather champion the honorable approach of heavyweight prizefighter Tommy Morrison, who stated through tears, ''It's my fault. My conduct. My immoral behavior. If I can save one young person from doing what I did and stop them from becoming infected with this killing disease, then my suffering will not be in vain.''

Where was Mr. GUNDERSON or any other Member in 1986 when I pleaded with colleagues to come to Paris with me to visit the Louis Pasteur Clinic to investigate the exploding AIDS pandemic? Where were they when I went to Geneva that year with my wife Sallie to learn all that we could about this health nightmare by asking for extensive briefings at the World Health Organization? How about visits to the Centers for Disease Control in Atlanta? How many times has any Member, to gain AIDS knowledge, visited the National Institutes of Health, just a short 20-minute drive north from Capitol Hill to Bethesda, MD. I have made these informative trips several times over the last decade, another to NIH just last month.

What did Mr. GUNDERSON do with his unjustified, Jim Wright-initiated, 2 years worth of congressional pay raise back in 1989 and 1990? Which would now be illegal, by the way, since we passed James Madison's 27th Amendment. Well, my 2 years of those raises went to AIDS hospices.

Mr. Speaker, I don't know what Mr. GUNDERSON does in his free time to educate himself about the worldwide spread of AIDS, but I have been carefully tracking this health nightmare for 13 years. Just last month I visited the Armed Forces Medical Intelligence Center at Fort Detrick where I received a startling and tragic update about the exponential spread of AIDS worldwide.

In just 3½ years from now, 60 million people will be HIV infected and 12 million will be suffering with full-blown AIDS; sadly most of them will die with little or no medical care. And dead? No one knows for certain how many millions by 2000 A.D. I also learned the following stunning, shocking medical fact: the military forces of Zimbabwe are 75 percent infected. That means three out of every four soldiers, three out of every four officers—will die of AIDS. Because of this, Zimbabwe's forces are rejected permanently by the United Nations for any future peacekeeping assignments, with at least six more nations to be stigmatized any day now on a no-go list as, quote, ''unacceptable for peacekeeping duty.'' Zimbabwe peacekeepers brought the specter of AIDS infection and death to Somalia. How sad, death in the name of peace, make love not war. That means more pressure on our American, infection-free forces, to travel worldwide on peacekeeping missions. Isn't that obvious, Mr. Speaker? And it's a powerful reason to keep our military 100 percent HIV/AIDS infection free, right, Mr. Speaker? A 100 percent no-AIDS infected military is my proper goal as the chairman of Military Personnel, and I take a lot of bovine scatology from the homosexual lobby for my perfectly logical and fair legislation.

Just 3 weeks ago I met once again with Dr. Toni Fauci, our hard-working Immunology and Infectious Diseases Institute chief and one of our very best researchers at NIH, to discuss a new, advanced HIV treatment involving IL2, Interluken 2. It looks promising, Mr. Speaker, just like proteus inhibitors, but it means more gutwrenching, extremely tedious research with infected volunteers, who incidently told me they felt lucky to be in this super expensive, but promising, life-extending government research program. It won't be a cure however, but life extending only. It's tragic how the networks constantly keep using the word cure. Dr. Fauci says this is cruel and builds false hope. We pray for a vaccine breakthrough, but a cure for someone once they're infected—never. The micro-microscopic HIV stays inside the helper T-cells until death.

Where was Mr. GUNDERSON or any other Member of the 99th Congress back in 1985 when I gave the first of almost 200 of my floor speeches warning about the conduct that had contaminated our blood supply and was beginning to spread the AIDS epidemic that year at a ferocious rate?

Has Mr. GUNDERSON ever publicly discussed anywhere, unsanitary, promiscuous behavior, or ever debated using infected needles and the cross-contaminating of both cohorts? Where have these homosexual activists been over the last 15 years? Other than telling us we're all culpable, and all at risk, it's been business as usual. And there was no behavior modification to speak of until the killing virus went pandemic. Even then, many homosexual activists pushed, and still push, public relations mumbo-jumbo instead of tried and true solid public health policy. Thank God, that in the final care stage, and during the prior ''stage three'' phrase, there are now thousands of homosexuals who are working tirelessly and heroically to comfort and, yes, love, the ill, with a pure philos love, a Christian love. God bless them.

Mr. Speaker, you can tell my colleague from Wisconsin that, like him, I've spoken with more young men before they died from AIDS than most who serve here. When a person grows up and lifelong roots in Manhattan and Beverly Hills, as I did and as I do, you will see in 10 years more tragedy involving drug abuse and fast-track, casual sex, than you'll see in the wholesome dairylands of Wisconsin in 100 years. At least until these not-so-gay-nineties.

Now this District of Columbia is another story. Mr. GUNDERSON said that the District has the largest concentration of HIV/AIDS positive people in the country. True. Where was his voice of warning over the last 16 years to stem or slow that AIDS growth right here where we work? Since 1981, his first year in Congress, coincidently the year NIH discovered and defined AIDS, he has offered no coherent public advice to slow this plague. No tough love—mostly silence. No support for heavyweight fighter Tommy Morrison's prayerful, humble plea for morality in behavior. A call for abstinence? Hardly.

In fact, Mr. Speaker, it's interesting to note that over the last 10 years Mr. GUNDERSON has spoken on this House floor about AIDS

only eight times! Unbelievable for a self-proclaimed compassionate and caring man. If you don't count a one-sentence-passing mention of AIDS in 1989, then, amazing as it seems, his very first speech, and a short one at that, was his annoying March 24, 1994, ''Christian-second-to-none'' speech. That's only 2 years ago. BOB DORNAN, on the other hand, has addressed this Chamber on the subject of AIDS just under 200 times. That's Mr. GUNDERSON's rate times 24. This speech today alone contains more references to AIDS, both in quantity and quality, than Mr. GUNDERSON's eight short speeches over his 16 years—all run together. And I repeat, in 1985 I offered a successful and nearly unanimous amendment in this House—1985, Mr. Speaker—11 years ago—to close disease-infested unsafe-sex-with-multiple-strangers-bathhouses—those aforementioned ''Anvils'' from hell that broke and slowly killed so many midnight cowboys in New York City and San Francisco. Frankly, given this contrast in the attention that we've both given to this tragic retro-various nightmare, the widely used homosexual, protest bumper sticker ''Silence Equals Death'' has special resonance. I have never been silent because I truly believe in ''tough love.'' Meaningful compassion demands positive action.

When Mr. GUNDERSON attacks my belief system on what constitutes serious sin and what constitutes the corruption of youngsters through bad example, he also attacks my religion. The Catholic Church and Pope John Paul II are unrelentingly slandered by the top and the middle management of the homosexual food chain. However, thanks to God's unrelenting love, when death is near, its back to the arms of Holy Mother Church. Dominus vobiscum. Just what does Mr. GUNDERSON really know about my love for the dying or my empathy for human suffering? Jesus died for sinners, actually for each individual sinner. I'm a sinner—95 percent of us commit at least small sins on a pretty regular basis. Every one of us, every day, with every suffering person can and should say, ''There but for the grace of God go I.'' My motives are based on compassion and on love for my fellow man, and a pure desire to defend youth and children. I resent anybody out there who hides behind a facade of ''caring'' just to fend off revelations exposing a narrow special interest agenda. That's hypocrisy to the *n*th power.

Just a few weeks ago in The Hill newspaper there was a brief story about how some AIDS organization has made me their number one legislative target for defeat this November. I wonder if these special interest lobbyists bothered to check my voting record on AIDS research and medical care funding.I know they did, and they found that I have a 100-percent record in support of AIDS funding for research and care. So what could this AIDS group be thinking in targeting me? It's obvious. There agenda does not have fundraising for AIDS as its primary concern. Their priorities are driven by the activist homosexual agenda. They can't stand it when I or anyone else tells the truth about the public policy issues surrounding homosexual activism. The AIDS lobby rates the votes of Members on bizarre issues like acceptance of this phoney spin-off ''bisexuality,'' or total acceptance of homosexuality in every facet of American life from adopting to scouting to Big Brothers, Inc., to the sacrament of matrimony.

Does every Member really truly, grasp the enormity of the suffering that was involved as 360,000 Americans slowly wasted away with AIDS? I can't fully absorb the enormity of that level of suffering. Who but a handful among us in Congress, until my remarks today, knew that worldwide, in just 3 years, 60 million people will be infected with the AIDS virus? What a ghastly way to begin the third millennia! And this calamity is behavior driven, conduct driven, no ifs, ands, or buts about that harsh truth.

Mr. Speaker, does any Member of this body know how much it costs to care for an AIDS victim throughout their sickness from the first HIV positive test until their death? In our advanced country, on the low end, it's $119,000, and that's if they survive only 3 years or less. But for several hundred patients in special government programs, it's over $100,000 per year to fend off the beginning of full blown AIDS! And Mr. GUNDERSON's friends claim the all-night scene at the Mellon Auditorium raised a mere $50,000, actually $45,000? That's one-half of 1 year of care for just one government patient who is only HIV positive. Not much to brag about when the homosexual partying cost over an admitted $80,000! And again, according to Mr. GUNDERSON, $14,000 was for the lighting alone. I wonder did that include the multicolored rainbow lighting of those magnificent Mellon Auditorium Doric columns along Constitution Avenue?

By the year 2000, the AIDS plague will have cost our national economy about $107 billion. It has already cost us over $75 billion, about $35 billion of that in research. Since 1986, insurance claims involving AIDS have increased more than 400 percent totaling an estimated $9.4 billion! Children orphaned by AIDS will reach 4 million youngsters worldwide by the year 2000—80,000 in the United States alone. That's 4 million innocent babies, toddlers and other precious children of tender age left without both parents!

And homosexual publications like the Blade or the Advocate question my motives—my passionate concern. How arrogant.

Mr. Speaker, some of us read on the front page of the May 1st Wall Street Journal many enlightening facts. Let me read one to you:

> A major study that was just being completed [in 1987] put the average risk from a one-time heterosexual encounter with someone not in a high-risk group at one in five million without use of a condom, and one in 50 million for condom users.

That's beyond the odds of being struck by a lightning bolt. Let that sink in—Most of us are more in danger of being hit by lightning than being zapped by AIDS.

I continue quoting the Wall Street Journal:

> Homosexuals, needle-sharing drug users and their sex partners, however, were in grave danger. A single act of anal sex with an infected partner, or a single injection with an AIDS tainted needle, carried as much as a one in 50 chance of infection. For people facing these risks, it was fair to say AIDS was truly a modern-day plague.

There it is again, behavior is the driving malignant constant with this plague.

Mr. Speaker, let me repeat that Wall Street Journal conclusion, ''For people facing these risks, it was fair to say AIDS was truly a modern-day plague.'' For what people? For, quote, ''homosexuals, needle-sharing drug users and their sex partners.'' The truth is, and honest reporters have known this for years, AIDS simply is not, not, everyone's disease. Is it a plague. Of course it is. Is it an epidemic, an intercontinental pandemic? Beyond question. But it simply is not everyone's disease.

Mr. Speaker, let's apply some single logic. A thoughtful leader from AIDS project Los Angeles told me just this week that if AIDS is everybody's disease, it's nobody's disease! Is AIDS your disease? No. Is AIDS my disease? No. How about all of the floor staff and clerks around us? Most, probably not. How about all the entire membership of Congress, all 535 of us? Now here's where we pick up a few at risk. I was told some time ago that between the House and Senate there are HIV infections, and that was with only about 50 or so Members ever having been tested. If we include all of our staffers, about 30,000 on the Hill, we'd probably pick up another handful or so who are infected. And that's mainly because government work and big cities like the District of Columbia attract to work here a disproportionate number of homosexuals beyond the 1 percent to 2 percent estimates nationwide.

Mr. Speaker, I'm sure you get my point. But what you may not realize is that in making this point you have just stigmatized a small percentage of our population as ''high-risk for venereal disease,'' including AIDS, the only fatal sexual transmitted disease. Yes, my friend, by accepting logical truth you too can be called a bigot, a hater, or prejudiced. Those are the vile words which were hurled at me, at an African-American columnist, at a hard working reporter, at my friends at the Family Research Council, and at those who instinctively believed Marc Morano's report about the illegal conduct at the Mellon Auditorium.

By the way, wouldn't it be equally scandalous to rent out this architectural showpiece for a Hustler, Penthouse, or Playboy no-holds-barred celebration of free-love with centerfold models in neon underwear as bartenders * * * with or without the drug use, and with or without the half naked gyrating, and with or without a crude name, Screw Alley, for the arched, carriage entrance, east side courtyard?

If I can have an animus toward the promotion of fornication and adultery that's promoted in Hustler, why can I have an animus toward homosexual glorification? I refer you to the Untied States Supreme Court decision, Romer v. Evans, May 20, 1996. It is most timely and very instructive.

The decision didn't go the way I expected. Naturally, I stand with Justice Scalias brilliantly logical and hard hitting dissent. Anthony Kennedy's six Justice to three Justice opinion represents just a part of the raging debate that involves DORNAN and GUNDERSON and that is not ricocheting around our Nation * * * a nation Rev. Graham says is ''on the brink of self-destruction.''

For example, homosexual pedophilia has cost my Catholic religion, a faith I dearly love, over one and a half billion * * * billion * * * dollars and counting. Those are tithing dollars, God's money, spent trying to ease the pain and stem the outrage of the victims of clerical homosexual pedophilia. Who is to blame? Besides the molesters themselves to whom Jesus would take this belt to drive them from His Father's house? Well, try the liberal rectors of Catholic seminaries who decided years age to reject common sense and accept homosexuals who merely promised to be good, or promised to try to be good. And how the same type of prideful social experimenters are constantly shopping for liberal judges trying to force homosexual acceptance on our military forces.

Pro-family folks, especially those in Colorado who crafted their amendment 2, ought not to be discouraged by what I am about to explain, but, sadly, Colorado's amendment 2 was imprecisely written and its inexact wording is what allowed six Justices to choose process over substance in handing down their majority opinion.

Amendment 2 unfortunately used modern homosexual terminology. It stated.

No Protected Status Based on Homosexual, Lesbian, or Bisexual Orientation. Neither the State of Colorado, through any of its branches or departments, nor any of its agencies, political subdivisions, municipalities or school districts, shall enact, adopt or enforce any statute, regulation, ordinance or policy whereby homosexual, lesbian or bisexual orientation. conduct, practices or relationships shall constitute or otherwise be the basis of or entitle any person or class of persons to have or claim any minority status, quota preferences, protected status or claim of discrimination. This Section of the Constitution shall be in all respects self-executing.

The problem with language, Mr. Speaker, is the use of the terms ''orientation'' and ''class of persons.'' And let me just say at this key point, Mr. Speaker, that what I am about to explain, brightly illuminated by this current Supreme Court decision, will lend itself a resolution of the question before us today—that is, Mr. GUNDERSON questioning of my motives and his attacks on my character.

For the purposes of law, there is no such thing as homosexual orientation. In law, it doesn't exist. In law, homosexuality is no more and no less than a sex act. Loving friends living together for years can be bonded by Philos love with never even a though of Eros love. So under the law, you can't be H–O–M–O without the S–E–X–U–A–L any more than under law you can be hereto without the sexual. This is a crucial distinction in the law. Why? Because laws and public policies are based on human actions, not the penumbra of orientations, or inclinations, or tendencies, or temptations never acted upon * * * Not what goes on in the thought processes of the human brain. Law involves conduct * * * behavior * * * and, yes sometimes speech such as treason, libel, or yelling fire and in a crowded enclosure.

There are no laws against what a man thinks, nor will there ever be in a truly free country. In the eyes of the law, thoughts don't rape or molest. Desires don't sexually exploit another person or spread disease. Only human actions can do those things. All of the consequences pertaining to he behavior of male homosexuality center or sex acts. In James Carvellian speak, it's the conduct, stupid.

Unfortunately, Colorado's amendment 2 carries the term ''orientation'' which allowed Justice Kennedy and five other Justices to perpetuate the myth of some kind of innate homosexual personhood. I don't have to tell you, Mr. Speaker, how ridiculously inane that notion is. Imagine, if you will, some of the beautiful little babies occasionally held in this parents arms up there in our gallery. * * * Can anyone really make a scientific case that somehow those parents are holding budding little bisexuals or cross dressers or pedophiles just waiting for puberty to reveal their true sexual desires. But such arguments are made regularly, usually by homosexual scientists or homosexual doctors, and are rarely, if ever, exposed as mostly psychobabble and pseudoscience—certainly not by Newsweek or Time and the other liberal weekly news magazines.

Of course, the concept of orientation within amendment 2 led to the inclusion of the expression ''class of persons.'' I shouldn't have to spend too much time explaining this notion because the Supreme Court has pointed out clearly through precedent that homosexual behavior is not a protected class of activity. To fairly assume protected status, homosexuality would have to be broadly viewed as politically powerless—which is absurd—and immutable and unchangeable—equally absurd given that a person can go from heterosexuality to homosexuality and everything in between all in the timeframe of just one Cherry Jubilee Weekend, even calling himself bi- or tri-sexual, or he can use the offensive and corrupt new term ''transgenerational.'' And, lastly, homosexuality would have to be viewed as a ''protected status'' which usually means economically disadvantaged—this is perhaps the most patently absurd concept of homosexuality, certainly in the United States or in Europe.

Including in the law the concepts of ''orientation'' and ''class of persons'' spawned the legal death of Colorado's amendment 2. But the argument with which I took greatest exception in the flawed Kennedy-written majority decision, and the focus that is most relevant to this question of privilege today, is his use of the words ''animus'' and ''animosity'' to describe the motivation of the framers of amendment 2 and the 53 percent of Colorado voters who voted for the amendment—and the beliefs of an overwhelming majority of Americans.

Animus—this is the same charge that Mr. GUNDERSON has leveled at me using rougher language in his floor speech, his ''Dear Colleague,'' and the long, revealing, June 2 Washington Post Magazine puff piece. To be specific again, he said that my effort in exposing the truth about the ''Cherry Jubilee Weekend'' was just my ''latest attempt to smear the homosexual community,'' that I'm motivated by hatred, a nastier word for ''animus,'' not by a sincere desire to protect government property from abuse and, of course, not by a sincere conviction that all Members of Congress prevent our Government from giving bad example to the youth of our Nation by sending them the destructive message that promiscuous sex, hetero-homo-bi-tri or commune sex, is normal and healthy and regularly allowed to showcase in our public buildings. I repeat, we have learned the hard way that the wages of that sinful message are death—360,000 deaths and counting.

So Mr. GUNDERSON tells this Chamber, and the whole country through C–SPAN, that my sole motivation is to smear. Let me read to you, Mr. Speaker, what Justice Antonin Scalia wrote in his dissenting opinion about this animus supposedly expressed by voters in Colorado who hold traditional Judeo-Christian beliefs. Please apply all of the clarity of Justice Scalia's thoughts to my situation here today.

The Court's [majority] opinion contains grim, disapproving hints that Coloradans have been guilty of ''animus'' or ''animosity'' toward homosexuality, as thought hat has been established as Un-American. Of course it is our moral heritage that one should not hate any human being or class of human beings. But I had thought that one could consider certain conduct reprehensible—murder, for example, or polygamy, or cruelty to animals—and could even exhibit ''animus'' toward such conduct. Surely that is the only sort of ''animus'' at issue here: moral disapproval of homosexual conduct, the same sort of moral disapproval that produced centuries-old criminal laws that we held constitutional in *Bowers* [the 1986 case upholding Georgia's sodomy law and what is still law in half of our states and in our Armed Forces' ''Uniform Code of Military Justice.''].

Justice Scalia continues by writing in his opinion that ''Coloradans are ...entitled to be hostile toward homosexual conduct'' and that the ''Court's portrayal of Coloradans as a society fallen victim to pointless, hate-filled 'gay-bashing' is so false as to be comical.'' Unquote. Comical, Scalia wrote. Mr. Speaker, he thought his opinion to be so important that he took the time to read it aloud to the U.S. Supreme Court, to read aloud his entire dissenting opinion which was much longer than the majority opinion.

Mr. Speaker, please reflect on Justice Scalia's carefully chosen words. He is saying that you and I, and all Coloradans, are entitled—he italicized this word in his opinion—''entitled to be hostile toward homosexual conduct...'' Not hostile toward any person, but hostile toward the conduct. Only craven, cowardly bullies hurt or bash individuals and they should be severely punished with the full force of law. A law abiding citizen doesn't even physically abuse a guilty drunk driver at an accident scene involving an injured child—and that's a tough provocation. He makes a citizen's arrest and waits for the police.

So let me state for the record again, Mr. Speaker, before the million plus interested citizens watching on C–SPAN, and not referring to any individual in particular, . . . It's the conduct, stupid. And Mr. GUNDERSON knows in his heart of hearts that if he were being physically assaulted out on the street, BOB DORNAN would be one of the very first, if not the first, to defend and protect him even at risk of my own life. If you doubt that, just ask Congressman CUNNINGHAM and about half dozen of our Capitol Hill police officers.

I, like most Americans, do have animus towards homosexual conduct . . . and at the ostentatious in-your-face conduct that was exhibited at the Cherry Jubilee group grope. In his floor statement, Mr. GUNDERSON attempts to portray the homosexual conduct at the stately Mellon Auditorium as a ''gift of love, not a week-end of illegal activity.'' Even the remotest touch of common sense will tell any American, Mr. Speaker, that the 8,160 square foot Mellon Federal auditorium, which is bigger than the 7,600 square footage of this House chamber and almost twice as big as the 4,300 square foot Senate chamber, when filled with 2,000-plus writhing, bumping and grinding, homosexuals, hundreds half-naked, is anything but a ''gift of love'' . . . unless, of course, you define lust as love—which is similar to a Member of Congress using love as an excuse for responding to a male pimp's sex ad in the homosexual Blade newspaper, an ad which was signed off by ''Hot Bottom'' . . . face it, that's lust, not love.

Just why would I have animus about a sleazy homosexual jamboree? Fair question with a very easy answer. Again, Mr. GUNDERSON claimed the Cherry Hop raised about $50,000. The truth is that it raised only $45,000. But think about this, Mr. Speaker, if just one person after that night of quote ''coping feels''—

that's the term of an anonymous columnist reporting on the hop for the homosexual Metro Weekly newspaper and cited in The Washington Times—. . . after a night of ''coping feels'' on that dance floor, if just one person, after furtively sharing a little cocaine with an all-too-friendly same-sex tripper in a latrine stall, if only that one person after the gala, back at a motel or hotel shared the virus that keeps on giving—the fatal AIDS virus . . . then . . . that mere $45,000 raised is but a drop in the bucket. Why? Because it won't even cover a fraction of the cost that one single AIDS patient will require throughout his medical decline and death.

God demands compassion and prayers for the infected patient and for the dying patient. Jesus commands it . . . ''What you do for these, the least of mine, you do for me.'' Yes, of course, love and compassion. But focused animosity is logical when directed at the behavior of the arrogant risk-takers, those hell-bent-for-leather to put lust before long life and therefore overload, if not bankrupt, our health systems. Dr. Tony Fauci told me 3 weeks ago at NIH that many homosexuals now become HIV positive because of mere frustration, mere annoyance at having to avoid AIDS with less risky sex. So, mentally exhausted with safer sodomy, they succumb to high risk lust with its inevitable fate. Mr. GUNDERSON says that we ''must not lecture one another,'' quote, ''if there is to remain any element of mutual respect.'' Unquote. Well if lecturing is out, then I simply plead with young Americans at risk: Stop hurting one another. Stop killing one another. Stop the promiscuity. Stop the dangerous and unhealthy conduct. And stop holding up homosexual conduct before the youth of our country as wholesome and normal and healthy.

Let met turn around another GUNDERSON insult: He accused me of trying, quote, ''to personally destroy those with whom (I) might disagree'' . . . we, who truly believe we are our brother's keeper, . . . are not trying to destroy you risk-takers, we're trying to save your immortal souls, and your mortal lives in the measure.

Mr. Speaker, let's address the central allegation of Mr. GUNDERSON's May 14 floor speech; that I had a large hand in intentionally ''misrepresenting the facts'' and intentionally ''falsifying information'' surrounding the ''Cherry Jubilee Weekend.'' I repeat, he actually used those false words ''misrepresenting the facts'' six times.

For the record, Mr. Speaker, these salacious advertisements at my side are exactly what I'm talking about when I criticize the melee at the Mellon.

The Cherry Jubilee Weekend consisted of three inclusive events; First, a Friday, April 12, Welcome Party held primarily for this homosexual circuit party's out of town guests, as the promoters at Friends Being Friends have explained. The Welcome Party was advertised as being held in two locations, or as the promoters say, two of Washington's popular local hangouts, the homosexual bars Trumpets and JR's. Mr. Speaker, I have here advertisements for these bars as printed in the city's premier homosexual newspaper The Washington Blade. Note, Mr. Speaker, alongside the ad with this naked male model is another ad with a male homosexual dressed in women's lingerie for the bar Trumpets. These bars were the starting point of Mr. GUNDERSON's gift of love and love thy neighbor as yourself weekend. Mr. Speaker, please think again at this point about Tailhook and the outrageous double standard that we tolerate, especially given the code of honor we Americans demand from our military, and the pathetically low standard of ethics enforced here and in the Senate. Even Packwood avoided being expelled for over a year, then he quit amid tearful goodbyes. Bye, bye, Mr. Abortion.

The second event of the Cherry Jubilee Weekend was the Main Event held Saturday night and which ran until dawn Sunday morning. This was the so-called dance at the surrealistically lighted Mellon. Mr. Speaker, remember that the event's sponsors claim they spent $14,000 just on lighting—not the bright lights of a debutante's ball as suggested by Mr. GUNDERSON—but the hypnotic, psychedelic lighting so befitting the hedonism that it was partially illuminating?

The third event comprising the package weekend was the Sunday Recovery Brunch hosted by Mr. GUNDERSON in our House Rayburn Courtyard. This function was initially advertised as being held in Mr. GUNDERSON's, quote, ''unique Agriculture Committee Room located inside the Longworth House Office Building.'' I assume Mr. GUNDERSON decided a much larger site was needed.

The Washington Blade newspaper wrote a post-mortem of these events, quote, ''Cherry Jubilee kicked off Friday, April 12, with a 'Welcome Cocktail Party' at Trumpets''—that's the 17th St. bistro advertised here, Mr. Speaker, with this cowboy dressed in women's underwear. Back to the Blade, ''This was followed by a ''Welcome Dance Party'' at Diversite, a 14th Street club. (The Washingtonian Magazine says it's D.C.'s ''best bar for the scene.'') The 'Main Event,' an all-night dance attended by over 2,000 people, took place at the historic Andrew W. Mellon Auditorium'' (note that even they say ''historic'' . . . and it's straight across from the National Museum of American History on America's number 1 boulevard, Constitution Ave. And, Mr. Speaker, the Mellon's impressive front doors are exactly 106 paces across Constitution, I personally paced it off, from the mammoth 1814 original ''Star Spangled Banner,'' the actual thirty foot by thirty four foot Ft. McHenry flag that inspired Francis Scott Key to write our National Anthem, including the words, ''. . . And this be our motto: In God we trust!'' Back to the Blade, quote, ''The weekend wound down with the 'Capitol Hill Recovery Brunch' held at the Longworth House Office Building foyer and patio from 1 to 6 pm,'' unquote. (Actually the Rayburn Courtyard.)

The Blade continued its description of the weekend, ''Cherry Jubilee attracted people from as far away as Switzerland and San Francisco.'' Mr. Speaker, that's a reference to the traveling bi and homosexual so-called ''circuit party'' crowd. One of the weekend's sponsors crowed, I quote, ''Pretty much someone from every city came''

That was a description of the weekend from one of their very own newspapers, so let's be honest concerning what we're describing. And, let's be very clear about something else . . . Most of Mr. GUNDERSON's point of personal privilege was spent in criticizing and contradicting the written report and video record of journalist Marc Morano, who was an eyewitness of the Saturday night event. Accompanying Marc was another reporter named Jerry. This character assassination of Mr. Morano is phony and transparent from the start given that Mr. GUNDERSON admitted early on that he, GUNDERSON, was nowhere near Saturday night's ''Main Event'' of hedonism.

Contrary to what Mr. GUNDERSON speculated about Mr. Morano sneaking in, Morano not only bought one ticket at the door, but actually bought another ticket from a scalper for his assistant Jerry, who is obviously a corroborative eyewitness. Why, Mr. GUNDERSON asks, didn't Mr. Morano just proclaim up front why he was there with a video camera? Obviously, he would have been thrown out, just as he was blocked from even entering Mr. GUNDERSON's soiree in our Rayburn Courtyard the next day. As it was, Marc was only able to shoot limited footage. Again, the lighting was purposefully dim, as you can plainly see in this single video still frame that I've had blown up from Mr. Morano's video report just for inquiring minds and honest journalists.

Parenthetically, Mr. Speaker, do you know what scene this blow up reminds me of? The final scenes from the movie ''The Ten Commandments.'' I can hear that unique voice-over narration of Cecil B. DeMille as he paraphrased Exodus Chapter 32 with a touch of Leviticus. Mr. Speaker, you may apply these words, if you choose, to the lapses of dignity at the Tailhook disgrace, but they fit more accurately, times 100, the degradation that disgraced our Capital at the Mellon Auditorium—twice—April 1993 and April 1996.

The narration picks up after the Bible tells us Aaron ''Let the people run wild.'' With reverent foreboding, C.B. DeMille narrates:

> They were as children who had lost their faith. They were preverse and crooked and rebellious against God. They did eat the bread of wickedness and drank the wine of violence. And they did evil in the eyes of the Lord.

On screen the young girl being sacrificed pleads, ''Have you no shame?'' We hear that word ''shame'' applied to Christians quite often by homosexual activists. How perverse.

Scene up on Mount Sinai, God orders Moses, ''Go, get thee down, for thy people have corrupted themselves.''

DeMille:

> And the people rose up to play. They were as the children of fools and cast off their clothes. The wicked were like a troubled sea whose waters cast up filth and dirt. They sank from evil to evil and were viler than the earth. They had become servants of sin. And there was manifest all manner of ungodliness and works of the flesh. Adultery and lasciviousness, uncleanness, idolatry, and rioting, vanity and wrath. And they were filled with iniquity and vile affections and Aaron knew that he had brought them to shame.

Remember that Time magazine cover, ''What Ever Happened to Shame?''

By the way, Mr. Speaker, I know I speak for most Members when I state that the only Moses we like to hear about on this House floor is our Moses of Exodus, the Moses up there in the center place of honor on our north wall, Moses in marble relief looking down on us. Hopefully to inspire us. Moses the lawgiver, Moses of the Ten Commandments, commandments, Mr. Speaker; not suggestions about matters like infanticide and adultery and sodomy. Moses the Prophet. I am beyond annoyance hearing on this floor about Herb Moses or Rob Morris. Why must we hear about 45-year-old and fiftyish boy friends? I

only know the first names of about 20 spouses, and not the single maiden name of a Member's spouse. Enough already with Rob and Herb's family values.

Mr. Speaker, an important point. Mr. GUNDERSON was adamant that there were no orange cones put out to stop public sodomy, but only to warn of construction hazards. Well, Mr. Morano told me, and I personally confirmed this on a visit to this impressive building, that the outside orange construction cones were not for hazard warning of construction work as Mr. GUNDERSON asserted, but were indeed to ward off hard partyers seeking the remote and dark refuge of an outside dead-end stairwell that they themselves dubbed ''Screw Alley.'' Again, I personally observed that it is not an alley, but an elegant arched side carriage entrance and courtyard—there is a courtyard carriage entrance with handicap ramps on each side of the magnificent auditorium. This is where much of the reported public urination was taking place, right there next to our historic Constitution Avenue. The two-carriage entrance courtyards were also the smoking sections for multi-risk fast-laners. One eyewitness said that so many people were up and down the dark stairwells that orange cones were set up by an APEX rent-a-cop, to quote, ''detour the traffic,'' unquote. Mr. Speaker, there was no construction work outside and certainly nothing ''constructive'' going on inside.

In the course of his floor statement, Mr. GUNDERSON said, quote, ''Mr. Dornan uses an article to portray a recent series of events held in this town, in Government buildings, as a party of numerous illegal activities. Nothing could be further from the truth.'' Unquote.

So, to again use Mr. GUNDERSON'S very words, ''It's time to set the record straight.''

The very day after he delivered his statement, the Washington Times, May 15, corroborated the charges of illegal drug activity independent of reporter Marc Morano and his associate's eyewitness accounts. Illegal drugs were used at the taxpayer-owned and GSA-operated historic Andrew W. Mellon Auditorium. And, by the way, Mr. Speaker, Mr. GUNDERSON kept saying the Commerce Department runs the Mellon. Another of his misstatements. It's run by the General Services Administration. This proves again that community lawyers or Whitman-Walker wrote his May 14 protestation.

I met personally with the very professional lady who has been the principal GSA supervisor there for over 10 years. She told me when she came to the Mellon Sunday morning it was filthy, with mixed-drink-sticky-slime covering most of the auditorium floor. She demanded and got Whitman-Walker to pay for a cleaning crew on Sunday, at a triple overtime rate.

As for displays of public sex—who among the participants would come forward and incriminate themselves? As for the one off-duty officer, still unidentified and probably nonexistent, and the six APEX rent-a-cops—wouldn't you expect six or seven people to be overwhelmed by 2,000-plus undulating and mock-humping revelers? And the fact remains that, for many homosexuals, the attraction to partners who are strangers for public sex is pathological. Here is a book, published by homosexual press, for the sole and explicit purpose of leading willing participants to semisecret hot spots across the Nation for public, homosexual sex. This thick magazine is titled ''Steam'', Mr. Speaker. It says that there is a European locations edition.

And look at this thick magazine of depraved classified ads spun off from the homosexual Advocate magazine, Mr. Speaker, most are offensive ads for soliciting sex with strangers. The Advocate spun off this AIDS-spreading depravity into a separate slick magazine so they could attract political interviews like the one with Clinton this very month. A very creepy mailed-in interview, by the way. Par for his course.

No person in their right mind believes that 2,000 upscale homosexuals gathered together in one place for all-night revelry, in such an elegant, taxpayer-owned edifice, weren't pairing up for later action.

Just listen to Mr. GUNDERSON's own words, quote, ''The sponsors intentionally took steps to prevent even an atmosphere conducive to illegal activity.'' Unquote. This is definitely not standard party protocol at your American Legion Hall dance or at any NCO Club dance or a Kiwanis or Rotary Club night out. How about our own Capitol Hill Club? Think Tailhook again, Mr. Speaker, and the price paid by heroic combat pilots who have lost their careers. Why would Mr. GUNDERSON have to tell us all of this, if these so-called homosexual circuit parties, drawing thousands, weren't traveling, lust-liaisons known for their illegal drug activities? Why would they need, as he describes it, quote, ''strategically placed security personnel,''? Or why would they need, as Mr. GUNDERSON says, quote, ''Three-foot-by-four-foot posters placed throughout the auditorium and throughout the restrooms with the message: 'The possession or use of illegal substances is strictly prohibited.' '' Again, the infamous Tailhook mess did not require signs posted around the Vegas Hilton. Why would these posters be needed to control partyers described by Mr. GUNDERSON as—and the Speaker knows that I'm not making this up, check the May 14th RECORD—''the love of God personified'' (pause) and a people whom, quote, ''every conservative and every Republican should applaud.'' How Mr. GUNDERSON kept a straight face through all of these sacrilegious comparisons I'll never know.

It reminds me of their new and equally offensive gambit of referring to an obsession with an unnatural sex act as a ''gift from God.'' What small ''g'' god would that be, the god pan? What sacrilegious, errant nonsense. This transparent propaganda is usually advanced by homosexual clerics and phoney sex therapists of the ''if-it-moves-mate-with-it'' school.

Here's Mr. GUNDERSON's next claim: quote, ''My sole role was to serve as the congressional host for the Sunday Brunch by requesting a space in my name.'' Unquote.

In press accounts, my self-appointed adversary repeatedly points out that he was not a sponsor of the Cherry Jubilee Weekend. But just as Justice Scalia writes about homosexual orientation versus homosexual conduct, use of the words ''host'' versus ''sponsor'' is a ''difference without a distinction.''

Again, as advertised, the Cherry Jubilee Weekend was three events in one. To buy one ticket was to buy a Weekend Ticket, or a ticket to all events. Not to mention that to buy a ticket, for whatever purpose, was to give your money to the entire weekend's activities. Similarly, and a clever politician such as Mr. GUNDERSON knows this, to host one event—in other words, to let your name be officially used—is to lend your name to the entire weekend ''Jubilee'' and to this offensive, pagan advertising that you see beside me.

Further, Mr. GUNDERSON left out some very interesting information that our House Oversight Committee should look into. There are mandatory House rules which specifically guide the use of Federal property on this Hill—in this case, the Rayburn Courtyard where Mr. GUNDERSON's April 14 ''Sunday Recovery Brunch'' was held. That was it's actual name, a ''Recovery Brunch.'' And isn't it fair to ask, ''recovery'' from what? Could it be—oh I don't know—that devilish all night partying at the palatial Mellon Auditorium, lasting for 9 hours from 9 p.m. until 6 a.m. in the morning on the Lord's day?

House regulations governing the use of our taxpayer-owned meeting rooms state that these rooms, or space such as the Rayburn Courtyard, ''shall not be used for fundraising.'' Well, Mr. GUNDERSON stated in his words that fundraising was the entire purpose for the ''Jubilee'' which included his Recovery Brunch, all on one E-ride ticket. Nor are our rooms to be used for ''entertaining tour groups.'' Again, the ''Cherry Jubilee Weekend'' was reported in the Washington, DC, city paper as part of a traveling ''homosexual circuit party.'' Would that be a tour group, Mr. Speaker? What do you think, Mr. GINGRICH?

And groups using our rooms are not permitted to charge an ''admission fee.'' Mr. GUNDERSON stated in his floor speech that the Recovery Brunch cost $25 per person. That's interesting, because one ticket for the ''Jubilee,'' entitling a participant to brunch at Mr. GUNDERSON's recovery, cost $100, not $25. Do you think, Mr. Speaker, that Brunch sponsors were collecting last minute unofficial admission fees at the door that Sunday afternoon? Who ran the accounting for that money collection?

Do you also think for a moment that if someone did not pay the admission fee for the brunch they would have been allowed in, Mr. Speaker? It simply does not compute.

A guest list is required to be submitted by the sponsor of any event when held during ''off-hour periods,'' such as Sundays. And events in the Rayburn Courtyard are not allowed before 4 p.m. Was a list of attendees submitted, Mr. Speaker? I doubt it. And why was the event allowed to begin at 1 p.m., 3 hours before the authorized hour of 4 p.m.? Was Mr. GUNDERSON given a waiver to go around the rules this way? I doubt it. But if so, by whom?

To those Members who may be toying with the thought that I'm splitting hairs, let me remind you, Mr. Speaker, of the nature of the procedural question of privilege involved here. Mr. GUNDERSON over and over accused me of being the primary distributor of false information and deliberate untruths.

If the chair will recall, there was a previous Dornan-Gunderson dust up here on the House floor 2 years ago. It was prompted by his self-serving comment that he places himself among the Christian avatars in Congress, and these are his exact words, quote, ''I'm second-to-none-in-quote-unquote, advocating Christian values around here'' * * * here meaning Congress. Some may recall my-truth-in-advertising response to Mr. GUNDERSON'S words. And now, in this latest go-round, here he is

again invoking Christianity, but this time implying that I am somehow un-Christian, and implying that I and others were attacking defenseless individuals whom Mr. GUNDERSON describes as ''those in need of these services''—meaning AIDS services.

Specifically, he stated—and Mr. Speaker, I hope everyone will take note of his exact words—''Cherry Jubilee represented the best of this American tradition.'' Then ''Cherry Jubilee represented the best of the American family.'' And, a few sentences later, ''Cherry Jubilee represented the best of America's Judeo-Christian ethic.'' Excuse me? Give us struggling believers a break. I repeat his most offensive statement. Mr. GUNDERSON states that the participants at Cherry Jubilee ''became the love of God personified.'' ''The love of God personified''! How outrageously offensive! How sacrilegious! These odious comparisons make the next weird comparison a belly laugh . . . . the half naked dancers and prancers were, quote, ''Newt's shining lights on a hill.'' Unquote. Are NEWT's lights anything like Governor Winthrop's ''shining city on a hill''? I wonder if Winthrop is still spinning in his grave? He probably hasn't stopped spinning since that infamous 1983 censure of the Member from Plymouth Rock.

Mr. Speaker, as I said I'm a grandfather who treasures the innocence of American youngsters and I happily accept our ''in loco parentis'' role with our idealistic young pages, so I will refrain from discussing reporter Marc Morano's roughest descriptions of the so-called ''love of God personified.'' But this picture gives us a tiny, tiny hint.

And this still-frame from Marc Morano's video camera was taken very early on the night of April 13. All I can say is, this is not my American tradition or my American family. And this is sure as hell and heaven not my Judeo-Christian ethic or code of ethics. This does not represent the love of God, certainly not fear of the God of Abraham, the Father of Jesus, or love in any faith that I've ever heard of. This is pagan in every sense of that word. This is a bad rerun of worshiping Molech and Belial.

Mr. Speaker, the tension between me and the three revealed-by-conduct homosexuals in this House is a reflection of the national debate on our moral and spiritual decline. A debate that has tragically been stifled, if not snuffed out completely, in the Democratic party. Fortunately, it is still very much alive within my Republican Party and it's raging white hot in many communities throughout our land. There can be no compromise in this struggle * * * that is why so many faint-of-heart Members in this institution want all moral issues, even partial-birth infanticide abortions, to just go away! Even lazier and more cowardly are those shallow fools who say, so what! I pity their children in the love department. Unfortunately, a struggle over virtue and the future of our Nation as a land of Godly people can only subside when one side wins and the other side loses. And history tells us the battle will wax and wane until the Second Coming.

Mr. Speaker, I know what I am doing by upping the ante in this hellacious fight. I know the danger it holds for me and for my very large family, both politically and personally. But the stakes are to high for anyone to remain on the sidelines who makes claim to a fighters heart that is I pray brave. The stakes are thousands of human lives at jeopardy * * * at jeopardy to the ravages of an irreversible, fatal venereal disease and * * * far more heart-breaking, there are the souls in jeopardy * * * the immortal souls. The stakes are also * * * our beloved America, as we know it.

One of our cockiest Members is fond of whining in exasperation ''what do all of these extremists have to fear from two people of the same sex who love each other?

Given that he undoubtedly is including me among his designated ''extremists,'' I have an answer for him, from a pro-homosexual book, an observation that both sides in the struggle should be able to accept.

''Homosexuality impinges on such questions as what it means to be male or female, what can be considered sexual pathology, what the purposes of sexuality are * * * thus homosexual relationships challenge the moral and emotional basis for the way our culture deals with sexuality.'' Pretty straightforward, Mr. Speaker.

I would further add that there are many other reasons to oppose the norming of the abnormal. Reasons such as respect for the desires of the God of both the Old and New Testaments * * * or respect for the course of nature itself or what Jefferson's Declaration calls ''nature's God,'' or for the survival of the traditional family of one man and one woman bound together in mutual respect and love, sacrificing their selfish interests to procreate, nurture, and maintain what our founders called ''posterity,'' i.e., all of our innocent children yet unborn. This is a legacy that has been time-tested, for millennia, and by its very success it is undeniably the proven path.

The difference between philos love, which is the non-sexual bonding of dear friends, and homosexuality is that the latter is grounded in a sex act, and variations on that eros theme, in conduct that is defined in that dictionary behind me as ''sodomy,'' and sodomy can never be anything but a selfish, hedonistic, and impotent ritual that bears only the lifeless fruits of disease and emotional distress. I pray for all those, Mr. Speaker, who continue to chose a lifestyle and conduct, so sad and so devoid of true happiness, of true gaiety, which is the joy of life * * * joie de vivre * * * the gaiety that flows from God's love.

Mr. Speaker, to our traditional friends who may be listening right now—those who are often maligned and ridiculed in liberal media for their constancy and courage in defending decency and virtue—Remember that our forefathers paid a terrible price to win their liberty * * * our liberty. It cost most their fortunes or and many their very lives, but never their honor. Every tiny segment that we give up of our standard of decency hastens the demise of our very basic freedoms. Remember, we traditionalists fight to protect the entire spectrum of moral living. Therefore, each political compromise forced upon us—each traditional virtue that we surrender or even compromise—is a loss of something we treasured and thus we are weakened for the next inevitable confrontation. In the culture war in which we are engaged, we must remind ourselves over and over that only a virtuous people can be a free people. Remember Alexis de Tocqueville's insightful prediction, ''As long as America is good, America will be great.'' Our Founders knew that well. It is the nature of this struggle that we will always be on the defensive. Do not feel discouraged or downhearted because we refuse to be ''positive'' about sodomy or abortion-on-demand just to please liberal reporters. The hard reality is that in this decency battle, the hedonists win something every time we compromise, and the rest of us lose a bit more of our virtue, another one of the foundations of our freedom. Mr. Speaker, the unrelenting chipping away at moral tradition by our adversaries succeeds only when we are complacent or when we continue our delusionary trips to that big three-ring circus tent, a tent that some want to be so large that it will allow practitioners of any perversion to slither in and even be welcomed. Today the Ephebephiles, heterosexual ephebephiles or homosexual ephebephiles, tomorrow, Hello Pedophiles! Come on in, it's a very big tent.

We, who know what objective truth is, must make a firm commitment every day * * * to never, ever compromise in this intense conflict to preserve a culture that is not just safe for children but for their families * * * a culture with virtue, a culture that pleases God.

And what possible claims can homosexual activists make toward Christian loyalty. A true Christian must be able to say with believability, ''I try to walk in the footsteps of my Savior Jesus Christ.'' For someone to claim without shame, that the disgusting display of hedonism at the majestic, publicly-owned Andrew W. Mellon Auditorium had anything to do with Jesus Christ or his followers is to exercise raw evil egotism. Dr. Billy Graham had it exactly right. We are ''a nation on the brink of self-destruction.'' But we need not self-destruct nor commit national suicide. Honest Abe Lincoln, at only age 38, warned us to steel ourselves against national self-destruction.

Mr. Speaker, let me repeat those words from a four-star general that I used in my opening, ''we must insist on disciplined and principled behavior. * * * The majority of our members understand well that integrity is essential in an organization where we count on fellow members and that honesty is the glue that binds the members into a cohesive team.

''And they easily take responsibility for their actions and exhibit the courage to do the right thing.

''Yes, most professionals place service before self and willingly subordinate personal interests for the good of their unit, the Air Force and the Nation and, if called upon, are willing to risk their lives in defense of the United States.''

Thank you, General Ron Fogelman for inspiring me in a period when I certainly find myself on a solo deep-strike recon mission.

Mr. Speaker, true love will always protect the innocent. I will always challenge the child corrupters, my shield is always the chastening and fearful words of Jesus Christ in Matthew 18:6, ''Whosoever shall cause one of these little ones who believe in me to sin, it were better for him that a millstone were hanged about his neck, and that he were drowned in the depth of the sea''. . . . I will do a post mortem on these matters, if I have to, in a Special Order, so as to clear up, with the truth, any late breaking developments. Thank you for your attention, Mr. Speaker, and may God truly bless and watch over our bountiful land. I yield back the balance of my time, but I will never yield my sense of decency.

REPORT ON H.R 3734, WELFARE AND MEDICAID REFORM ACT OF 1996

Mr. KOLBE, from the Committee on the Budget, submitted a privileged report (Rept. No. 104–651) on the bill (H.R. 3734) to provide for reconciliation pursuant to section 201(a)(1) of the concurrent resolution on the budget for fiscal year 1997, which was referred to Union Calendar and ordered to be printed.

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the further consideration of H.R. 3675 and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 456 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3675.

□ 2127

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3675) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes, with Mr. BEREUTER in the chair.

The Clerk read the title of the bill.

□ 2130

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, June 26, 1996, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendment printed in section 2 of House Resolution 460 is adopted.

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

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

After the reading of the final lines of the bill, a motion that the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the majority leader or a designee, have precedence over a motion to amend.

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $53,816,000, of which not to exceed $40,000 shall be available as the Secretary may determine for allocation within the Department for official reception and representation expenses: *Provided,* That notwithstanding any other provision of law, there may be credited to this appropriation up to $1,000,000 in funds received in user fees established to support the electronic tariff filing system: *Provided further,* That none of the funds appropriated in this Act or otherwise made available may be used to maintain custody of airline tariffs that are already available for public and departmental access at no cost; to secure them against detection, alteration, or tampering; and open to inspection by the Department.

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

Mr. CHAIRMAN, I have an amendment printed in the RECORD, which I will not offer if I can engage the chairman of the subcommittee in a colloquy.

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

Mr. DAVIS. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I would be pleased to engage in a colloquy with my friend, the gentleman from Virginia.

Mr. DAVIS. I thank the chairman.

I would tell the gentleman, Mr. Chairman, I have received assurances from the administrator of the Federal Highway Administration that he intends to undertake, on behalf of the District of Columbia, a comprehensive transportation needs assessment for the District. Such a study is desperately needed by the District, and it would benefit the entire Washington area, because of the interconnection of all of our transportation systems. This study will be paid for with Federal funds.

The administration is willing to conduct this study for the District because of the serious impact on traffic of the closure of Pennsylvania Avenue. I seek assurance from the chairman of the committee that he will work with the Federal Highway Administration to ensure that this study is conducted, that Congress and the District of Columbia government are consulted on the parameters of the study, that we are able to review the results before they are final, that it will be as comprehensive as necessary, and that it will be finished within a year.

Mr. WOLF. Mr. Chairman, I thank my colleague for his concern on this important matter. Indeed it is a matter of regional importance, and I share his interest. I want to commend him for bringing this to the committee's attention.

I will tell him and guarantee him that I will work with him, the District, the Federal Highway Administration, and anybody else we have to work with to make sure it is done. I understand the Federal Highway Administration may take anywhere from 6 to 12 months and it will cost up to $1 million, but it is a great idea, and I am really glad the gentleman brought it to the attention of the committee.

Mr. DAVIS. I thank the chairman for his assurances. I too understand that this is a major undertaking that may take as much as a year and $1 million to complete. That is why I wanted to raise this matter on the floor. Again, I thank the chairman of the committee for his assurances and assistance.

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

Mr. Chairman, I rise to enter into a colloquy with the subcommittee chairman.

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

Mr. PORTER. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I would be happy to engage the gentleman from Illinois [Mr. PORTER] in a colloquy.

Mr. PORTER. Mr. Chairman, in the 1993 Congress we passed the Swift Rail Development Act, which directed the Secretary of Transportation to prescribe regulations regarding the sounding of train whistles or horns when trains approach and enter public highway-rail grade crossings. This authority has been delegated to the Federal Railroad Administration.

Mr. Chairman, railroad safety is of the utmost importance to me and to all Members of Congress. At the same time, it seems clear that the FRA is expected to take into consideration the quality of life concerns of affected communities in developing and implementing regulations.

Mr. WOLF. Yes, safety is of paramount importance to me as well, and we would expect the FRA to take such concerns into consideration.

Mr. PORTER. Mr. Chairman, this would include an expectation that the FRA would document the impact on communities of any new requirements for the sounding of train whistles or horns at highway-rail grade crossings, and that in exercising its statutory authority to provide for exceptions to the horn sounding requirement, the FRA

would consider the safety records of individual highway-rail grade crossings and provide exceptions where there is no significant history of loss of life or serious personal injury.

And further, this would include FRA's consideration of comprehensive local rail safety enforcement and public education programs as supplementary safety measures, and that, where it is determined that new physical supplementary safety measures are necessary, that the particular characteristics of each crossing and the views of the affected community would be considered in determining the practicality of a proposed supplementary safety measure.

Finally, I would understand that this would include an expectation that the FRA would work in close partnership with communities affected by this law and provide such communities with technical assistance.

Mr. WOLF. Yes, Mr. Chairman, the gentleman is correct. It is the committee's intent that the FRA should incorporate the gentleman from Illinois's recommendation.

Mr. PORTER. Mr. Chairman, I thank the subcommittee chairman.

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

Mr. Chairman, I rise to compliment the distinguished chairman of the subcommittee, as well as the distinguished chairman of the full committee and the ranking Members, the gentleman from Wisconsin [Mr. OBEY], and the gentleman from Texas [Mr. COLEMAN], for the high level of consultation and cooperation with our Committee on Transportation and Infrastructure in developing this bill. Our committee's concerns have been addressed in a very fair manner, and I want to thank the distinguished chairman of the subcommittee.

Mr. Chairman, I rise in support of the fiscal year 1997 Transportation Appropriations Bill.

First and foremost, I want to thank Mr. LIVINGSTON, Mr. WOLF, and Mr. COLEMAN, and their staff for the high level of consultation and cooperation with the Transportation and Infrastructure Committee in developing this bill. The committee's concerns have been addressed in a very fair manner.

Overall the bill balanced the need for a strong Federal role in transportation safety with the need to continue to invest in our Nation's infrastructure. At the same time, the committee had to develop a bill in a climate of tight budgets. They have done an admirable job and should be commended.

For the Federal-Aid Highway Program, the funding level is being kept at the fiscal year 1996 level. The obligation limitation is kept to $17.5 billion—the highest level ever enacted but not at the ISTEA authorized level of $18.3 billion. There is no change to the exempt highway programs.

Despite this level of funding, in fiscal year 1997 outlays from the highway account of the trust fund will still be $700 million below tax receipts. As I have repeatedly stated, it is unethical for us to collect dedicated user fees and not use them for their intended purpose.

For the transit program, the overall level is also kept at the fiscal year 1996 level of $4 billion. This program helps modernize, and maintain our transit systems. It also helps build new systems. Good transit has an important role to play, especially in our large and congested cities. This bill will continue the Federal role in this mode of transportation.

For aviation, the bill funds an increase of $254 million for operations. This increase will fund important safety functions and initiatives. The bill also provides funds to continue the modernization of the air traffic control system—a critical safety issue.

Unfortunately, due to budget constraints, the committee cut funding for airport grants by 10 percent. I believe that there continue to be significant needs for additional investment in our airports for both safety and capacity reasons.

For the Coast Guard the committee has ensured that there are sufficient funds to continue all its missions. We strongly support the Coast Guard's important role in drug interdiction. This is a vital Coast Guard mission that affects every community across this country. The bill also fully funds the State boat safety grant program which is critical to improving safety among recreational boaters.

Unfortunately, funding for Amtrak has been reduced substantially. This reduced funding could jeopardize Amtrak's future and highlights the critical need for the reforms embodied in H.R. 1788, which was passed by the House last November. We continue to look forward to working with the Senate on this much-needed legislation. In addition, I hope when we consider a conference report we will provide additional funds.

This is a good bill. Put together under difficult circumstances. I commend the gentleman from Virginia for his work in developing this bill.

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

Mr. SHUSTER. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I thank the gentleman for his comments. The relationship has probably been as good or better than it has ever been, so I appreciate the gentleman's comments. I hope we can continue this relationship for many more years.

Mr. ARCHER. Mr. Chairman, as the House takes up consideration of the fiscal year 1997 transportation appropriations bill (HR 3675), I want to explain the current law provisions governing expenditures from the Mass Transit Account and to clarify that HR 3675 does not amend current law with respect to those Trust Fund expenditures.

By way of background, the Committee on Ways and Means has jurisdiction over provisions which amend the Internal Revenue Code Trust Funds, including the Mass Transit Account within the Highway Trust Fund. The Committee's jurisdiction is not limited to the financing of the Trust Funds. The Committee's jurisdiction includes the expenditure purposes of the Trust Funds. The role of the Committee on Ways and Means over the expenditure purposes of the Trust Fund Code acknowledges the long-standing agreement that Trust Fund spending purposes should be approved by the Committee responsible for raising dedicated revenues.

The statutory provisions governing expenditures from the Mass Transit Account within the Highway Trust Fund were established in the 1982 Surface Transportation Assistance Act. The Trust Fund expenditure purposes have been revised subsequently to reflect the purposes contained in authorizing legislation, most recently in the Intermodal Surface Transportation Efficiency Act of 1991.

The expenditure purposes of the Mass Transit Account are found in the Internal Revenue Code section 9503(e)(3) which provides that ''(A)mounts in the Mass Transit Account shall be available, as provided by appropriation Acts, for making capital or capital-related expenditures before October 1, 1997—including capital expenditures for new projects—in accordance with * * * [the 1991 Act and specified sections of Title 49] * * * as such Acts are in effect on the date of the enactment of the Intermodal Surface Transportation Efficiency Act of 1991.'' (Emphasis added.)

As my colleagues will note, the Internal Revenue Code is very clear that expenditures from the Mass Transit Account are limited to capital and capital-related purposes. Interpretations of current law or proposed law which would expand expenditure purposes of the Mass Transit Account to include transit operating expenses under the Section 18 Rural Assistance program are without statutory authority or Congressional intent. Finally, any new expenditure purposes from the Mass Transit Account would necessitate a conforming Internal Revenue Code amendment with the consent and approval of the Committee on Ways and Means.

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

Mr. Chairman, I ask to have the privilege of entering into a colloquy with the chairman of the subcommittee.

Mr. Chairman, as an early supporter of efforts to eliminate the Interstate Commerce Commission and to deregulate the motor carrier industry, I am committed to eliminating needless regulatory and paperwork burdens on that industry. As we know, last year Congress passed and President Clinton signed into law the Interstate commerce Commission Termination Act, which eliminated virtually all economic regulations to the motor carrier industry. The Subcommittee on Transportation of the Committee on Appropriations played an important role in that process by eliminating the funding for outdated and unnecessary regulatory functions.

However, I am concerned that one burdensome and costly element of the old regulatory regime remains: the requirement for financial reporting. The original requirement for financial reporting was to facilitate the ICC's statutory obligation to review and approve a motor carrier's rates. That function, rate regulation, no longer exists, and consequently, there is no longer a need to file this data for regulatory purposes.

Federal law requires all trucking companies to have insurance or be approved as a self-insurer following a detailed financial review by USDOT. Neither of these provisions would be affected by eliminating financial reporting.

It is my understanding that the insurance companies do not rely on these

reports because they are able to get more current and useful information through their policy application process.

Mr. Chairman, while it would be my preference that we eliminate the requirement for financial reporting, I understand that the Department of Transportation currently is reviewing a number of reporting requirements, including financial reporting, with an eye toward streamlining those requirements.

Mr. Chairman, I hope we can direct the Department of Transportation to move expeditiously on that review, and to provide the Congress with justification for any continued requirement to provide financial information.

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

Mr. PACKARD. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I share the interest of the gentleman from California. However, I am concerned that streamlining these reports could jeopardize or change the current levels of safety. As the gentleman knows, safety has been personally my number one and the number one issue for the gentleman from Texas [Mr. COLEMAN]. I believe the Department should include this aspect in its review, and the committee looks forward to receiving the information from the Department of Transportation and working with the gentleman from California.

Mr. PACKARD. I appreciate very much the gentleman's willingness to work with us.

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

Mr. Chairman, I would say to the chairman of the Subcommittee on Transportation of the Committee on Appropriations, I appreciate his acceptance in allowing this colloquy or short discussion.

I would also like to personally thank the chairman of the committee, the gentleman from Virginia, [Mr. WOLF] for his, at the outset, agreeability to looking at an issue that is very, very important to many people on this floor. It is also very important to our children and our grandchildren. That is the problem of illicit drugs coming into this country, both through our southwest border and through the Caribbean transit area through Puerto Rico and the Virgin Islands.

We also understand that the Coast Guard plays a very important role in the interdiction effort, and I would like to continue to work with the chairman to find ways we can increase efforts in interdiction; that the Nation must again identify and properly fund an effective drug interdiction effort, and especially in the Caribbean transit zone, as well as in the southwest portion of this country, and to look at the Coast Guard, how we can better work together and find those solutions.

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

Mr. HASTERT. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I pledge I will give it every serious consideration. I commend the gentleman for his interest in this. I think Congress ought to know that the number of high school kids that are using drugs is probably much higher than we actually think. We had a drug conference in my district this past weekend with General McCafferey and a number of other people. In some of the schools, the use of drugs is up to 60 and 65 percent. Drugs are running rampant in this country.

I do not know what the gentleman said is the best idea, but I will give it every consideration. I think the Congress, though, in dealing with this issue, ought to also look at the possibility of setting up strike forces which will go down into South America, into Bolivia, into Colombia, and into Peru, and seize the leaders of these drug cartels and bring them back to the United States, and put them on trial.

But I commend the gentleman for his efforts, and the effort of the gentleman from New Hampshire, [Mr. ZELIFF]. As the gentleman knows, we did note some of his concern and included certain items in the committee report. I will give this serious consideration.

Mr. HASTERT. Mr. Chairman, I thank the gentleman. The statistic is since 1992 to present there has been a 100-percent increase of teenagers that are on, for instance, just cocaine. I think it would be behoove everybody to study what is happening in some of the South American countries, and where there are successes and where there are not.

Mr. WOLF. Mr. Chairman, if the gentleman will continue to yield, he is exactly right. One study showed that when asked, in one area there were 34 percent of the children using drugs, and their parents were asked did they think drug use was around, and only 14 percent though drug use was around. So it is coming back big time, and spiking up. I thank the gentleman for raising this issue.

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

Mr. Chairman, I seek to engage in a colloquy with the gentleman from Virginia [Mr. WOLF], chairman of the Subcommittee on Transportation of the Committee on Appropriations.

Due to an inadvertent error, the table on page 149 in the committee report indicates that funds allocated for Kalkaska, MI, are to be used for buses.

Will the gentleman agree that the committee in fact intended that the funds be used for an intermodal facility?

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

Mr. STUPAK. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I agree with the gentleman that the funds provided for Kalkaska are to be used for an intermodal facility. I do agree with that.

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

Mr. Chairman, I would like to thank the gentleman from Virginia [Mr. WOLF] for his really fine work on this appropriations bill. I would like to take this time to voice my concerns regarding Amtrak's funding levels. Perhaps we can discuss it for a minute.

I am very disappointed with Amtrak's funding levels included in the House transportation appropriations bill. If enacted, these cuts in the operating capital funding for fiscal year 1997 will force Amtrak to close a number of routes and curtail infrastructure investment. Such drastic cuts will not allow Amtrak to reach its goal of self-sufficiency. To successfully accomplish this goal of self-sufficiency, while preserving the national passenger rail system, Amtrak must be provided with a secure and reliable source of capital funding.

My colleague, the honorable gentlewoman from Connecticut, NANCY JOHNSON, has introduced H.R. 2789, the Intercity Passenger Rail Trust Fund Act, of which I am a cosponsor. This bill would establish a dedicate trust fund which would allow Amtrak to decrease its reliance on Federal operating capital more rapidly. This trust fund is not a new tax, nor would it contribute to the deficit. Instead, H.R. 2789 would redirect one-half cent from the existing gasoline tax in the mass transit account of the highway trust fund into a dedicated capital fund for Amtrak.

Without a dedicated funding source, Amtrak will be completely dependent upon the less than certain actions of Congress. This uncertainty hampers the corporation's ability to enter into long-term contracts and move towards fiscal self-sufficiency.

□ 2145

In order to enhance safety, increase reliability, and reduce operating costs, Amtrak must be able to rely on consistent funding.

It is clear we all agree that Amtrak should be free of operating support and should have less dependence on Congress for its funding. However, without adequate capital funds or an alternative funding source now, Amtrak will forever be dependent on Congress and the taxpayers.

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

Mr. CASTLE. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, the gentleman is right, and just to make a couple of comments. We, the gentleman from Texas [Mr. COLEMAN] and I, working in a bipartisan way, the number one issue again that we dealt with was safety, safety whether it be Amtrak or safety whether it be the FAA.

Second, we did not fund the Northeast Corridor because Amtrak has about $466 million that they have not used.

The gentleman raises a very good point, though, and I want to just put it

on the record and maybe to go even a little further than the gentleman did. Amtrak will not make it unless there is a dedicated revenue source, and I agree with the gentleman.

There is one thing, though, that I would caution on, and I have not looked at that legislation. There ought to be a half penny, a half cent for Amtrak, but it ought not be in competition coming out of mass transit. If we begin to do that, we are then going to be pitting the gentleman from Philadelphia, Mr. FOGLIETTA, and New York, and Chicago, and L.A., and San Francisco, and Houston, et cetera, et cetera, against Amtrak. So if we are going to have a half a cent dedicated, it has to be done in such a way that it does not come out of mass transit.

There is the opportunity for the one-half cent, but without a dedicated revenue source, Amtrak will not be able to rely on the appropriation process and it is going to fail. So if there is not one-half cent, Amtrak is going to do under.

Mr. CASTLE. Mr. Chairman, I appreciate the gentleman's caution about the half-cent source, and I do not disagree with that. I also appreciate the gentleman's great concern with this particular issue. I think it is going to take the efforts of all of us to come to the rescue, and in particular circumstance as we change away from operating to doing the capital funding. I think it can be done if we work together, and I absolutely believe it is a worthwhile cause. So I appreciate the gentleman's support.

Mr. WOLF. I thank the gentleman.

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

Mr. Chairman, I would like to engage the distinguished chairman of the subcommittee, the gentleman from Virginia [WOLF] in a colloquy.

Mr. Chairman, there is currently a provision in the bill which could allow the United States Coast Guard to sell property in Wildwood, NJ, currently used for the Electronic Engineering Center. This would be devastating for Wildwood, because the property represents one of the last remaining undeveloped areas of natural coastline in southern New Jersey and maybe in the entire State and is very environmentally sensitive.

My community is very upset about even the potential of the Coast Guard selling this property. I understand it was proposed by the Coast Guard merely in order for them to help meet their budget targets.

While I understand that the Coast Guard has budget concerns, I am committed to finding a solution which is acceptable to the community as a whole and protects the normal government service administration real property disposal procedure, which offers the property to other Federal agencies first and is environmentally sound.

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

Mr. LOBIONDO. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I appreciate the gentleman from New Jersey [Mr. LOBIONDO] bringing this to our attention. Coming originally from Philadelphia, I spent all of my summers down in Wildwood. The fact is I worked as a beach boy selling umbrellas in Wildwood one year, and I also worked in the amusement park in North Wildwood there, so I know the area that the gentleman is talking about. I appreciate him bringing this to my attention.

This year we are going to vacation, though, in Avalon. But the language that was included in the budget request is a way to save money. We were not made aware of the local opposition to the coast Guard's proposal until the gentleman brought it to my attention.

I understand the serious consequence of the proposal. I want to assure the gentleman that I will do whatever is necessary to address this problem in a manner that protects the normal GSA property disposal procedure and is satisfactory to the local community by the time this bill comes out of conference with the Senate.

I thank the gentleman for his hard work on this matter. In fact, if it were not for the gentleman bringing this to our attention, this could have sailed by. Without his intervention, I am sure the Coast Guard proposal would have received little scrutiny or analysis. Now that we are aware of the problem, we will work over the coming weeks with the gentleman and his staff to satisfy the community's concern as we work toward a final solution.

I would tell the gentleman, when he gets to Avalon, the best bake shop in Avalon is Kohler's. And if he gets a chance, stop by Kohler's.

Mr. LOBIONDO. I know the location well. I thank the gentleman, Mr. Chairman, for the assurance to do what is necessary to correct this problem. I look forward to working with the gentleman on this matter in a way which addresses the serious concerns of my constituents.

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

Mr. Chairman, I think there are many here in this body who did not know that the proposed regulation in the Federal Hazardous Materials Transportation Act in the 103d Congress will most likely cost the average farmer in America approximately $3,200. The overall impact of the regulation could exceed $7 billion.

The Department of Transportation has proposed a regulation that would supersede every State exception grant to the agricultural industry in transferring of agricultural production material from either retail to farm or farm to farm.

Besides the regulatory burdens of such a mandate, the enforcement is even less practical. Please note that most farmers take training classes to be certified every 5 years to even use many of these chemicals. Most States have had in place for years exceptions that allow retailers and farmers to transport regulated agrichemicals to the farms without having to placard their trucks, carry shipments, documents, and provide a 24-hour emergency response phone number.

The rural local transportation of agrichemicals under these exceptions has allowed agribusiness and the farmers to move product efficiently and safely during the farming seasons. In fact, most of these chemicals are transferred during a short 2- to 4-week period. Without the same exceptions that have been granted to the industry in the transfer of such chemicals in the past, farmers will have had to abide by time-consuming, burdensome and costly regulations. Such regulations will not make our rural roads safer, but only increase the cost of doing business, cause confusion and require useless paperwork.

The penalty for not abiding by the regulations can run between a $2,500 to a $10,000 fine per violation.

Today I was going to offer an amendment that would simply have retained the current intrastate exceptions by limiting the use of such funds appropriated. The one-size-fits-all approach fails to recognize the unique seasonal and real nature of these businesses.

Second, by States already allowing such exceptions, they have weighed the concerns and found the risks to be minimal.

Finally, my amendment would have allowed each State to determine if they want to continue the exception for the transfer of such chemicals from retail to farm and from farm to farm if they so decide.

To those in this business, it is just another bureaucratic nightmare that the cost of such a proposed regulation outweights the benefits. To me, this is a bigger and more intrusive government. We eliminated the Interstate Commerce Commission and deregulated the areas of the trucking industry. Now we must continue our efforts to lessen the regulations on farms who transfer these agricultural production materials 2 to 4 weeks a year.

I will be back to offer this amendment in a more appropriate vehicle and hope that my colleagues in the future will join in this endeavor to reduce the burdensome regulation from the Federal level. I look forward to working with the gentleman from Virginia [Mr. WOLF] and the gentleman from Texas [Mr. COLEMAN] on this measure.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $5,574,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, and development activities, to remain available until expended, $3,000,000.

TRANSPORTATION ADMINISTRATIVE SERVICE CENTER

Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed $124,812,000, shall be paid from appropriations made available to the Department of Transportation: *Provided,* That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further,* That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further,* That no funds appropriated in this Act to an agency of the Department shall be transferred to the Transportation Administrative Service Center without the approval of the agency modal administrator: *Provided further,* That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

PAYMENTS TO AIR CARRIERS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred for payments to air carriers of so much of the compensation fixed and determined under subchapter II of chapter 417 of title 49, United States Code, as is payable by the Department of Transportation, $10,000,000, to remain available until expended and to be derived from the Airport and Airway Trust Fund: *Provided,* That none of the funds in this Act shall be available for the implementation or execution of programs in excess of $10,000,000 for the Payments to Air Carriers program in fiscal year 1997: *Provided further,* That none of the funds in this Act shall be used by the Secretary of Transportation to make payment of compensation under subchapter II of chapter 417 of title 49, United States Code, in excess of the appropriation in this Act for liquidation of obligations incurred under the ''Payments to air carriers'' program: *Provided further,* That none of the funds in this Act shall be used for the payment of claims for such compensation except in accordance with this provision: *Provided further,* That none of the funds in this Act shall be available for service to communities in the forty-eight contiguous States that are located fewer than seventy highway miles from the nearest large or medium hub airport, or that require a rate of subsidy per passenger in excess of $200 unless such point is greater than two hundred and ten miles from the nearest large or medium hub airport: *Provided further,* That of funds provided for ''Small Community Air Service'' by Public Law 101–508, $28,600,000 in fiscal year 1997 is hereby rescinded.

PAYMENTS TO AIR CARRIERS

(RESCISSION)

Of the budgetary resources remaining available under this heading, $1,133,000 are rescinded.

RENTAL PAYMENTS

For necessary expenses for rental of headquarters and field space not to exceed 8,580,000 square feet and for related services assessed by the General Services Administration, $127,447,000: *Provided,* That of this amount, $2,022,000 shall be derived from the Highway Trust Fund, $39,113,000 shall be derived from the Airport and Airway Trust Fund, $840,000 shall be derived from the Pipeline Safety Fund, and $193,000 shall be derived from the Harbor Maintenance Trust Fund: *Provided further,* That in addition, for assessments by the General Services Administration related to the space needs of the Federal Highway Administration, $17,294,000, to be derived from ''Federal-aid Highways'', subject to the ''Limitation on General Operating Expenses''.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of direct loans, $1,500,000, as authorized by 49 U.S.C. 332: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $15,000,000. In addition, for administrative expenses to carry out the direct loan program, $400,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of the Minority Business Resource Center outreach activities, $2,900,000, of which $2,635,000 shall remain available until September 30, 1998: *Provided,* That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; $2,609,100,000, of which $25,000,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided,* That the number of aircraft on hand at any one time shall not exceed two hundred and eighteen, exclusive of aircraft and parts stored to meet future attrition: *Provided further,* That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: *Provided further,* That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further,* That the Commandant shall reduce both military and civilian employment levels for the purpose of complying with Executive Order No. 12839.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $358,000,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $205,600,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2001; $18,300,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 1999; $39,900,000 shall be available for other equipment, to remain available until September 30, 1999; $47,950,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 1999; and $46,250,000 shall remain available for personnel compensation and benefits and related costs, to remain available until September 30, 1998: *Provided,* That funds received from the sale of the VC–11A and HU–25 aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity: *Provided further,* That the Commandant may dispose of surplus real property by sale or lease and the proceeds of such sale or lease shall be credited to this appropriation: *Provided further,* That the property in Wildwood, New Jersey shall be disposed of in a manner resulting in a final fiscal year 1997 appropriation estimated at $338,000,000: *Provided further,* That none of the funds in this Act may be obligated or expended to continue the ''Vessel Traffic Service 2000'' Program.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(RESCISSIONS)

Of the available balances under this heading provided in Public Law 104–50, $3,400,000 are rescinded.

Of the available balances under this heading provided in Public Law 103–331, $355,000 are rescinded.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, $21,000,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, $16,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55) $608,084,000.

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; $65,890,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, $19,000,000, to remain available until expended, of which $5,020,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided,* That there may be credited to this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that the bill through page 10, line 20, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

BOAT SAFETY

(AQUATIC RESOURCES TRUST FUND)

For payment of necessary expenses incurred for recreational boating safety assistance under Public Law 92–75, as amended,

$35,000,000, to be derived from the Boat Safety Account and to remain available until expended: *Provided,* That, notwithstanding any other provision of law, $5,000,000 is available only for the Coast Guard to establish a discretionary boating safety grant program.

POINT OF ORDER

Mr. COBLE. Mr. Chairman, I have a point of order against the language beginning with the colon on page 10, line 25 through ''program'' on page 11, line 3.

The CHAIRMAN. The gentleman will state his point of order.

Mr. COBLE. Mr. Chairman, this provision sets aside $5 million of the appropriation for recreational boating safety for the new discretionary boating safety grant program. This is not authorized by law and is contrary to the distribution of funds under existing law and, therefore, is in violation of clause 2 of rule XXI of the Rules of the House.

Mr. WOLF. Mr. Chairman, I rise to speak on the point of order.

Mr. Chairman, I can concede the point of order. The provision is legislation on an appropriations bill. However, I would like to explain that the committee feels strongly that the Coast Guard should be more active in using this grant program to promoting safety, rather than simply sending checks out by formula, as is currently the case.

I understand that this program must be reauthorized next year, and I would ask that the gentleman from North Carolina [Mr. COBLE] take a look at the establishment of the discretionary grant program which will receive strong consideration by the subcommittee next year going to reauthorization. Such a program will not cost any more money, and it could improve boat safety, because it would put money where the problem is.

Again, as the gentleman from Texas knows, we increased boat safety money by over 50 percent in this bill. We thought this way it would get the Coast Guard more involved to be much more aggressive working in the boat safety area.

Mr. COBLE. Mr. Chairman, I will be happy to engage in continuing that dialogue with my friend from Virginia on this issue.

Mr. WOLF. I thank the gentleman.

The CHAIRMAN. The point of order is conceded. The point of order is sustained. The provisions subject to the point of order are stricken.

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

Mr. Chairman, I would like to enter into a colloquy with the distinguished chairman of the Transportation Subcommittee, the gentleman from Virginia [Mr. WOLF].

Mr. Chairman, I noted with interest that the report accompanying H.R. 3675 refers to the vessel traffic service system, a VTS 2000. The committee denied the fiscal year 1997 funding request for the VTS 2000 and disallowed the use of the unallocated fiscal year 1996 funds to continue developmnt of the program.

This is a program in which government and industry have made significant investments. However, the system as now envisioned was not favorably considered by the committee. Nevertheless, the committee did suggest that the Coast Guard develop a follow-on program as soon as possible to avoid further delay in bringing this valuable technology to the Nation's ports and waterways.

I would hope that the distinguished chairman would favorably consider allowing the Coast Guard to use prior year funding to facilitate this effort.

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

Mr. WALSH. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I appreciate my distinguished colleague's remarks. The safety of our ports and waterways is of extreme importance, and this committee has always placed the highest priority on achieving a higher degree of safety. I note the gentleman's concern and assure him that the conference will weight it carefully in its deliberations.

Mr. WALSH. I thank the distinguished chairman for his kind consideration of this matter.

The CHAIRMAN. The Clerk will further read.

The Clerk read as follows:

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities and the operation (including leasing) and maintenance of aircraft, and carrying out the provisions of subchapter I of chapter 471 of title 49, United States Code, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of four passenger motor vehicles for replacement only, $4,900,000,000, of which $1,642,500,000 shall be derived from the Airport and Airway Trust Fund: *Provided,* That notwithstanding any other provision of law, not to exceed $30,000,000 from additional user fees to be established by the Administrator of the Federal Aviation Administration shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further,* That the sum herein appropriated from the general fund shall be reduced on a dollar for dollar basis as such offsetting collections are received during fiscal year 1997, to result in a final fiscal year 1997 appropriation from the general fund estimated at not more than $2,127,398,000: *Provided further,* That the only additional user fees authorized as offsetting collections are fees for services provided to aircraft that neither take off from, nor land in, the United States: *Provided further,* That there may be credited to this appropriation, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities and, for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificate, or for tests related thereto, or for processing major repair or alteration forms: *Provided further,* That funds may be used to enter into a grant agreement with a nonprofit standard setting organization to assist in the development of aviation safety standards: *Provided further,* That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further,* That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further,* That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: *Provided further,* That none of the funds derived from the Airport and Airway Trust Fund may be used to support the operations and activities of the Associate Administrator for Commercial Space Transportation.

Mr. WATTS of Oklahoma. Mr. Chairman, I move to strike the last word and engage the Chairman of the Transportation Subcommittee in a colloquy.

Mr. Chairman, the FAA's Mike Monroney Center in Oklahoma City is the Nation's premier air traffic controller training center. The FAA recently rewarded a contract to the University of Oklahoma, under an open competitive process and open evaluation procedure, to conduct air traffic controller training at the Monroney Center.

At a time when the public is particularly concerned about air traffic safety standards and the procedures that support those standards, I would like to confirm, Mr. Chairman, that the 1997 transportation appropriation includes sufficient funds to fully implement this FAA contract, and that this much-needed training can go forward at the Monroney Center.

□ 2200

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

Mr. WATTS of Oklahoma. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I thank the gentleman for bringing this to our attention. The air traveling public relies to a great extent on the quality of the training of our air traffic controllers.

I assure the gentleman from Oklahoma I will work with him to assure that the final appropriation level provides adequate funding for this contract, while not undermining support for the MARC program in Minnesota. I believe this can be accomplished, and I will work with the gentleman to achieve that goal as we go through the process. I appreciate the fact that he was alert and caught this. I thank him very much. We will work together to solve the problem.

Mr. WATTS of Oklahoma. Mr. Chairman, I thank the chairman for that assurance and I appreciate his efforts.

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

Mr. WATTS of Oklahoma. I yield to the gentleman from Oklahoma.

Mr. LUCAS. I thank my colleague for yielding.

Mr. Chairman, I rise to compliment the gentleman from Oklahoma [Mr. WATTS] for bringing up this matter, and I thank Chairman WOLF for allowing the colloquy. I would like to associate myself with the remarks made by Mr. WATTS, and would like to reiterate my support for retaining the $1.7 million for the academy in Oklahoma City. I hope this can be addressed during conference and that Members will the language in last year's conference report.

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

Mr. Chairman, I seek this time to bring to the attention of the distinguished subcommittee chairman a matter of great concern to many of my constituents.

First of all, I would like to say I am a supporter of the mission of the Coast Guard. They do good work. They have saved many lives and prevented injuries to people and prevented property damage by their fine efforts. However, I believe the Coast Guard has overreached in one area, that is, its efforts to enforce the Commercial Fishing Vessel Industry Safety Act.

Specifically, Mr. Chairman, the Coast Guard has issued regulations which are totally inflexible. They do not distinguish between large, deep water boats that operate all year and boats that are 50 feet or less in length, carry three or fewer people, stay 12 to 50 miles offshore, and operate only in the less dangerous summer fishing season.

These regulations are so complex and extensive that compliance is virtually impossible. One particularly egregious example is the requirement that these vessels be equipped with a life raft, sold only by 1 manufacturer, that is extremely costly.

I also question, Mr. Chairman, the way in which these regulations are being enforced. Coast Guard personnel on the West Coast have harassed law-abiding commercial fishermen by conducting armed safety inspections at sea.

This show of force is, in my view, unnecessary—and that is as a former police officer and deputy sheriff—and places an unproductive burden on these individuals who are already having a hard time making a living. One alternative approach apparently not given serious consideration by the Coast Guard is voluntary dockside inspections with fix-it type tickets instead of fines.

Mr. Chairman, the important commercial fishing industry along California's north coast is suffering already from a downturn in the industry and, in my view, overregulation by the Federal Government. I call this to your attention so that the chairman and his subcommittee can be aware of how some of the Coast Guard's resources are being applied.

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

Mr. RIGGS. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I appreciate the gentleman bringing this to our attention. As the committee proceeds in its oversight of the Coast Guard's budget, we will review the practices that he highlighted.

Mr. RIGGS. Reclaiming my time, I thank the chairman for his concern.

Mr. Chairman, I submit for the RECORD two news items reflecting the problems that commercial fisherman are facing, and which I discussed in this colloquy with the distinguished subcommittee chairman this evening:

[From the Times Standard, May 21, 1996]

COAST GUARD BACKS AWAY FROM FACEOFF WITH FISHERMAN

SANTA CRUZ.—The U.S. Coast Guard backed away from its standoff with a fisherman who claimed a routine boat inspection would violate his constitutional rights.

The case was turned over to the Justice Department and the Coast Guard took no action against Jim Blaes of Atascadero, who had refused to allow a safety inspection of the 36-foot Helja.

''Our latest tactic is that we are going to leave him alone and let the Justice Department handle it.'' Coast Guard Chief Warrant Officer Jerry Snyder said Monday afternoon. ''The boats are breaking off right now.''

The bizarre face-off between the Coast Guard and Blaes began Sunday afternoon, in clear sight of beachgoers crowding the Santa Cruz boardwalk.

Blaes refused to allow Coast Guard officers aboard for the inspection, saying he viewed his boat the same way he felt about his home ashore and insisting the Coast Guard needed a warrant.

''Just because I make my living at sea doesn't mean I give up my constitutional rights,'' he said. ''I have never been in trouble. I'm not holding anybody hostage or anything.''

Blaes piloted the Morro Bay-based Helja out of the harbor Monday morning with the Coast Guard cutter Chico and a smaller boat trailing.

I just want to be left alone and have them stay out of my face,'' Blaes said in one of a number of cellular telephone interviews with area reporters.

Blaes said he had a handgun aboard, but said it was for protection from sharks. He said he was ''absolutely'' not a member of a militant group.

''I will not allow my civil rights to be violated,'' Blaes said earlier in a call monitored by reporters. ''I think enough of the Constitution of the United States to give up my life for it. If you think enough of it to give up your life to violate it, then come ahead.''

[From the Times Standard, May 23, 1996]

LOCAL FISHERMEN SAY COAST GUARD PESTERS THEM IN INSPECTIONS

(By David Anderson)

EUREKA.—The standoff between a Morro Bay salmon fisherman and the Coast Guard reflects long-standing frictions between fishermen and the federal government, fishing industry spokesmen say.

But a Coast Guard officer said the Santa Cruz incident, in which fisherman Jim Blaes refused to let a Coast Guard boarding party on his boat earlier this week, was an irrational response to a routine situation. Boarding rights are long established in law, the officer said, and are necessary to the Coast Guard's law enforcement rule.

Officials of the Pacific Coast Federation of Fishermen's Associations, in Eureka, on Tuesday, disagreed.

''Most of the fishing fleet is fed up with the bureaucracy and the regulations they encounter almost daily,'' federation President Pietro Parravano said. ''We understand the need for and support measures necessary to protect our fish stocks and regulations essential to safety at sea.

''But it is frustrating when the government is all over our boats looking for the slightest infraction of any kind.''

Zeke Grader, executive director of the fishermen's federation, said the boarding of fishing vessels has long been a sore spot. Fishermen contend that their boats should enjoy the same Fourth Amendment protections against warrantless searches as private residences.

Grader compared the boarding of a fishing boat to conduct safety inspections with an intrusion of firemen into a home to inspect smoke alarms.

''It really doesn't matter whether they're courteous or not, or whether fire prevention is a laudable goal,'' Grader said. ''The fact is, there are intruders in your house and your privacy has been violated.''

Coast Guard Cmdr. John Miko said vessels at sea never have or could have the immunity from search that private residences enjoy. Laws dating back to the 1790s, constantly upheld in court rulings, affirm that the Coast Guard has the right to stop, board and search any vessel in U.S. waters and any U.S. vessel on the high seas. The Coast Guard does not require court-issued warrants or ''probable cause'' to believe a crime is being committed, he said.

All maritime nations have similar laws, Miko noted.

''Without that right, there's no way law could be enforced at sea,'' he said, ''That's been recognized by courts throughout history.''

The Coast Guard is charged with preventing smuggling of illegal immigrants, drugs and other contraband; enforcing fishing regulations; conducting safety inspections; and other law enforcement duties, he said. All these require boarding and inspecting boats.

Jimmy Smith, president of the Humboldt Bay Fishermen's Association, said his members' disagreements with the Coast Guard are at the national, not the local level.

''The guys at the Humboldt Bay station are terrific,'' Smith said. ''We have a great relationship with them and they really extend themselves to help us. Our problems are all with Washington.''

Smith said the fisherman's federation has proposed alternatives to safety inspections at sea, but that the Department of Transportation—which includes the Coast Guard during peacetime—rejected them.

Boat owners can volunteer for safety inspection in port, Miko said, but a boat is only required to have safety equipment when it's at sea.

''You can't cite someone for not having it when they're tied up at the docket,'' He said.

Fishermen also question the necessity and efficacy of some of the safety equipment they are required to carry, Smith said.

The equipment is recommended by a national fishing vessel safety committee on which safety equipment manufacturers are represented, but not small-boat owners, he said.

The committee has declined to consider less-expensive methods of improving safety at sea, Smith said. The equipment the committee recommended, which is now required, is invariably expensive and doesn't always work well, he said.

AMENDMENT OFFERED BY MR. OBERSTAR

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

The Clerk read as follows:

Amendment Offered by Mr. OBERSTAR: Page 11, line 17, before '', of which'', insert the following: ''(increased by $1,000,000)''.

Page 36, line 23, after the dollar amount, insert the following: ''(decreased by $1,000,000)''.

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

Mr. OBERSTAR. Mr. Chairman, this amendment would take $1 million from the $40 million appropriation the bill provides for the Office of Inspector General of the Department of Transportation and transfer that $1 million to the Operations account of the Federal Aviation Administration to increase the funding for FAA training of its inspector work force. This amendment responds to concerns expressed by the Inspector General herself, it responds to concerns and alarms expressed nationwide in the aftermath of ValuJet and to concerns that I expressed over 2 years ago about the adequacy of FAA's inspector work force in inspecting new entrant carriers.

The President's budget for the Inspector General's office included $1.9 million for that office to contract out with other government agencies to conduct audits of DOT programs. The Appropriations Committee bill cut the President's request for the Inspector General by $321,000 and, concurrently, prohibited the Inspector General from contracting for audits. The Appropriations Committee instead directed DOT's various operating units to pay the cost of these contract audits out of their own funds. The result is that the Committee on Appropriations has relieved the IG of expenses totaling $1.9 million for audit contracts but they reduced the IG's funding by only $321,000. The net effect is that the office of the IG has $1.6 million in excess funding over what the administration requested. This excess amount, $1 million of it, is what I target in this amendment to be transferred to a function that the IG's office itself, the General Accounting Office, and our Committee on Transportation and Infrastructure in our hearings in this Congress and the previous Congress have identified as crucial.

I was astonished when I looked closely at the IG's office to find that they have 440 full-time equivalent employees. That is more, by almost 100 employees, than the entire National Transportation Safety Board has. I question the need for such a large staff when DOT and its various modal administrations are already under scrutiny and oversight by the National Transportation Safety Board, by the General Accounting Office, and by the Congress.

An internal watchdog agency certainly is necessary within the Department to keep all modal administrations on the straight and narrow. We need to have adequate funding for that function, and provide effective oversight. But in these times of fiscal constraints, when money is being shifted very tightly among accounts, where we have to come in, we in the authorizing committee, and identify needs that require more funding and then take it from the existing pot, here is a piece of the existing pot that has an excess amount of money, no purpose for it has been identified, and shift that money to where it will do an enormous amount of good.

The committee has already made a number of increases in the funding for the account, the operations account of FAA, but not for this training function. The need is real. I want to take a moment to just explain how real and how important.

Over the last 10 years, GAO, the Inspector General's office, internal FAA groups, and our own Committee on Transportation and Infrastructure have focused on needs for technical training within the FAA, training for its inspectors.

In 1989 and in 1992, GAO and the IG respectively reported that inspectors who did not have appropriate training or current qualifications were doing flight checks of pilots. An operations inspector asked for Airbus 320 training when a carrier he was responsible for training began using that aircraft. He did not get that training until 2 years after that air carrier went out of business.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. OBERSTAR] has expired.

(By unanimous consent, Mr. OBERSTAR was allowed to proceed for 2 additional minutes.)

Mr. OBERSTAR. Another maintenance inspector responsible for overseeing air carriers and repair stations that operate 737s, 757s, 767s, and McDonnell Douglas MD–80s said he had not received a course on maintenance and electronics in 5 years. There are rampant training deficiencies that exist because they do not have enough money to do that training. This $1 million is only a part of the $8 million that GAO said is needed to meet the unfunded training needs for the FAA.

All of us fly in this body. All of us take aircraft, whether major airlines or commuters or regional carriers. We all want to know that those carriers are being inspected carefully, responsibly and effectively and that those aircraft are safe and that they are being maintained in a safe manner.

Members who believe that ought to support this amendment, to shift the money where it will do a great deal of good into the training function, provide adequate training and recurrent training for maintenance and avionics inspectors in the FAA to oversee those air carriers, especially the new entrant carriers. That is where the need is. That is where the contracting out of maintenance is being done and where it is not being adequately supervised with people who have adequate training. A modest $1 million out of this excess amount in the office of IG will address this vital funding deficiency. I urge support for my amendment.

Mr. WOLF. Mr. Chairman, I rise in strong opposition to this amendment.

First of all it does not put the money in training. It can be used for coffee, cokes, travel, or anything else.

Second, it would viewed as a way of punishing the inspector general for giving the opinions that Congress may not like. I have not always agreed with the IG's of the Department. But if they start doing that and we do not like what they have done, it looks like we are punishing the IG for their opinions which could be a grave mistake. We ask for them to be impartial, we ask for them to be independent, we ask for tough opinions, and then if we punish them, the political process stands this whole ethical thing upside down. This would undermine the IG process, not only in this department but governmentwide. It would send a devastating message to IG's everywhere. They would say, ''Uh-oh. We give a report, they don't like it, we better be careful, we're going to get a budget cut. It would be very, very bad. Don't rock the boat. They're going to offer an amendment. They're going to cut my appropriations.''

If we adopt this amendment, we are punishing the IG who raised the whole issue of ValuJet. Maybe the FAA should have listened to here before they did it. You recall Secretary Peña got up and said ValuJet is wonderful. They went on and on. this IG is the one who brought this to our attention.

Second, this is the IG that brought out the training problems which ended up in Gregory may, New Age cult-like, going to jail. This IG, for those of you who fly, is the one who found out and raised the issue of bogus parts, that are now being used in major airlines which may very well result in airplanes crashing. This IG is the one that came out with the diversion of money from airports around the country.

I just think it would be sending a message to the American people that here is an IG that the gentleman, and I know he does not mean this in a mean-spirited way, does not agree with her, maybe there are times that I will not agree with her, but just because they come up with this idea, you punish them.

The IG's budget is not fat. In fact over the past 3 years the IG has taken a 40-percent reduction in administrative staff, more than any other part of the Department of Transportation. Let me just say it again. The IG has taken a bigger hit than any other area of the Department of Transportation. They have taken an overall cut of 11 percent in staffing. Again, more than any other area. They have met the President's downsizing goals 3 years ahead of schedule. In fact, this administration, some may say, has been unfair to the IG. This is what she said during the hearings:

We led the department in meeting the Vice President's reinventing government

downsizing goals. Instead of being rewarded for that, we were on many cases heaped with more cuts. We think those additional cuts were unfair because we willingly, and quite in advance of the rest of the department, took those cuts that the rest of the government was supposed to be taking. Unfortunately, it only worked to our disadvantage.

It is lean, it is careful, the appropriation is already 2 percent below last year's level, 1 percent below the administration's request.

□ 2215

Keep in mind, OMB already reduced the IG's request for the internal budget process by $1.4 million. I know what the gentleman is trying to do, or at least I think I do, but this would be chilling. If this were to pass, no IG in the government could ever honestly and legitimately feel that they could give an honest opinion, because then they know that when their budget comes up, that if somebody were angry at them, that they were going to cut their budget.

Mr. Chairman, I strongly oppose the amendment. We can almost argue that this is a major safety issue. This is a safety amendment, in some respects. The gentleman's amendment does not put it in training. It can be used for bonuses, it can be used for anything else. This IG's office has been the one on ValuJet, the one on bogus parts and on many others, and I urge the defeat of the amendment because we do not want to punish anybody for being honest and courageous and candid.

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

Mr. Chairman, I rise in strong support of the amendment offered by the ranking member of the Committee on Transportation and Infrastructure, Mr. OBERSTAR.

Tuesday, the House Aviation Subcommittee held an 8-hour hearing on issues raised by the crash of ValuJet flight 592. In preparing for the hearing, we took a long look at the FAA and its inspection program. We recognize that there is a need for improvements in the system, and this amendment is intended to give the FAA the resources it needs to make those improvements.

The amendment offered by the gentleman from Minnesota increases the appropriation for FAA operations by $1 million, and our expectation is that this additional funding will be dedicated to airline safety inspector training.

This $1 million increase for inspector training will be possible through a reduction in funding for the Department of Transportation inspector general's budget from $40 million to $39 million. The Office of the Inspector General has publicly stated the need for improved inspector training. This amendment makes that possible.

Currently, the IG's office is funded at a level to provide 440 full time equivalent employees. Compare this figure with the 350 full time equivalents currently at the National Transportation Safety Board. While I recognize the important work done by IG's in every Federal agency, it seems excessive to me to have almost 100 more employees in the IG's office at DOT than are employed at the NTSB.

Mr. Chairman, the inspection program at the FAA needs to be adequately funded to do its critical work. This slight increase in funding today may well save lives tomorrow. If you believe that the FAA's inspectors should have training, you should support this amendment.

Mr. Chairman, while I have the floor, I would like to take a moment to call to the attention of my colleagues some of the inspector general's statements at Tuesday's hearing. In the course of her remarks, she left the strong impression that Secretary of Transportation Peña was the subject of a criminal investigation relative to the ValuJet accident. Even when my good friend Chairman Duncan warned her that she might be giving a false impression and gave her the opportunity to clear it up, she simply said that she could not say anything more.

Mr. Chairman, creating the impression that the Secretary of Transportation is criminally culpable, is a very serious action, and anyone who falsely does so should be held responsible. As you would expect, the impression left in fact turned out not to be correct. Later that day, the deputy inspector general and the assistant inspector general for investigations, both longtime career officials, issued public statements that the Secretary of Transportation is not, and has not been, a subject of investigation.

It is one thing to call public attention to safety problems with the FAA. It is entirely another thing to make outrageous, exaggerated claims about a public official. There were plenty of other examples from our hearing of what I find to be unconstructive comments by the inspector general, but I felt this one should be highlighted for all the Members of this body.

Mr. Chairman, I also would like to mention the fact that I personally asked her to name the other airlines that she felt were unsafe. She refused to do so; even when I asked her to protect the American flying public that she owed that answer, she refused to do so. The great concern she had about ValuJet she failed to communicate to the head of the FAA, to the Secretary of Transportation.

I believe that, unfortunately, we are dealing with someone here who is making charges but refuses to back up the charges and does not really carry out her duty, and I think this $1 million reduction in her budget moving to the FAA is definitely warranted.

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

Mr. Chairman, let me only echo some of the statements made by the chairman, the gentleman from Virginia [Mr. WOLF]. We have a good deal of concern in our committee that, as I know all appropriation subcommittees do and all authorizing committees do, that all inspectors general retain their independence, maintain their capability to give reports to those who ask for them in an honest and straightforward way.

My understanding of the Oberstar amendment was not in any way directed toward this specific inspector general to suggest that there should be some form of punishment. I think the chairman alluded to use the word ''punishment'' of an individual or of a specific office because we might not like her report. I hope that is not the case.

Mr. Chairman, I yield to the gentleman from Minnesota [Mr. OBERSTAR] so that he could clarify that point if he would like.

Mr. OBERSTAR. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I want to make it very clear, this is not punishment. This is not chilling. There is $1,900,000 more than the President's request in this account, a $321,000 cut, a net of $1.6 million not identified, not targeted, no explanation, no justification, and over here on the other side is the FAA with a need for training.

The chairman knows that under the rules of engagement in the appropriation process, I cannot identify a specific account in designating this $1 million and shifting it. So that is why we are having this dialog, to make it very clear that this money goes for training of those inspectors who are the very ones charged with the responsibility of overseeing new-entrance carriers and who need training in those specific areas that I mentioned.

If one is trained on DC–9's and is suddenly assigned to inspect aircraft or airlines that are flying 737's, or 757's or 767's, one needs training in that arena. This account does not have that kind of funding. In fact, it is $8 million short, by GAO standards, of the amount of training needed for those inspectors.

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

Mr. COLEMAN. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I just want the body to know, though, that this is the IG that broke the story that was in Business Week 3 weeks ago showing that many of the major airlines unknowingly are using bogus parts that are potentially very dangerous. What if she did not have the money to do that and we did not know and an airplane crashed?

This is the IG that has been the subject of raising very valid issues with regard to ValuJet. I take the gentleman at his word, but having been a Government employee, having worked for the Government for a number of years, believe me, it would be chilling if one were a Government employee.

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

Mr. COLEMAN. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, on that score, it was the Subcommittee on Aviation and prior to that the Subcommittee on Investigations and Oversight of the Committee on Public Works and Transportation that uncovered the bogus parts issue in great depth and had documentation on it, brought it up with the IG who said, ''Oh, we are on to this issue also. We have some criminal investigations underway.'' This is over 2 years ago. Three years ago prior to that our committee was onto this issue.

I cast no aspersions on the IG, but much of what the IG's office has uncovered and has taken credit for the appropriate and responsible committees of the house and the Senate have already been focused on.

Mr. COLEMAN. Reclaiming my time, let me only suggest that in any event, should the Committee of the whole make a determination that we wanted to shift $1 million from one account to another, I think all of us would agree that the goal of the House of Representatives is to do what this amendment seeks to do, and that is to provide the necessary dollars to get the necessary training in the new technologies for those personnel that we ask to be certified in order to get the additional training for FAA certification.

So I would hope that the Members, whether they agree to shift this $1 million from the accounts that the author of the amendment would suggest or not, understand that and I know it will be the intention of the gentleman from Virginia [Mr. WOLF] and me in the conference. We do not know, of course, what any Senate numbers are and what they will be of the other body. So I think that we will certainly be looking to do all that we can possibly do in trying to get the kind of certified staff the training they need to ensure their competence in new technologies.

I hope that the minority in this House will help enhance the safety of the traveling public by adopting the Oberstar amendment. As I say, in conference, whether we do or we do not make this shift from the IG's office is not really of paramount importance.

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

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

Mr. MENENDEZ. Mr. Chairman, I rise in strong support of the amendment of the gentleman from Minnesota [Mr. OBERSTAR].

It promotes safety. It does so by shifting only about 2.5 percent of the IG's budget to a side of the budget that clearly, both in the ValuJet hearings and at other times, have been raised as a real concern, which is the training of safety inspectors and what that means to the traveling public.

Mr. Chairman, I think that he is right on point in that regard, and I associate myself with his remarks and those of the gentleman from Illinois, [Mr. LIPINSKI] the ranking member of the subcommittee on aviation. But I think having heard some of the comments, it is often a good trial tactic to raise questions about chilling effects, and anybody's budget who is cut or somehow altered can claim that they are going to have a chilling effect.

It was interesting to me to hear the IG come before the committee and in her comments say, ''Well, I hear that I am here because Members want to get a piece of my hide,'' and in doing that, it is sort of like chilling the members of the committee not to raise certain questions or, in this case, chilling the members of this body not to consider a serious and well-though-out amendment.

During the hearings on safety issues raised by the ValuJet accident, and I am sure that the body is aware of the allegations made by the Inspector General of the Department of Transportation, this individual stated that the Everglades crash was preventable and that the DOT IG office had made six reports which pointed out the problems. The testimony to me sounded heroic and prophetic.

□ 2230

But under scrutiny it was merely the verbal tricks of a false profit. Under questioning from me and others, I asked the IG if she had ever raised these questions with Secretary Pena or Administrator Hinson. The answer was no. No.

Would any Member of this body in possession of information that would have prevented an airplane crash hesitate to raise this issue and call for a meeting? There were no meetings because there were no unheeded predictions. The notoriety of the IG is based on vague generalizations that could have applied to any accident. It is an old trick to boldly assert the vague and then take credit for special insight when anything remotely related occurs.

If that was not bad enough, the DOT IG then relied on the tactics of the witch hunter by making vague references of criminal investigations and by innuendo casting a false light on Secretary Pena and the FAA. This IG then demonstrated, I think, the most blatant attempt for Congress by refusing to elaborate because of the pendency of an alleged criminal investigation.

Well, let us talk about the facts. The fact is that Inspector Generals are not empowered to make criminal investigations. They have no independent criminal prosecutorial authority. They can make recommendations when the have evidence of waste, fraud or abuse, just like any other citizen can, but they have no special privilege to refuse to answer congressional inquiries.

Fact. Subsequently, the Assistant IG for Investigations of the DOT issued a clarification that ''The Secretary is not and has not been a subject of the investigation.''

I think that the carnival atmosphere that we saw in the committee and this whole way the person who we believe should be the voice of investigating has created around the ValuJet has a downside. Given the pendency of litigation related to the grounding, I think the injudicious remarks of the DOT IG may have totally compromised and prejudiced the case, hardly the result a true investigator or a guardian of the public's safety and want.

I believe the Committee on Transportation and Infrastructure should compel the IG's testimony that she refused to give us. She has made a lot of broad statements. I think we should see the specifics. But until such time as the committee acts to get answers, I believe the Oberstar amendment is totally appropriate by providing the resources to airline safety inspector training that clearly was identified as one of the major issues, whether it be ValuJet or a problem of the FAA in general. And that is the essence of his amendment and, in fact, we should proceed forward with it.

Mr. COLLINS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from Georgia.

Mr. COLLINS of Georgia. Mr. Chairman, I thank the gentleman for yielding. Was it not true within the hearings, irregardless of what the IG insinuated or what others may have insinuated, the preliminary report by the National Transportation Safety Board clearly states that they do not think it was the fault of ValuJet for the accident that happened in the Everglades, but that of a mistake of an out source contractor?

Mr. MENENDEZ. Mr. Chairman, reclaiming my time, it certainly appeared, although the National Transportation Safety Board has not given a final answer, it certainly appeared from the testimony that was elicited this was not a question per se, on this specific incident, of the question of the safety issues but rather a question of the canisters put on board.

Mr. Chairman, I think we should be supporting the Oberstar amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. OBERSTAR].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. WOLF. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 460, further proceedings on the amendment offered by the gentleman from Minnesota [Mr. OBERSTAR] will be postponed.

The point of no quorum is considered withdrawn.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I move to strike the last word.

Mr. Chairman, Amtrak is an essential part of our National Transportation System, providing 22 million

inner-city passenger trips per year with over 500 destinations in 45 States. Last year the Congress and the administration agreed that Amtrak must reduce its reliance on Federal funding.

The budget resolution and the authorization directed Amtrak to operate without Federal funding support by the year 2002. However, as you are aware, the funding recommendations in this bill are below the authorization levels that is in the budget resolution and the level Amtrak says it needs to stay on the path to operating self-sufficiency.

Between 1995 and 1997, Amtrak received $1.2 billion less than their proposed transition plan called for. Unfortunately, next year's capital funding level is again drastically cut and inadequate to sustain Amtrak's capital expenditures.

To facilitate Amtrak's transition off Federal assistance I have introduced H.R. 2789, creating a dedicated funding source for Amtrak which would allow it to make the necessary capital infrastructure investments during this period of transition.

H.R. 2789 does not create a new tax, does not increase the deficit, and does not cut any other programs. With an estimated $4 billion needed for capital improvements, H.R. 2789 will allow Amtrak to improve its rolling stock, upgrade its maintenance facilities and prevent the deterioration of track and signal equipment. These improvements will cut Amtrak's cost to customers, to consumers, reduce air pollution, fuel consumption, highway congestion, and urban parking problems.

We can make Amtrak self-sufficient, but only if we adhere to our budget plan transitioning Amtrak off Federal assistance and only if we create a temporary capital funding source for investment.

On a final note, Mr. Chairman, the Senate recently passed a sense of the Senate resolution in support of this proposal. I bring it up here tonight on the floor of this House because in this transportation bill the capital funding for Amtrak is so significantly cut that Amtrak will be unable to make the transition to self-sufficiency.

If working cooperatively with the appropriation in this bill this Congress can pass the Amtrak capital fund, then we can, over years, enable Amtrak to become completely independent of Federal funding and be a first class rail service for passengers in America.

Mr. Chairman, I thank the chairman, the gentleman from Virginia [Mr. WOLF], for his concern and his interest in Amtrak and for his work with me on this important issue, and I understand perfectly the problems that he has faced in this appropriations bill. I only ask that he and my colleagues help me in this effort to develop a capital fund for Amtrak to enable it to achieve our goal and its goal of independence of Federal funding.

Mr. WOLF. Mr. Chairman, will the gentlewoman yield?

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, the gentlewoman raises a very good point. As I said earlier when the gentleman from Delaware [Mr. CASTLE] asked me the question, unless there is a dedicated revenue source for Amtrak in the next several years, Amtrak will not make it.

So the gentlewoman is exactly accurate. as we consider the proposal, though, we have to be careful not to take money from the mass transit account. The gentlewoman makes an excellent point.

Mrs. JOHNSON of Connecticut. Mr. Chairman, reclaiming my time, I thank the gentleman. As we work through this transportation appropriations bill, I hope my colleagues will recognize that we have another piece of it to come forward.

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

Mr. Chairman, I simply want to express my appreciation to the chairman of the subcommittee for his recognition of the essential need for a source of capital funding for Amtrak and for his support of the concept of a dedicated revenue stream and to also express my agreement with the gentlewoman from Connecticut when she talks about the necessity for adequate capital funding for Amtrak.

This country went through a long period of time in which we left railroads, in which we were heavily subsidizing the highway system and leaving railroads to their own devices, and when we subsidize one form of transportation and not another, and it is not a level playing field, we end up with an imbalanced transportation system.

What we need in this country is a balanced transportation system in which people who want to go from one city to another do not have a choice only between a car or an airplane. We need trains, we need airplanes, we need Amtrak, we need cars, we need all of it. We need rail freight efficiency, we need a good highway system, and we have been very imbalanced.

I hope that we can, working together, develop an adequate capital funding stream for Amtrak, because otherwise it will deteriorate. It has already been deteriorating. The routes are fewer than they have been. Many cities are being cut off, and we ought to have an adequate passenger rail transportation system. It ought to have a dedicated capital funding stream. It ought to have a dedicated operating funding stream.

I support the efforts of the chairman and of the gentlewoman from Connecticut, and I hope we will in the ensuing months pay more close attention to this than we have in the past, because a healthy rail transportation system both for freight and for people, a healthy AMTRAK, is essential to the efficient operation, the efficient operation of the economy of this country and the economic growth of this country, not to mention the well the well-being of its citizens.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that the bill, through page 26, line 24, be considered as read, printed in the RECORD, and open to amendment at any point.

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

Mr. FILNER. Mr. Chairman, reserving the right to object, I ask the gentleman from Virginia [Mr. WOLF], would that still give me the chance to offer an amendment at page 23?

Mr. WOLF. If the gentleman would yield, that is correct.

Mr. FILNER. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request to open up that portion of the bill?

There was no objection.

The text of the bill from page 13, line 10, through page 26, line 24 is as follows:

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, $1,800,000,000, of which $1,583,000,000 shall remain available until September 30, 1999, and of which $217,000,000 shall remain available until September 30, 1997: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $185,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 1999: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations, $1,500,000,000, to be derived from the

Airport and Airway Trust Fund and to remain available until expended: *Provided,* That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of $1,300,000,000 in fiscal year 1997 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 47117(h) of title 49, United States Code.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to 49 U.S.C. 44307, and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under chapter 443 of title 49, United States Code.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

None of the funds in this Act shall be available for activities under this heading during fiscal year 1997.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Necessary expenses for administration, operation, including motor carrier safety program operations, and research of the Federal Highway Administration not to exceed $510,981,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided,* That $214,698,000 of the amount provided herein shall remain available until September 30, 1999.

HIGHWAY-RELATED SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402 administered by the Federal Highway Administration, to remain available until expended, $2,049,000 to be derived from the Highway Trust Fund.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $17,550,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1997.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursements for sums expended pursuant to the provisions of 23 U.S.C. 308, $19,800,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

RIGHT-OF-WAY REVOLVING FUND

(LIMITATION ON DIRECT LOANS)

(HIGHWAY TRUST FUND)

None of the funds under this head are available for obligations for right-of-way acquisition during fiscal year 1997.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 31102, $74,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided,* That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $77,425,000 for ''Motor Carrier Safety Grants''.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under part C of subtitle VI of title 49, United States Code, and chapter 301 of title 49, United States Code, $81,895,000, of which $45,646,000 shall remain available until September 30, 1999: *Provided,* That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under 23 U.S.C. 403 and section 2006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240), to be derived from the Highway Trust Fund, $50,377,000, of which $27,066,000 shall remain available until September 30, 1999.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred carrying out the provisions of 23 U.S.C. 153, 402, 408, and 410, chapter 303 of title 49, United States Code, and section 209 of Public Law 95–599, as amended, to remain available until expended, $167,100,000, to be derived from the Highway Trust Fund: *Provided,* That, notwithstanding subsection 2009(b) of the Intermodal Surface Transportation Efficiency Act of 1991, none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 1997, are in excess of $167,100,000 for programs authorized under 23 U.S.C. 402 and 410, as amended, of which $127,700,000 shall be for ''State and community highway safety grants'', $2,400,000 shall be for the ''National Driver Register'', $11,000,000 shall be for highway safety grants as authorized by section 1003(a)(7) of Public Law 102–240, and $26,000,000 shall be for section 410 ''Alcohol-impaired driving counter-measures programs'': *Provided further,* That none of these funds shall be used for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further,* That not to exceed $5,268,000 of the funds made available for section 402 may be available for administering ''State and community highway safety grants'': *Provided further,* That not to exceed $150,000 of the funds made available for section 402 may be available for administering the highway safety grants authorized by section 1003(a)(7) of Public Law 102–240: *Provided further,* That the unobligated balances of the appropriation ''Highway-Related Safety Grants'' shall be transferred to and merged with this ''Highway Traffic Safety Grants'' appropriation: *Provided further,* That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-impaired driving counter-measures programs'' shall be available for technical assistance to the States.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $16,469,000, of which $1,523,000 shall remain available until expended: *Provided,* That none of the funds in this Act shall be available for the planning or execution of a program making commitments to guarantee new loans under the Emergency Rail Services Act of 1970, as amended, and no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional Rail Reorganization Act of 1973, as amended, shall be made: *Provided further,* That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further,* That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, $51,407,000, of which $2,476,000 shall remain available until expended: *Provided,* That notwithstanding any other law, funds appropriated under this heading are available for the reimbursement of out-of-state travel and per diem costs incurred by employees of state governments directly supporting the Federal railroad safety program, including regulatory development and compliance-related activities.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $20,341,000, to remain available until expended.

HIGH-SPEED RAIL TRAINSETS AND FACILITIES

For the National Railroad Passenger Corporation, $80,000,000, to remain available until September 30, 1999, to pursue public/private partnerships for high-speed rail trainset and maintenance facility financing arrangements.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided,* That no new loan guarantee commitments shall be made during fiscal year 1997.

NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for Next Generation High-Speed Rail studies, corridor planning, development, demonstration, and implementation, $19,757,000, to remain available until expended: *Provided,* That funds under this head may be made available for grants to States for high-speed rail corridor design,

feasibility studies, environmental analyses, and track and signal improvements.

TRUST FUND SHARE OF NEXT GENERATION HIGH-SPEED RAIL

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For grants and payment of obligations incurred in carrying out the provisions of the High-Speed Ground Transportation program as defined in subsections 1036(c) and 1036(d)(1)(B) of the Intermodal Surface Transportation Efficiency Act of 1991, including planning and environmental analyses, $2,855,000, to be derived from the Highway Trust Fund and to remain available until expended.

RHODE ISLAND RAIL DEVELOPMENT

For the costs associated with construction of a third track on the Northeast Corridor between Davisville and Central Falls, Rhode Island, with sufficient clearance to accommodate double stack freight cars, $4,000,000 to be matched by the State of Rhode Island or its designee on a dollar for dollar basis and to remain available until expended: *Provided,* That as a condition of accepting such funds, the Providence and Worcester (P&W) Railroad shall enter into an agreement with the Secretary to reimburse Amtrak and/or the Federal Railroad Administration, on a dollar for dollar basis, up to the first $10,000,000 in damages resulting from the legal action initiated by the P&W Railroad under its existing contracts with Amtrak relating to the provision of vertical clearances between Davisville and Central Falls in excess of those required for present freight operations.

DIRECT LOAN FINANCING PROGRAM

Notwithstanding any other provision of law, $58,680,000, for direct loans not to exceed $400,000,000 consistent with the purposes of section 505 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 825) as in effect on September 30, 1988, to the Alameda Corridor Transportation Authority to continue the Alameda Corridor Project, including replacement of at-grade rail lines with a below-grade corridor and widening of the adjacent major highway: *Provided,* That loans not to exceed the following amounts shall be made on or after the first day of the fiscal year indicated:

Fiscal year 1997	$140,000,000
Fiscal year 1998	$140,000,000
Fiscal year 1999	$120,000,000

Provided further, That any loan authorized under this section shall be structured with a maximum 30-year repayment after completion of construction at an annual interest rate of not to exceed the 30-year United States Treasury rate and on such terms and conditions as deemed appropriate by the Secretary of Transportation: *Provided further,* That specific provisions of section 505(a)(b) and (d) shall not apply: *Provided further,* That the Alameda Corridor Transportation Authority shall be deemed to be a financially responsible person for purposes of section 505 of the Act.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation authorized by 49 U.S.C. 24104, $462,000,000, to remain available until expended, of which $342,000,000 shall be available for operating losses and for mandatory passenger rail service payments, and $120,000,000 shall be for capital improvements: *Provided,* That funding under this head for capital improvements shall not be made available before July 1, 1997: *Provided further,* That none of the funds herein appropriated shall be used for lease or purchase of passenger motor vehicles or for the hire of vehicle operators for any officer or employee, other than the president of the Corporation, excluding the lease of passenger motor vehicles for those officers or employees while in official travel status.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $41,367,000.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For necessary expenses to carry out 49 U.S.C. 5307, 5310(a)(2), 5311, and 5336, to remain available until expended, $460,000,000: *Provided,* That no more than $2,052,925,000 of budget authority shall be available for these purposes: *Provided further,* That of the funds provided under this head for formula grants, no more than $400,000,000 may be used for operating assistance under 49 U.S.C. 5336(d): *Provided further,* That the limitation on operating assistance provided under this heading shall, for urbanized areas of less than 200,000 in population, be no less than seventy-five percent of the amount of operating assistance such areas are eligible to receive under Public Law 103–331; *Provided further,* That in the distribution of the limitation provided under this heading to urbanized areas that had a population under the 1990 census of 1,000,000 or more, the Secretary shall direct each such area to give priority consideration to the impact or reductions in operating assistance on smaller transit authorities operating within the area and to consider the needs and resources of such transit authorities when the limitation is distributed among all transit authorities operating in the area.

AMENDMENT OFFERED BY MR. WOLF

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

The Clerk read as follows:

Amendment offered by Mr. WOLF: On page 27, line 4, strike ''$460,000,000'' and insert ''$490,000,000''.

Mr. WOLF. Mr. Chairman, this is a technical amendment to ensure that the mass transit account of the Highway Trust Fund is used solely for capital and capital-related expenses in the transit formula of the grant program.

It simply increases the general fund in the transit formula program while decreasing the trust fund share of the program each by $30 million. The amendment does not change the amount available for transit operating nor does it change the outlays scored against the bill. The intent of the amendment simply corrects an inadvertent estimating error by the Federal Transit Administration, and it has the support of the chairman of the authorizing committee, and I ask that the amendment be adopted.

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

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

Mr. COLEMAN. Mr. Chairman, we have had a chance to inspect the amendment. It is a technical amendment, and we have no objection. We believe it should be adopted, and we urge adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. WOLF].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FILNER

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

The CHAIRMAN. Without objection, the gentleman from California [Mr. FILNER] may offer his amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FILNER: On page 23, line 16, insert the following after the word ''made'': ''in excess of $490,000''.

Mr. FILNER. Mr. Chairman, I rise today to introduce an amendment that is absolutely critical to the economic development of the city of San Diego and its surrounding communities. In effect, what my amendment does is add $490,000 to the section 511 railroad loan guarantee program in order to leverage approximately $10 million in private sector loan guarantees that are necessary to reestablish the San Diego and Arizona Eastern Railroad. I repeat this is a loan guarantee which leverages 20 times that amount of private sector funding.

Now, the lack of a direct rail link to the East is hampering the real growth potential of the San Diego economy. Currently, San Diego's few commercial rail shipments must first make a several hundred mile detour.

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Ships which would otherwise use the port of San Diego are therefore forced to go elsewhere in search of faster rail routes to inland markets. As a result, our communities lost out on business opportunities, and our port suffers from serious underuse. Reestablishment of the San Diego & Arizona Eastern Railroad is on the top of everyone's priority list in San Diego and enjoys wide bipartisan support. The city of San Diego, the county board of supervisors, the San Diego Association of Governments, the Port of San Diego, the Greater San Diego Chamber of Commerce, and the San Diego Economic Development Corporation, all of whom's leadership comes from the other side of the aisle, I might point out, all of these organizations agree that reestablishing this rail link is the area's highest priority for economic development.

Many of our Nation's regional and shortline railroads, like the San Diego & Arizona Eastern, find it difficult to obtain private financing for railline improvements because of short-term and high interest rates. Government assistance in the form of loan guarantees often becomes the only viable means to rehabilitate these vital links to our transportation infrastructure.

I believe that the section 511 program, because it is not a grant program, because it is not even a loan program but a loan guarantee to leverage private sector loans, is precisely the type of public-private partnership this Congress ought to encourage.

Last year the chairman of the transportation appropriations subcommittee, the gentleman from Virginia [Mr.

WOLF] joined me and several of my colleagues in a colloquy in support of this very program.

If the gentleman will remember, in that colloquy that we had 1 year ago he stated that, and I quote:

> I concur that these loan guarantees have proven to be reliable and can be a cost-effective and wise use of Federal transportation dollars.

I am going to quote the gentleman:

> I can assure you that I am sensitive to the needs of our regional shortline railroads, and I will certainly consider funding the 511 guarantee program, if it is brought before a House-Senate conference.

Unfortunately, this important program did not receive any funding in 1996. And although a bipartisan group of Members joined me in writing to the Subcommittee on Transportation urging that funds be appropriated for this program, it is not proposed for funding in 1997.

Mr. Chairman, the economy of San Diego cannot wait for another year. Because the appropriation subcommittee has not recommended funding for this section 511 program, I offer this amendment to directly fund it. I do so with the knowledge that San Diego interests will apply for a loan, private interests will apply for a loan to reestablish this railroad. I have the support of the Regional Railroads of America in this effort. Further, it is our understanding that this request is within the necessary budget authority and outlays.

What I am addressing here, Mr. Chairman, is the absolute critical importance of the rehabilitation of this railroad to our community. It is critically important that we fund this line. We can get this train up and running with a modest $490,000 investment, a $490,000 loan guarantee which, as I said before, leverages 20 times that amount in private sector loans.

I hope the distinguished chairman of the subcommittee will remain consistent to his view stated last year that these loan guarantees are a reliable, cost-effective and wise use of our Federal transportation dollars.

I hope that my colleagues can support this investment in economic growth in southern California.

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment. I tell the gentleman, we did look at it. We later found out that 90 percent of this is in Congressman HUNTER's district.

Second, we looked into the whole issue. And one of the reasons for opposing it is that it provides funding for loan guarantees. However, there is not appropriation made to administer the program. It is a technical law which may violate the Credit Reform Act.

Third, there is the hope that the funds would be used for a local project in San Diego, when the project does not have local consensus, because I understand Mr. HUNTER opposes it and I believe the gentleman from California, Mr. PACKARD, opposes it.

Under the section 511 loan guarantee program, if railroads are unable to repay these loans, the Federal Government is responsible. If the railroad cannot pay for them, the Federal Government is responsible for paying for them. I do not favor placing the Federal Government at risk.

Finally, although the loan guarantees are portrayed as inexpensive, Members should be aware that if the railroad defaults on a loan, the costs could be very, very high. So the area is divided. It is mainly in Mr. HUNTER's district. We did look into it. It is a loan guarantee program. A default means that everybody in the country pays. And, therefore, I strongly oppose the amendment.

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

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

Mr. FILNER. Mr. Chairman, I know this is a debatable issue. I just want to make sure that my colleagues understand, this program has been used before in the past. It has never, a loan has never not been repaid in this program. The authorization is in the generic act—90 percent of the line is not in Mr. HUNTER's district. It is shared between our two districts and between two nations, in fact, Mexico and the United States. So with those corrections, I understand the gentleman's opposition.

Mr. WOLF. Reclaiming my time, there has been a default. There has been one. Second, we know absolutely nothing at all about the railroad, absolutely, positively, categorically nothing.

Mr. FILNER. Mr. Chairman, the gentleman knows nothing about what?

Mr. WOLF. About the railroad.

Mr. FILNER. This goes into the generic program authorized by law and would have to be applied for for the loan guarantee and would not be given unless all the due diligence was done by the railroad administration.

Mr. WOLF. But if we do not know the profitability, we do not know whether or not it could default. Therefore, if it defaults, as it happened one other time, everybody is obligated.

Mr. Chairman, I strongly oppose the amendment.

Mr. PACKARD. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, I am not opposed to the project. I have discussed this at length with San Diego people. I think that it is a good project. The rail line, this San Diego & Arizona Eastern rail corridor at some point in the future, I hope, will be open. I simply feel that this is not the future, I hope, will be open. I simply feel that this is not the proper way to proceed with the funding for it.

The opening of this railroad would benefit the San Diego region. It would provide a more direct and less costly route for freight shipment from all parts of the United States to the Port of San Diego. But I do believe that there are other ways to do it. Certainly we ought to pursue that.

But the bill does not fund the loan guarantee program. There are no funds in the loan guarantee program. If this amendment passed, there are many projects that would apply for this loan guarantee funds. It would not just be the San Diego project. It would be many. And they would have to compete for those funds. It would be very limited and, thus, I think that there is certainly no assurance that these funds would go to the San Diego rail corridor.

There is another factor I think that ought to be mentioned. That is that the reason that there was no funds put into this loan guarantee program was because there was simply not sufficient funds to fund all of the other programs that this subcommittee and the subcommittee that I serve on had to support. There are budget constraints and I think that is good, the reasons why that this whole program was not funded this year.

I hope that we will find ways of funding this project, because I do support the innovative way of building through private moneys these kinds of projects. But I think that this is not the time to do it and not the way to do it.

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

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

Mr. FILNER. Mr. Chairman, I appreciate my colleague from San Diego and the northern part of our county's support for the project. We have searched, as you know, for 2 years now for other kinds, for the funding to get this started. You said this is not the way. I would ask my friend if there was any other way, let us do it. This is the only way, this is a cost-effective way. This leverages 20 times what the appropriation is. I cannot think of a better way to get private-sector funding into it.

Mr. PACKARD. Mr. Chairman, there are two things, in response, if I can reclaim my time. First, is we have required offsets for every transfer of funds. This amendment is not accompanied by offsets. Second, I recognize that this is a good way to fund these kinds of projects. But we simply have not got funds in that program, and if we put these funds in that the gentleman is requesting in his amendment, there is no assurance that the San Diego project would be able to receive them.

Mr. FILNER. Mr. Chairman, if the gentleman will continue to yield, that would then meet the objection of the distinguished subcommittee chairman in that there would be competition for these funds. We are assured that because of the amount of work that has been done on this line and the support from the local governments and the studies that have been made, that this would be a top priority.

Mr. PACKARD. Reclaiming my time, it simply would mean that there was no assurance that San Diego would get these funds or have them accessible for a loan guarantee. Second, if it was

competitive and thus divided among many projects, it would help no project. There simply would not be enough.

Mr. FILNER. I wish the gentleman would work with me to find the method to get this project going.

Mr. PACKARD. I very reluctantly oppose the amendment.

Mr. HUNTER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I want to thank my colleague for the nice presentation that he has made in support of this railroad, but let me tell my colleagues what this involves. This is a railroad that once existed between Imperial County, which is east of San Diego County some 100 miles or so, almost to the Arizona border. It is a railroad that runs from San Diego into Mexico, travels a number of miles in Mexico, goes up some steep canyons and finally rereemerges in the United States in my district in what is known as East San Diego County and travels about 70 miles through my district in San Diego County into Imperial Valley, almost to the Arizona border.

This railroad was knocked out of commission many, many years ago. It has not been in operation for a number of years. There is an issue here that is a very important issue to everybody in the country, and that is border patrol. Let me just tell my colleagues what I am concerned about, Mr. Chairman.

There were articles in the Boston Globe, the Los Angeles Times, the San Diego Union, the last headline of which said, Robbers Ride the Rails. And they were headline stories about the enormous number of robberies of American trains in New Mexico, for example, some 600 robberies of Southern Pacific, in one year with an enormous criminal base, basically endangered by this train robbing operation. Those were trains that are in the United States. They do not even go into Mexico.

We propose at a time when our border in southern California is totally out of control and totally in the hands of criminal aliens and there is a massive flow of cocaine coming across the border both in the urban areas and now in the suburban areas, and incidentally I have 60 miles of farm families and ranch families who right now are being held prisoners in their homes by armies of illegal aliens and drug smugglers marching north through East San Diego County who have not concurred in the chamber of commerce recommendation, who have not concurred in the port authority's recommendation and who have real concerns.

So, Mr. Chairman, there have been no studies whatsoever as to what effect this train is going to have on the smuggling of illegal aliens. And thousands of illegal aliens have been smuggled on the border trains in New Mexico. We have had no studies. On the prospective robberies, southern border trains have been robbed at the rate of some 600 robberies per year, per line in New Mexico. We have had no studies on the effect on cocaine smuggling. If we have a border which is out of control, which we have right now in southern California, our primary goal now is to control the border.

I like the chamber of commerce. I like the boosters. I am reminded that all of them pushed the port at San Isidro and the accelerated means of bringing in traffic from Mexico with goods. They all promised that the cocaine problem is going to go away but it did not go away. Because we did not accompany that port of entry with a right type of controls, we have a cocaine freeway right now through San Diego County. Nobody in the chamber of commerce or the port authority has come forward to say, we are sorry we made a mistake.

I am going to offer my colleagues and, Mr. Chairman, a little while later an amendment that asks that, before we fund any such program, we do a study with respect to the effect it will have on exacerbating illegal immigration, exacerbating drug smuggling, narcotics smuggling and creating a base of railroad robberies such as the one that has existed for some time now in the area around the border between New Mexico and Mexico.

Mr. Chairman, I rise in strong opposition. From my calculations, I do have about 90 percent of this railroad in my district. I think we need to have this type of information before we blindly move ahead because we have a lot of governmental entities that like this project.

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

Let me say that I understand and recognize the efforts of the gentleman from California [Mr. FILNER]. I understand the concerns of my colleagues also from San Diego, CA, representing a border district.

I would note and would suggest to the gentleman from California [Mr. HUNTER], that perhaps his idea concerning the kinds of restrictions and requirements on loan guarantees need to be applied not just in terms of border regions with respect to documentation or ideas about the numbers of robberies, the numbers of undocumented persons but indeed what, after all, we do when we provide for capitalization projects.

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I would point out to this House that in last year's, in this 1996 year of fiscal operations, we have in the current operations a $10 million grant that was not included in the President's budget to the Alaska Railroad for capital improvements. We did not do that in the House. That was as a result of coming out of conference, but we voted for final passage of the legislation when it came back from conference. So we, in fact, have already approved a project much like this. This is not a first-impression move.

In fact, what the amendment offered by the gentleman from California [Mr. FILNER] does, of course, is not even make a direct grant. Mr. FILNER's amendment only provides loan guarantees.

I think that it is a good amendment in that it helped provide a small amount of assistance in the form of those guarantees to regional railroads which need assistance for capital improvements, so I do not think that we should reject out of hand the efforts by our colleagues who want to provide this kind of funding. I think it is one way to look at ways in which we can be innovative in order to provide the funding that is necessary for good operations, for good businesses, and I would rise in support of the amendment.

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

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

Mr. FILNER. Mr. Chairman, I thank the gentleman, and I thank my colleague from along the border with me, the gentleman from California [Mr. HUNTER], for raising the concerns he has, and he has been the leader of this House in getting control of the border, and we have a lot to thank him for, and we have worked together to do that. I would not offer this amendment, Mr. HUNTER, and he knows that, if I thought this would worsen that situation. I believe that the economic development on both sides of the border is the key for us getting control of that border, and this is a cooperative venture between two nations that would actually raise the quality of life for working people in my district, in the gentleman's district, in Mexico, and, in fact, in many communities around our region. This is what we should be doing.

Yes, let us study the possible effects on the drug trade; yes, let us study the possible consequences of banditry, but let us not be scared off. I mean I see the gentleman from California [Mr. DORNAN] standing beside the gentleman. He can tell us that if Americans were scared off in making this country economically beneficial by threats of banditry or by letting a few people scare us off from making economic gains, then we would not be the country we are today.

That is what this railroad is all about. Let us make the economic development of this border area really work, and I look forward to working with the gentleman to do that. I did not quite get the amendment he thought about offering. If it is in conjunction with mine, let us do it. If it is in place of mine, I prefer that we try to get the funding in place.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. FILNER].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FILNER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 460, further proceedings on the amendment offered by the gentleman from California [Mr. FILNER] will be postponed.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that all debate on each amendment to the remainder of the bill, and any amendments thereto, be limited to 10 minutes, equally divided, with the exception of the amendment of the gentleman from Georgia [Mr. COLLINS] for 20 minutes and the amendment of the gentleman from New Jersey [Mr. ANDREWS] for 20 minutes.

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

There was no objection.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 55, line 15, be considered as read, and printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill through page 55, line 15, is as follows:

UNIVERSITY TRANSPORTATION CENTERS

For necessary expenses for university transportation centers as authorized by 49 U.S.C. 5317(b), to remain available until expended, $6,000,000.

TRANSIT PLANNING AND RESEARCH

For necessary expenses for transit planning and research as authorized by 49 U.S.C. 5303, 5311, 5313, 5314, and 5315, to remain available until expended, $85,500,000, of which $39,500,000 shall be for activities under Metropolitan Planning (49 U.S.C. 5303); $4,500,000 for activities under Rural Transit Assistance (49 U.S.C. 5311(b)(2)); $8,250,000 for activities under State Planning and Research (49 U.S.C. 5313(b)); $22,000,000 for activities under National Planning and Research (49 U.S.C. 5314); $8,250,000 for activities under Transit Cooperative Research (49 U.S.C. 5313(a)); and $3,000,000 for National Transit Institute (49 U.S.C. 5315).

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(a), $1,920,000,000, to remain available until expended and to be derived from the Highway Trust Fund: *Provided*, That $1,920,000,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's formula grants account.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $1,665,000,000 in fiscal year 1997 for grants under the contract authority in 49 U.S.C. 5338(b): *Provided*, That there shall be available for fixed guideway modernization, $666,000,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, $333,000,000; and, notwithstanding any other provision of law, except for fixed guideway modernization projects, $10,510,000 made available under Public Law 102–240 and Public Law 102–143 under ''Federal Transit Administration, Discretionary Grants'' for projects specified in those Acts or identified in reports accompanying those Acts, not obligated by September 30, 1996; together with, notwithstanding any other provision of law, $744,000 funds made available for the ''New Bedford and Fall River Massachusetts commuter rail extension'' under Public Law 103–331; together with, notwithstanding any other provision of law, $47,322,000 funds made available for the ''Chicago Central Area Circulator Project'' in Public Law 103–122 and Public Law 103–331, shall be made available for new fixed guideway systems together with the $666,000,000 made available for new fixed guideway systems in this Act, to be available as follows:

$66,820,000 for the Atlanta-North Springs project:

$10,260,000 for the Baltimore-LRT Extension project;

$40,181,000 for the Boston Piers-MOS–2 project;

$5,500,000 for the Canton-Akron-Cleveland commuter rail project;

$25,000,000, notwithstanding any other provision of law, for transit improvements in the Chicago downtown area;

$3,000,000 for the Cincinnati Northeast-Northern Kentucky rail line project;

$10,000,000 for the DART North Central light rail extension project;

$12,500,000 for the Dallas-Fort Worth RAILTRAN project;

$1,000,000 for the DeKalb County, Georgia light rail project;

$3,000,000 for the Denver Southwest Corridor project;

$9,000,000 for the Florida Tri-County commuter rail project;

$2,000,000 for the Griffin light rail project;

$40,590,000 for the Houston Regional Bus project;

$15,300,000 for the Jacksonville ASE extension project;

$1,500,000 for the Kansas City Southtown corridor project;

$90,000,000 for the Los Angeles-MOS–3 project;

$1,500,000 for the Los Angeles-San Diego commuter rail project;

$27,000,000 for the MARC Commuter Rail Improvements project;

$1,000,000 for the Miami-North 27th Avenue project;

$2,000,000 for the Memphis, Tennessee Regional Rail Plan;

$10,000,000 for the New Jersey Urban Core/Hudson-Bergen LRT project;

$105,530,000 for the New Jersey Urban Core/Secaucus project;

$1,000,000 for the New Jersey West Trenton commuter rail project;

$8,000,000 for the New Orleans Canal Street Corridor project;

$2,000,000 for the New Orleans Desire Streetcar project;

$35,020,000 for the New York-Queens Connection project;

$500,000 for the Northern Indiana commuter rail project;

$5,000,000 for the Orange County transitway project;

$2,000,000 for the Orlando Lynx light rail project;

$90,000,000 for the Portland-Westside/Hillsboro Extension project;

$6,000,000 for the Sacramento LRT Extension project;

$20,000,000 for the Salt Lake City-South LRT project, of which not less than $10,000,000 shall be available only for high-occupancy vehicle lane and corridor design costs;

$20,000,000 for the St. Louis-St. Clair Extension project;

$35,000,000 for the San Francisco Area-BART airport extension/San Jose Tasman West LRT projects;

$3,000,000 for the San Diego-Mid-Coast Corridor project;

$9,500,000 for the San Juan Tren Urbano project;

$375,000 for the Staten Island-Midtown Ferry service project;

$2,000,000 for the Tampa to Lakeland commuter rail project; and

$2,500,000 for the Whitehall ferry terminal, New York, New York.

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(b) administered by the Federal Transit Administration, $2,000,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For necessary expenses to carry out the provisions of section 14 of Public Law 96–184 and Public Law 101–551, $200,000,000, to remain available until expended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, including the Great Lakes Pilotage functions delegated by the Secretary of Transportation, $10,037,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $23,929,000, of which $574,000 shall be derived from the Pipeline Safety Fund, and of which $7,101,000 shall remain available until September 30, 1999: *Provided*, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $30,988,000, of which $2,528,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 1999; and of which $28,460,000 shall be derived

from the Pipeline Safety Fund, of which $15,500,000 shall remain available until September 30, 1999: *Provided*, That in addition to amounts made available for the Pipeline Safety Fund, $1,000,000 shall be available for grants to States for the development and establishment of one-call notification systems and shall be derived from amounts previously collected under section 7005 of the Consolidated Omnibus Budget Reconciliation Act of 1985.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), $200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 1999: *Provided*, That none of the funds made available by 49 U.S.C. 5116(i) and 5127(d) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $39,450,000: *Provided*, That none of the funds under this heading shall be for the conduct of contract audits.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $12,344,000: *Provided*, That $3,000,000 in fees collected in fiscal year 1997 by the Surface Transportation Board pursuant to 31 U.S.C. 9701 shall be made available to this appropriation in fiscal year 1997: *Provided further*, That any fees received in excess of $3,000,000 in fiscal year 1997 shall remain available until expended, but shall not be available for obligation until October 1, 1997.

TITLE II

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $3,540,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $42,407,000, of which not to exceed $2,000 may be used for official reception and representation expenses.

TITLE III—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 302. Such sums as may be necessary for fiscal year 1997 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available (1) except as otherwise authorized by title VIII of the Elementary and Secondary Education Act of 1965, 20 U.S.C. 7701, et seq., for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 305. None of the funds in this Act shall be available for salaries and expenses of more than one hundred seven political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 306. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 307. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 308. The Secretary of Transportation may enter into grants, cooperative agreements, and other transactions with any person, agency, or instrumentality of the United States, any unit of State or local government, any educational institution, and any other entity in execution of the Technology Reinvestment Project authorized under the Defense Conversion, Reinvestment and Transition Assistance Act of 1992 and related legislation: *Provided*, That the authority provided in this section may be exercised without regard to section 3324 of title 31, United States Code.

SEC. 309. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 310. (a) For fiscal year 1997 the Secretary of Transportation shall distribute the obligation limitation for Federal-aid highways by allocation in the ratio which sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to each State for such fiscal year bear to the total of the sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to all the States for such fiscal year.

(b) During the period October 1 through December 31, 1996, no State shall obligate more than 25 per centum of the amount distributed to such State under subsection (a), and the total of all State obligations during such period shall not exceed 12 per centum of the total amount distributed to all States under such subsection.

(c) Notwithstanding subsections (a) and (b), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highways that have been apportioned to a State;

(2) after August 1, 1997, revise a distribution of the funds made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 103(e)(4), 104, and 144 of title 23, United States Code, and under sections 1013(c) and 1015 of Public Law 102–240; and

(3) not distribute amounts authorized for administrative expenses and funded from the administrative takedown authorized by section 104(a), title 23 U.S.C., the Federal lands highway program, the intelligent transportation systems program, and amounts made available under sections 1040, 1047, 1064, 6001, 6005, 6006, 6023, and 6024 of Public Law 102–240, and 49 U.S.C. 5316, 5317, and 5338: *Provided*, That amounts made available under section 6005 of Public Law 102–240 shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs under the head ''Federal-Aid Highways'' in this Act.

(d) During the period October 1 through December 31, 1996, the aggregate amount of obligations under section 157 of title 23, United States Code, for projects covered under section 147 of the Surface Transportation Assistance Act of 1978, section 9 of the Federal-Aid Highway Act of 1981, sections 131(b), 131(j), and 404 of Public Law 97–424, sections 1061, 1103 through 1108, 4008, and 6023(b)(8) and 6023(b)(10) of Public Law 102–240, and for projects authorized by Public Law 99–500 and Public Law 100–17, shall not exceed $277,431,840.

(e) During the period August 2 through September 30, 1997, the aggregate amount which may be obligated by all States shall not exceed 2.5 percent of the aggregate amount of funds apportioned or allocated to all States—

(1) under sections 104 and 144 of title 23, United States Code, and 1013(c) and 1015 of Public Law 102–240, and

(2) for highway assistance projects under section 103(e)(4) of title 23, United States Code,

which would not be obligated in fiscal year 1997 if the total amount of the obligation limitation provided for such fiscal year in this Act were utilized.

(f) Paragraph (e) shall not apply to any State which on or after August 1, 1997, has the amount distributed to such State under paragraph (a) for fiscal year 1997 reduced under paragraph (c)(2).

SEC. 311. The limitation on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation under the discretionary grants program.

SEC. 312. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 313. None of the funds in this Act shall be available to plan, finalize, or implement

regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 314. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport aid program, airport development aid program or airport improvement program grant. The FAA shall accept such equipment, which shall thereafter be operated and maintained by the FAA in accordance with agency criteria.

SEC. 315. None of the funds in this Act shall be available to award a multiyear contract for production end items that (1) includes economic order quantity or long lead time material procurement in excess of $10,000,000 in any one year of the contract or (2) includes a cancellation charge greater than $10,000,000 which at the time of obligation has not been appropriated to the limits of the government's liability or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided,* That this limitation does not apply to a contract in which the Federal Government incurs no financial liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 316. None of the funds provided in this Act shall be made available for planning and executing a passenger manifest program by the Department of Transportation that only applies to United States flag carriers.

SEC. 317. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under ''Federal Transit Administration, Discretionary grants'' for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 1999, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 318. Notwithstanding any other provision of law, any funds appropriated before October 1, 1993, under any section of chapter 53 of title 49 U.S.C., that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 319. None of the funds in this Act shall be available to implement or enforce regulations that would result in the withdrawal of a slot from an air carrier at O'Hare International Airport under section 93.223 of title 14 of the Code of Federal Regulations in excess of the total slots withdrawn from that air carrier as of October 31, 1993 if such additional slot is to be allocated to an air carrier or foreign air carrier under section 93.217 of title 14 of the Code of Federal Regulations.

SEC. 320. None of the funds in this Act may be used to compensate in excess of 335 technical staff years under the federally-funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 1997.

SEC. 321. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be reduced by $10,000,000, which limits fiscal year 1997 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than $114,812,000: *Provided,* That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the transportation administrative service center.

SEC. 322. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Limitation on General Operating Expenses'' account, the Federal Transit Administration's ''Transit Planning and Research'' account, and to the Federal Railroad Administration's ''Railroad Safety'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 323. None of the funds in this Act shall be available to prepare, propose, or promulgate any regulations pursuant to title V of the Motor Vehicle Information and Cost Savings Act (49 U.S.C. 32901, et seq.) prescribing corporate average fuel economy standards for automobiles, as defined in such title, in any model year that differs from standards promulgated for such automobiles prior to enactment of this section.

SEC. 324. None of the funds in this Act may be used for planning, engineering, design, or construction of a sixth runway at the new Denver International Airport, Denver, Colorado.

SEC. 325. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to the provisions of section 6006 of the Intermodal Surface Transportation Efficiency Act of 1991, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided,* That such funds shall not be subject to the obligation limitation for Federal-aid highways and highway safety construction: *Provided further,* That in addition to amounts otherwise provided in this Act, not to exceed $3,100,000 in expenses of the Bureau of Transportation Statistics necessary to conduct activities related to airline statistics may be incurred, but only to the extent such expenses are offset by user fees charged for those activities and credited as offsetting collections.

SEC. 326. The Secretary of Transportation is authorized to transfer funds appropriated in this Act to ''Rental payments'' for any expense authorized by that appropriation in excess of the amounts provided in this Act: *Provided,* That prior to any such transfer, notification shall be provided to the House and Senate Committees on Appropriations.

SEC. 327. None of the funds in this Act may be obligated or expended for employee training which: (a) does not meet identified needs for knowledge, skills and abilities bearing directly upon the performance of official duties; (b) contains elements likely to induce high levels of emotional response or psychological stress in some participants; (c) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluations; (d) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; (e) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or (f) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

SEC. 328. None of the funds in this Act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation: *Provided,* That this shall not prevent officers or employees of the Department of Transportation or related agencies funded in this Act from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 329. None of the funds in this Act may be used to support Federal Transit Administration's field operations and oversight of the Washington Metropolitan Area Transit Authority in any location other than from the Washington, D.C. metropolitan area.

SEC. 330. None of the funds made available in this Act may be used for improvements to the Miller Highway in New York City, New York.

SEC. 331. Not to exceed $850,000 of the funds provided in this Act for the Department of Transportation shall be available for the necessary expenses of advisory committees.

SEC. 332. Notwithstanding any other provision of law, the Secretary may use funds appropriated under this Act, or any subsequent Act, to administer and implement the exemption provisions of 49 CFR 580.6 and to adopt or amend exemptions from the disclosure requirements of 49 CFR part 580 for any class or category of vehicles that the Secretary deems appropriate.

SEC. 333. No funds other than those appropriated to the Surface Transportation Board shall be used for conducting the activities of the Board.

SEC. 334. None of the funds made available in this Act may be used to construct, or to pay the salaries or expenses of Department of Transportation personnel who approve or facilitate the construction of, a third track on the Metro-North Railroad Harlem Line in the vicinity of Bronxville, New York, when it is made known to the Federal official having authority to obligate or expend such funds that a final environmental impact statement has not been completed for such construction project.

SEC. 335. Section 5328(c)(1)(E) of title 49, United States Code, is amended—

(1) by striking ''Westside'' the first place it appears;

(2) by striking ''and'' after ''101–584,''; and

(3) by inserting before the period at the end the following: '', and the locally preferred alternative for the South/North Corridor Project''.

SEC. 336. Notwithstanding any other provision of law, of the funds made available to Cleveland for the ''Cleveland Dual Hub Corridor Project'' or ''Cleveland Dual Hub Rail Project,'' $4,023,030 in funds made available in fiscal years 1991, 1992, and 1994, under Public Laws 101–516, 102–143, 102–240, 103–122, and accompanying reports, shall be made available for the Berea Red Line Extension and the Euclid Corridor Improvement projects.

SEC. 337. Notwithstanding any other provision of law, funds made available under section 3035(kk) of Public Law 102–240 for fiscal year 1997 to the State of Michigan shall be for the purchase of buses and bus-related equipment and facilities.

SEC. 338. In addition to amounts otherwise provided in this Act, there is hereby appropriated $2,400,000 for activities of the National Civil Aviation Review Commission, to remain available until expended.

SEC. 339. Section 423 of H.R. 1361, as passed the House of Representatives on May 9, 1995, is hereby enacted into law.

TITLE IV—MISCELLANEOUS HIGHWAY PROVISIONS

SEC. 401. Notwithstanding any other provision of law, semitrailer units operating in a truck tractor-semitrailer combination whose semitrailer unit is more than forty-eight feet in length and truck tractor-semitrailer-trailer combinations specified in section 31111(b)(1) of title 49, United States Code, may not operate on United States Route 15 in Virginia between the Maryland border and the intersection with United States Route 29.

SEC. 402. Item 30 of the table contained in section 1107(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2050), relating to Mobile, Alabama, is amended in the second column by inserting after ''Alabama'' the following: ''and for feasibility studies, preliminary engineering, and construction of a new bridge and approaches over the Mobile River''.

SEC. 403. Item 94 of the table contained in section 1107(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2052), relating to St. Thomas, Virgin Islands, is amended—

(1) by striking ''St. Thomas,''; and

(2) by inserting after ''the island'' the following: ''of St. Thomas and improvements to the VIPA Molasses Dock intermodal port facility on the island of St. Croix to make the facility capable of handling multiple cargo tasks''.

SEC. 404. The Secretary of Transportation is hereby authorized to enter into an agreement modifying the agreement entered into pursuant to section 336 of the Department of Transportation and Related Agencies Appropriations Act, 1995 (Public Law 103–331) and section 356 of the Department of Transportation and Related Agencies Appropriations Act, 1996 (Public Law 104–50) to provide an additional line of credit not to exceed $25,000,000, which may be used to replace otherwise required contingency reserves; provided, however, that the Secretary may only enter into such modification if it is supported by the amount of the original appropriation (provided by section 336 of Public Law 103–331). No additional appropriation is made by this section. In implementing this section, the Secretary may enter into an agreement requiring an interest rate, on both the original line of credit and the additional amount provided for herein, higher than that currently in force and higher than that specified in the original appropriation. An agreement entered into pursuant to this section may not obligate the Secretary to make any funds available until all remaining contingency reserves are exhausted, and in no event shall any funds be made available before October 1, 1998.

SEC. 405. Public Law 100–202 is amended in the item relating to ''Traffic Improvement Demonstration Project'' by inserting after ''project'' the following: ''or upgrade existing local roads''.

AMENDMENT OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Traficant: Page 53, after line 10, insert the following new section:

SEC. 340 (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States, that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

The CHAIRMAN. Pursuant to the unanimous consent agreement, the gentleman from Ohio [Mr. TRAFICANT] and a Member opposed will each be recognized for 5 minutes.

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

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

Mr. TRAFICANT. Mr. Chairman, I want to thank the gentleman from Virginia [Mr. WOLF] for his fairness, I want to thank him for his fairness in placing funds in here for a study that may help to reintroduce some rail service to northeast Ohio and western Pennsylvania. On behalf of all of those people I want to thank him, and I want to thank the gentleman from Texas [Mr. COLEMAN]. I also want to congratulate him. This is the last time he will be handling this bill; he is retiring.

Mr. Chairman, he has been a great Member. I want to thank him personally for all he has done to help my area and a lot of people in this country.

I would also just like to say that my amendment is a Buy American amendment. It is simple and straightforward. It would provide a notice to those people who get funds in the bill wherever possible to buy American products, and it would limit using false labels on imported products and trying to deceive the procurement process.

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

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

Mr. WOLF. We accept the amendment. I thank the gentleman from Ohio [Mr. TRAFICANT] for the amendment. I think it is a good amendment.

And let me also say I want to congratulate the gentleman from Texas [Mr. COLEMAN] on his retirement and thank him for his friendship and a good working relationship, and also for the staff.

Mr. TRAFICANT. I want to thank the both of the gentlemen again for that study.

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

Mr. TRAFICANT. I yield to the distinguished ranking member, the gentleman from Texas [Mr. COLEMAN].

Mr. COLEMAN. We, of course, have also reviewed the amendment. We in the minority are in agreement and urge its adoption.

Mr. Chairman, I thank both gentlemen for their kind remarks.

Mr. TRAFICANT. With that Mr. Chairman, I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GUTKNECHT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GUTKNECHT: Page 55, after line 15, insert the following new section:

SEC. 406. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1.9 percent.

The CHAIRMAN. Under the earlier unanimous-consent agreement, the gentleman from Minnesota [Mr. GUTKNECHT] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. GUTKNECHT].

Mr. GUTKNECHT. Mr. Chairman I yield myself as much time as I may consume.

Mr. Chairman, earlier we heard from people on both sides of the aisle, but we were particularly criticized a few weeks ago when this House adopted the conference committee report on the budget, and it was widely reported, and correctly so, that for the first time in 4 years we are going to allow the budget deficit to actually go up.

I and a number of my colleagues were very frustrated to learn that, and as a result after the passage of that budget agreement many of us went back to try to decide what we could do to help the House recover this fumble because, as I have said on previous amendments that I have offered on appropriation bills, I think that the general public sent a very clear message in November 1994 that they wanted us to make the Federal Government live within its means and they wanted us to help balance their budget.

But this year we are increasing spending by about $4.1 billion over

what we said we were going to spend just last year. I think that is a terrible mistake from a policy standpoint, and I think it makes it even more difficult for us to say that we are going to actually reduce spending in the outyears.

In fact, what I said last night was, how in the world can we say in good conscience to our constituents that we cannot cut an additional $4.1 billion worth of spending this year and yet somehow miraculously in 3 years we are going to have the discipline to cut $47 billion worth of spending?

I think it a mistake, and, as I say, as a result of that we came up with a very simple amendment that we are going to offer to every single appropriation bill from this point forward to simply trim 1.9 percent from each appropriation bill in discretionary domestic spending so that if all of those amendments were passed, it would at least get us back to the promise that we made just last year.

But as I looked at this transportation appropriation bill, I must be honest that we find that the gentleman from Virginia [Mr. WOLF] and his committee have done a very good job, and, as a matter of fact, their appropriation bill is $338 million less than the 602(b) allocations. And unfortunately, around this place, altogether too often no good deed goes unpunished, and so as we looked at this, essentially we came to the conclusion that this is one committee that has already met the challenge which we laid out in terms of trying to recover that $4.1 billion.

So as a result, Mr. Chairman, if I could engage in a brief colloquy with the gentleman from Virginia [Mr. WOLF], I think we can resolve this matter and move forward to the next order of business. I ask the gentleman:

It is true that under this bill, H.R. 3675, the gentleman proposes to spend $338 million less than the budget authority allocated in the transportation subcommittee by the full committee?

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

Mr. GUTKNECHT. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, the gentleman is correct.

Mr. GUTKNECHT. Would it be the gentleman's intention to continue to try and save $338 million should this bill go forward into the conference committee with the Senate?

Mr. WOLF. Yes, it is my intention to see that the conference report reflects the priorities and funding levels of the House, and also I might say that if the Senate tries to put any highway demos in, we will make sure that they are not in, and I hope that the people of our body will help us to make sure they are not in, it, but there are no highway demonstration projects in this bill.

Mr. GUTKNECHT. The amendment that I am offering would save approximately $232 million and obviously a savings of $338 million is greater than 232. So in light of this fact, I commend the chairman of the subcommittee, the gentleman from Virginia [Mr. WOLF] and the full committee for the work that they have done and foregoing the extra mile in terms of trying to preserve the American dream for our kids.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. The amendment of the gentleman from Minnesota [Mr. GUTKNECHT] is withdrawn.

AMENDMENT OFFERED BY MR. ANDREWS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ANDREWS: Page 55, after line 15, insert the following new section:

SEC. 406. (a) LIMITATION ON USE OF FUNDS FOR CERTAIN SURFACE TRANSPORTATION PROJECTS.—None of the funds made available in this Act may be used to provide, or to pay the salaries or expenses of Department of Transportation personnel who provide, to a State more than $50,000 in Federal assistance from the Highway Trust Fund (other than the Mass Transit Account) for any surface transportation project except when it is made known to the Federal official having authority to obligate or expend such funds that—

At least 30 days before entering a contract or agreement with a private business entity for the performance of work usually performed by employees of a State under which the State will obligate more than $50,000, the State has conducted and submitted a cost-benefit analysis of the project;

(2) the cost-benefit analysis includes a detailed description of—

(A) the costs of labor;

(B) the costs of employer-provided fringe benefits;

(C) the costs of equipment or materials, whether supplied by the State or private contractor;

(D) the costs directly attributable to transferring the work being performed by State employees to a private business entity;

(E) the costs of administering and inspecting the contracted service; and

(F) the costs of any anticipated unemployment compensation or other benefits which are likely to be paid to State employees who are displaced as a result of the contracted services; (3) the cost-benefit analysis includes an analysis of whether it is more cost effective to use employees of a private business entity than to use State employees to perform the work required;

(4) the cost-benefit analysis is accompanied by an analysis of the State's finances and personnel and an analysis of the ability of the State to reassume the contracted service if contracting of the service ceases to serve the public interest;

(5) in the case of a contract or agreement described in paragraph (1) that will result in a decrease in the amount of work assigned to State employees, the cost-benefit analysis demonstrates that—

(A) the contract or agreement will result in a substantial cost savings to the State; and

(B) the potential cost savings of contracting of services are not outweighed by the public's interest in having a particular function performed directly by the State;

(6) at least 30 days before entering into a contract or agreement described in paragraph (1), the State has submitted a past performance history of the private business entity contract or agreement, which includes—

(A) work performed for the State under contracts and agreements described in paragraph (1) in the 5-year period ending on the 45th day before the date of entry into the contract or agreement;

(B) if no work was performed for the State under such contracts and agreements during such 5-year period, then any work performed for other States under contracts and agreements described in paragraph (1) in such 5-year period;

(C) with respect to each contract or agreement to which subparagraph (A) or (B) applies, the amount of funds originally committed by the State under the contract or agreement and the amount of funds actually expended by the State under the contract or agreement; and

(D) with respect to each contract or agreement to which subparagraph (A) or (B) applies, deadlines originally established for all work performed under the contract or agreement and the actual date or dates on which performance of such work was completed;

(7) at least 30 days before entering into a contract or agreement described in paragraph (1), the State has submitted a copy of any performance bond or any similar instrument that ensures performance by the private business entity under the contract or agreement or certifies the amount of such bond;

(8) at least 30 days before entering into a contract or agreement described in paragraph (1), the State has submitted a political contribution history of the private business entity with whom the State is entering into the contract or agreement, which political contribution history lists all political contributions the private business entity has made to political parties and candidates for political office in the 5-year period ending on the 45th day before the date of entry into the contract or agreement; and

(9) not later than 5 days after submission of the cost-benefit analysis and other documents under this section, the public has been notified of the availability of the cost-benefit analysis and other documents for public inspection, an the analysis and other documents have been made available for inspection upon request.

(b) EXCEPTIONS.—The limitation established by subsection (a) shall not apply to any surface transportation project when it is make known to the Federal official having authority to obligate or expend the funds that—

(1) the project is a pilot project for a particular type of work that has not previously been performed by the State and is being undertaken to evaluate whether contracting for that particular type of work can result in savings to the State; or

(2) the analysis of the State's finances and personnel under subsection (a)(4) demonstrates that the State cannot perform the work with existing or additional departmental employees because the work would be of such an intermittent nature as to be likely to cause regular periods of unemployment for State employees.

The CHAIRMAN. Under the earlier unanimous-consent agreement, the proponent and the opponent each will control 10 minutes for the amendment offered by the gentleman from New Jersey [Mr. ANDREWS].

The Chair recognizes the gentleman from New Jersey [Mr. ANDREWS].

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

The purpose of this amendment is rather simple and straightforward, and it is that the taxpayers that we represent have a right to know how and where their money is being spent. This is a phenomenon that is happening across our country right now. State governments, in an attempt to save money, are laying off public employees by the score. People are losing their jobs, they are losing their careers, they are losing many of the things they depend on for their families. These are longtime, hard-working public employees.

The justification that is offered time after time for this contracting out and for these employees losing their jobs is that it saves money.

This amendment simply says to a local government using Federal taxpayer dollars in transportation projects, it says to that local government:

> If you want to lay off public employees, if you want to take away the jobs of people who have been on the payroll for a long time and done their job as they have been asked, then you have to show us, you have to show the public, that the savings of money that you assert are there are, in fact, there.

Here is the way it works:

When a local government using Federal funds from the transportation trust funds decides to contract that work out, if the work is work that has been traditionally done by public employees, traditionally done by public employees, if they decide to contract the work out, this amendment requires the local government to go through a cost-benefit analysis. It requires a local government to weigh the costs and benefits of contracting the work out versus the costs and the benefits of keeping the work in-house and being done by public employees. The record of that analysis is then spread before the public, and that is it.

Mr. Chairman, let me tell my colleagues what the amendment does not do. The amendment does not require that work that has been done by the private sector for years be changed. If, as in most States, the actual construction of these projects is done in the private sector and not by public employees, this amendment does not apply. It applies only to work traditionally done by public employees. It does not create a massive and new bureaucratic gauntlet for State governments to run.

I would hope that every State and local government that is spending the hard-earned tax dollars of our constituents is already doing this. I hope they are already sitting down and saying what would option A cost to contract the work out versus what would option B cost to keep the work inside. This really simply requires then to disclose what I hope they are already doing.

Finally, this amendment does not, does not, require that there be some new obligation placed upon States or that some new category of work be kept in house that would otherwise be contracted out. This is common sense. It even says, Mr. Chairman, that after the cost benefit analysis has been done, if the State still decides to contract the work out, there is nothing in this amendment that precludes them from doing so.

□ 2315

It protects the right and discretion of States and local governments. This, Mr. Chairman, is a truth-in-government amendment. It simply says if a local official, using Federal taxpayer dollars, if a State official using Federal taxpayer dollars, decides to lay people off the public payroll because they claim that it saves money, they have to show that it saves money. That is all. It is a truth-in-government amendment. I believe it deserves broad support, and I would ask that it receive that support.

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

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Virginia [Mr. WOLF] is recognized for 10 minutes.

Mr. WOLF. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I oppose the amendment. Also, the American Consulting Engineers Council, the American Road and Transportation Builders Association, the Associated General Contractors of America, the American Institute of Architects, The National Society of Professional Engineers, the American Society of Landscape Architects, the Council of Federal Procurement of Architectural Engineering Services, the American Congress on Surveying and Mapping, the National Utility Contractors, they all urge a no.

Mr. Chairman, let me tell Members what AASHTO says. AAHSTO says the amendment is sweeping and would include everything from engineering and design and management, consultant contractors, and at the low threshold of $500,000 it would mean that most activities carried out by the State would not be effective.

They said implementation of the amendment would require a whole array of procedures at the State and Federal level which would impose significant costs and delays in project development. It would make it impossible to utilize private sector resources. It is opposed by the State departments of New York, New Jersey, Texas, Illinois, Indiana, Massachusetts, Wisconsin, and Montana, and others.

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

Mr. ANDREWS. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, if each of the associations that my friend from Virginia cites are opposed to the bill, it does not surprise me. Taxpayers are in favor of this bill, because all it really says is if you are really saving money, you ought to prove it.

Mr. Chairman, I yield 2 minutes to my friend, the gentleman from California [Mr. FILNER].

Mr. FILNER. I thank the gentleman for his amendment, Mr. Chairman, because as I read it, it would simply replicate at the State level the procedure that is followed by the Federal Government to require cost comparisons before a contract could be given to private entities. The gentleman's amendment will ensure the prudent use of taxpayer moneys by requiring cost comparisons when in-house expertise is available. State governments frequently have trained competent public employees. Having State workers perform design and engineering work on highway projects will often save taxpayers' money because the job can be done quicker and cheaper.

This amendment is a major step toward protecting the American taxpayer and ensures their tax dollars will be well spent. Too often private contractors are given sweetheart contracts in return for financial and political support. The best interests of the American people are not served. This practice is egregious when the result is the displacement or underutilization of public workers. I think this amendment sets politics aside and brings back into focus the interests of American taxpayers.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. FRELINGHUYSEN], a member of the committee.

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

Mr. Chairman, I rise in opposition to the Andrews amendment for several reasons: First, it imposes an unfunded mandate on the States, like our own State of New Jersey. We already have enough unfunded mandates now.

Second, it violates States rights. States should be able to make transportation decisions without any further Federal interference.

Third, Mr. Chairman, it removes the flexibility that States currently enjoy to address their unique transportation needs. In our State our State has particular transportation needs because of our population density.

Fourth, it swells State bureaucracies that many Governors, like our own State of New Jersey Governor, Christine Todd Whitman, were trying to control costs, so why would we need to swell the bureaucracy with more employees paid for by Federal dollars?

Fifth, it invites lawsuits, totally unnecessary lawsuits.

Sixth, it hurts minority and start-up small businesses who already have problems competing in a complex situation in terms of transportation projects.

Seventh, it delays highway projects. In a State with as many problems as we have, we do not need any more delays.

Lastly, Mr. Chairman, it hurts the private sector, who is perfectly capable, who has a wonderful track record of designing and working on construction projects.

For these reasons and many others, I oppose this amendment.

Mr. ANDREWS. Mr. Chairman, I yield 2 minutes to my friend, the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New Jersey. The amendment is straightforward and requires that before Federal funds are used to contract out highway work, the locality must determine whether the benefits of contracting out, including the costs of the contract, the costs of terminating public employees, the costs of administering and supervising the contract, and the costs of the projected unemployment, outweigh the anticipated benefits.

This should not be controversial. Small businesses and middle-class homeowners do this all the time. They want to get the best deal for their money. The taxpayers have a right to demand that their governments should treat their tax dollars with the same care and respect.

I know that privatization is very popular these days. I know some of our colleagues like to point to situations in which privatization saved the government money. I know in some circles, putting people out of work simply because they committed the unpardonable sin of devoting their energies to serving their communities as public servants, is politically popular. That may be right, it may be wrong in a given case, but it is not too much to ask that before a State rushes forward and begins contracting out, it take the trouble to find out whether it would be getting a good deal.

Some have complained we have no business telling the State governments to comparison shop. I disagree. This is not a question of unfunded mandates. What is at issue here is a fundamental question of accountability, accountability in the use of Federal tax dollars. Demanding accountability, making sure that contracting out really will save money, is not simply local politicians giving some goodies to the old boys' network. It is not an abuse of our authority. It is a fundamental exercise of our responsibility as legislators and as stewards of the taxpayers' funds.

It does not matter whom we send this money through, it is our responsibility to ensure that the tax money we appropriate today is spent wisely. That is what accountability is all about. That is our first obligation, and that is why I urge adoption of this amendment.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. SHUSTER], chairman of the Committee on Transportation and Infrastructure.

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

Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from New Jersey, [Mr. ANDREWS]. This amendment is not merely a limitation on funds for fiscal 1997, it requires States to perform six pages of new specific criteria, creates new requirements out of whole cloth that have never been present in the last 40 years of Federal highway programs. This provision virtually rewrites the highway bidding and contracting process, and it does so without any hearings or any debate as to whether such a revolutionary change should be adopted. This amendment has sparked broad-based opposition, including the States of New York, New Jersey, Illinois, Texas, Massachusetts, Wisconsin, Indiana, and Montana, the American Consulting Engineers Council, the American Road and Transportation Builders, and the Associated General Contractors.

I am informed by the Federal Highway Administration and the American Association of State Highway and Transportation Officials that, if adopted, this provision would nearly be impossible to implement for several reasons. The amendment requires the States to perform burdensome and costly cost-benefit analysis. The cost-benefit analysis mandated by this amendment is a wolf in sheep's clothing, and bears little relationship to the meaningful analysis of costs and benefits.

By tying its requirements to work that is usually performed by State employees, the amendment would create 50 separate rules for the Department of Transportation to administer. All States currently have different contracting practices. This amendment would freeze in place these different State practices.

This amendment stacks the deck against private work in order to increase the State bureaucracies. It would hurt the private sector design and engineering firms in all of the 50 States. In sum, this provision is unworkable, would increase the burdens on the States, would lower quality and prevent States from building the best assets, so I strongly urge my colleagues to oppose this amendment.

Mr. ANDREWS. Mr. Chairman, I yield 30 seconds to the gentleman from Texas [Mr. COLEMAN], the ranking member of the subcommittee, who has been an excellent mentor and friend on this.

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

Mr. COLEMAN. Mr. Chairman, I would say to my colleague, the gentleman from Pennsylvania, oh, for heaven's sakes. I thought you all liked my cost-benefit analysis to be done on regulation. What in the world is wrong with us doing that when we are using Federal tax dollars at the State level? Nothing is wrong with that. It is called good management, good government. There is absolutely nothing wrong with us requiring it in this amendment. It needs to be conducted on preconstruction activities for federally funded highway projects prior to them being contracted out.

What is wrong with that? Do the taxpayers not have a right to know that? I know all of you and all of us have agreed we need cost-benefit analysis on regulations. Let us do it when we are spending Federal dollars.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Chairman, I rise in strong opposition to the amendment offered by my good friend, which I think is misguided.

The speakers on the other side of the aisle have referred to this as a cost-saver. I think it is more appropriately called a big government bill, very simply, because it adds an additional step to the contracting process on surface transportation projects. Any project above $50,000 will henceforth, if this amendment passes, have an additional step on it which will require more State workers and more salaries paid to State workers.

Mr. Chairman, as we know, the Joint Economic Committee, of which I am Vice-Chair, this year has produced numerous studies that show that when government grows, the economy slows. That is a very simple concept.

So my friends on the other side of the aisle who are interested in voting tonight for more big government, for more State spending, and more Federal spending, this is just their vote. I do not mean that, I do not say this to be smart. That is exactly what it is.

What we have tried to do here in the last year and a half is to set the stage for smaller government, government that will permit the private sector to grow and to continue to provide opportunities in the free enterprise system for Americans to work and prosper. This amendment goes exactly in the opposite direction, and I urge all Members on both sides of the aisle to vote ''no.''

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee [Mr. DUNCAN].

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

Mr. DUNCAN. Mr. Chairman, I rise in opposition to this amendment. It would add unnecessary delays and added costs to almost every highway project across the country. More importantly, it would go very much against one of the leading recommendations of the most recent White House Conference on Small Business, which adopted as one of its main planks this statement: At the Federal, State, and local levels, laws, regulations, and policies should prohibit direct government-created competition in which government organizations perform commercial services. That hits right at the heart of this amendment. This amendment goes against that leading recommendation. It would be very harmful to small business, it would be very costly to the taxpayer, and I urge the defeat of this amendment.

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

In urging my colleagues to vote with this amendment, I would like to deal with some of the misconceptions put forward about the amendment. People say they want smaller government. What we are doing here would not give us smaller government, if we oppose this amendment, it would give us dumber government, because government would be taking taxpayers' money and not necessarily getting the best deal for it.

□ 2330

We hear it is a violation of States' rights. Not so. This simply says the State needs to go through a justification process, but the decision as to what to do remains with the State. We hear this is unworkable. Any State that is spending tens or hundreds of millions of Federal taxpayer dollars without doing this is running their projects in an unworkable way.

We hear that privatization has been a great success, and since my friends from New Jersey raised New Jersey, let me raise New Jersey. New Jersey, as I understand it, laid off the custodians at the State Capitol, the people who clean the State capitol building in the name of saving money. We have a problem with the Capitol building not being clean and we find out that the firm that was hired to do the work has hired illegal aliens to do the work, so I am not sure that that was a success.

When our constituents, Mr. Chairman, go out and shop tonight for an air-conditioner or a TV set, they look for the best deal. We should do the same thing with their money. I urge my colleagues to support the amendment.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. Mr. Chairman, I was in local government for 15 years. This is not true cost-benefit at all; this is a presumption on one side of the ledger sheet and creates a presumption that somehow the public sector delivers this better. It is an unfunded mandate; it is an economic study for every Federal highway program over $50,000.

This amendment will delay projects, and when you have short construction seasons in some cases, it is going to kick it over, sometimes over a year's delay getting that project costed and that ends up delaying costs and I doubt that even goes into the cost-benefit analysis. This makes it very difficult to contract out and utilize the private sector resources available.

The cost and the delays in undergoing these studies are deterrent to bidding these programs out and using private sector forces. This does not save money, it is anticompetitive, it ends up costing money with the delays, and it diverts dollars from pavement and bridges and it puts them into the bureaucracy and bureaucratic studies. I think despite its good intentions, this does not cut the mustard, it does not do the job. I urge its defeat.

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

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. ANDREWS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 460, further proceedings on the amendment offered by the gentleman from New Jersey [Mr. ANDREWS] will be postponed.

AMENDMENT OFFERED BY MR. HUNTER

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

The Clerk read as follows:

Amendment offered by Mr. HUNTER: Page 55, after line 15, insert the following new title:

TITLE V—ADDITIONAL GENERAL PROVISIONS

SEC. 501. (a) LIMITATION ON NEW LOAN GUARANTEES FOR CERTAIN RAILROAD PROJECTS.—None of the funds made available in this Act may be used for the cost of any new loan guarantee commitment for any railroad project, when it is made known to the Federal official having authority to obligate or expend such funds that such railroad project is an international railroad project of the United States and another country, or a railroad project in the United States in the vicinity of the United States border with another country.

(b) EXCEPTION.—Subsection (a) shall not apply when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) a comprehensive study has been conducted after the date of the enactment of this Act regarding criminal activities that have occurred on existing railroads of such type, including—

(A) the use of such railroads to facilitate the smuggling of illegal aliens and illegal drugs into the United States, and the impact of such smuggling on the total number of illegal aliens, and the total amount of illegal drugs, entering the United States; and

(B) the commission of robberies against such railroads; and

(2) a detailed report setting forth the results of such study has been issued and made available to the public.

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

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

There was no objection.

Mr. COLEMAN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Texas [Mr. COLEMAN] reserves a point of order.

Pursuant to the unanimous consent agreement of earlier today, the gentleman from California [Mr. HUNTER] and a Member opposed will each control 5 minutes.

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

Mr. HUNTER. Mr. Chairman, very simply, this amendment affects the proposal that the gentleman from California [Mr. FILNER] made on the border train, which lies mainly in my congressional district, and I brought up to my colleagues the problems that we presently have on the southern border of California with overwhelming out of control illegal immigration. It has become a cocaine highway in San Diego and Imperial Counties, and the problem with this train is that a border train, which does not even go into Mexico, in New Mexico was robbed 600 times last year, according to headline stories in the Boston Globe, the L.A. Times and the San Diego Union.

So you have an issue of border control and what effect this border train that weaves in and out of Mexico will have on that situation. Will it become an illegal alien express? Will it be robbed? Will it build up a base of banditry along the southern border?

What my amendment does very simply is it asks for a study. It says, we cannot fund any funds under this section until and unless a study is done that addresses the effect of existing border trains on illegal immigration, cocaine smuggling, and the prospects for banditry which have taken place in great numbers in New Mexico.

So we need information on this proposal, and this amendment asks for a report that gives that information, and certainly I cannot see any proponents wanting to deny the House information that would let us make a reasoned judgment on this border train.

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

Mr. COLEMAN. Mr. Chairman, I rise in opposition to the amendment, mainly so that I could inquire of the author of the amendment, and we could be able to divide some time perhaps so that I could inquire. The language of the amendment is that none of the funds are made available in this act and my understanding is that there are no funds made available in this act for the cost of any new loan guarantee commitment for any railroad project, and when it is made known to the Federal official having the authority to obligate or expend such funds that such railroad project is an international railroad project of the United States and another country, or a railroad project in the United States in the vicinity of the United States border with another country, meaning Alaska, the State of Washington?

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

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

Mr. HUNTER. Mr. Chairman, I would say to the gentleman, no, that does not mean Alaska, if the gentleman is asking.

This is what I would hope that we would do under this, is to look at the existing situation. It is similar to San Diego's, and that is the border train that borders New Mexico that has been robbed 600 times in the last year. The study would under this amendment,

the intent of the author is that we would look at that situation.

Second, with respect to the gentleman's statement that there is no funds under this act, this is attached to this section of the bill on the presumption that if the Filner amendment did pass, there would be funds available in the act?

Mr. COLEMAN. Mr. Chairman, reclaiming my time, I think that is the issue. I mean if the Filner amendment does not pass, then of course this kind of language is not necessary to do that.

I know the gentleman wants to conduct a study, and I do not object to just doing a study, but I am afraid that the way the gentleman has crafted the amendment, we are going to do more than just a study. We may indeed be prohibiting any future use of any loan guarantee funds on behalf of any railroads just because they happen to be near a border, and I do not think that is fair, either. The gentleman represents a border, like I do.

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

The CHAIRMAN. Does the gentleman from Texas continue to reserve his point of order?

Mr. COLEMAN. No, Mr. Chairman, I think it is only a technical flaw and not subject to a point of order.

Mr. HUNTER. Mr. Chairman, I yield myself such time as I my consume.

Mr. Chairman, let me just say to my colleagues, for the proponents of this border train, the point of my amendment is that there are a lot of ramifications of this train that go far beyond simply linking up a couple of railheads with an existing port and expediting trade between nations. There are enormous problems along the southern California border. There are right now enormous problems among all of the southern border with enormous illegal immigration and all of the ramifications that come about as a result of that situation.

This amendment has asked for a study. It should not be mission impossible to get a study. Now, if the gentleman says, well, no monies can be spent until there is a study, well, that is easily taken care of by simply producing a study, and I think that INS, at least the people that I have talked to, Customs, Border Patrol, have got facts coming out of their ears with results of what has happened to border trains in the last few months.

So let us have this study, and then the gentleman from California [Mr. FILNER] can move ahead in an informed manner, and I can move ahead in an informed manner, and all Members of the House will know what the facts are. Let us do the study.

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

Mr. COLEMAN. Mr. Chairman, I yield myself 30 seconds.

Again, I think the problem of trying to draft legislation on the floor of the House is evident by the fact that what we have in this particular amendment says that this would include a railroad project in the United States, in the vicinity of the United States border with another country. That is not just Mexico. Where does everybody get the idea that the border is only Mexico in the United States?

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

Mr. HUNTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. WOLF], the subcommittee chairman.

Mr. WOLF. Mr. Chairman, I rise in support of the amendment. It was an issue that the gentleman from Illinois [Mr. HASTERT] raised with regard to drugs coming out of Mexico. Up to 75 percent of the marijuana is coming across the Mexico border. I think a study is a fair thing to do, so I strongly support the amendment.

Mr. HUNTER. Mr. Chairman I yield such time as he may consume to the gentleman from California [Mr. BILBRAY].

Mr. BILBRAY. Mr. Chairman, I appreciate my dear colleague from San Diego, both of my colleagues from San Diego, and I am going to get in the middle of this family feud. I would ask every Member here and every Member who is watching on C–SPAN, do you hear what is going on? We are talking about trying to have commerce in the good things that we all talk about everything in this country. But here you have two colleagues that have districts side by side, and because of the uncontrolled situation along our frontiers, because not all American soil seems to be created equally.

It does not appear to be by this Congress or other Congresses, because we are in a situation now to where a railroad is threatened because we do not have control of U.S. soil and we are not going to see the commerce and the prosperity that we should see in certain parts of this country, because America and the Federal Government has not taken care of a problem.

I would say to my colleague, the gentleman from California [Mr. HUNTER], does the gentleman know what I would like to see this study say? Not what is going to be the problems, but what can the greatest Nation in the history of the world that travels all around the world to defend and secure the national sovereignty of everybody else, what can we do to make the NAFTA train of the gentleman from California [Mr. FILNER] safe and prosperous? That is what our study should say.

I just ask every one of my colleagues as they go back to the July 4 recess, go back to your districts and think about the fact that the gentleman from California [Mr. FILNER] and the gentleman from California [Mr. HUNTER] are going to go back to their neighborhoods and their neighborhood is not as secure and as safe from foreign intrusion as everyone else in this country should be and presume to be.

Mr. COLEMAN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. FILNER].

Mr. FILNER. Mr. Chairman, I thank the gentleman. I wish all of us, the gentleman, Mr. HUNTER, and Mr. BILBRAY, myself our colleagues, would be working together for the economic development of our region. This amendment does not help any. It does not even apply to the funds that my amendment addressed.

The funds are not from this act. It is not a railroad project of the United States. I asked for loan guarantees for a private sector venture. The private sector is not going to invest $75 million in a railroad that has banditry problems, that has other problems.

This is a private sector venture that will transform the economy of San Diego. They are going to make the studies. Let us trust the private sector on that side of the aisle. This is what the project is all about, opening the economy, opening the port of San Diego. The private sector will make those studies. They are not going to invest that money if it is unsafe.

So I would say to the gentleman from California [Mr. HUNTER] let us get serious, let us solve the economic problems of San Diego and not just demagogue on this issue of immigration.

Mr. Chairman, I yield myself the balance of my time.

Mr. COLEMAN. Mr. Chairman, let me just close, if I might, and let me say that I think in terms of dealing with the issue of undocumented persons in America, the issue of dealing with the robberies, the crime that occurs, whether it be from undocumented persons who are foreign nationals or whether it be from legal immigrants or whether it be from United States citizens, those kinds of issues do need to be addressed by all of us in the area of law enforcement.

Indeed, we have in this country a structure and facilities capable of handling many of the illegal activities that do occur. We know along the U.S. Mexico border, for example, I am proud to represent a district directly on that border with a citizenship of nearly 2 million people on both sides of that border, we have incidents of crime and the rest of it just like everywhere else in America. But I can tell you that I do not think it is important for us to suggest that we must somehow stop the kind of progress that has been referred to by all of my colleagues from California and what they intend to do.

I am willing to study the issue, but if criminal or illegal activities have occurred, I know that Federal and State authorities have right now the ability to investigate all of those charges. If illegal activities are in play, we do not need to wait until a study is conducted. I mean after all, that is what the law enforcement officials that we fund, that your State funds, that your local communities fund, are there to do.

So Mr. Chairman, I would ask that my colleagues defeat the amendment offered by the gentleman from California [Mr. HUNTER] in this instance.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HUNTER].

The amendment was agreed to.

□ 2345

AMENDMENT OFFERED BY MR. COLLINS OF GEORGIA

Mr. COLLINS of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLLINS of Georgia: Page 55, after line 15, insert the following new title:

TITLE V—ADDITIONAL GENERAL PROVISIONS

SEC. 501. None of the funds made available in this Act may be used by the National Transportation Safety Board to plan, conduct, or enter into any contract for a study to determine the feasibility of allowing individuals who are more than 60 years of age to pilot commercial aircraft.

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

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

There was no objection.

The CHAIRMAN. Under the earlier unanimous-consent agreement, the gentleman from Georgia [Mr. COLLINS] and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Georgia [Mr. COLLINS].

Mr. COLLINS of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the report accompanying the Department of Transportation Appropriations Act contains language directing the National Transportation Safety Board to review and issue a report on the Federal Aviation Administration's ''age 60 rule'' which requires pilots to retire upon reaching the age of 60.

The amendment offered by the gentleman from Minnesota [Mr. OBERSTAR] and myself prohibits funding of this study based upon several reasons.

First, the NTSB is not the appropriate agency to undertake such a study. The chairman of the National Transportation Safety Board responded to an inquiry from the gentleman from Wisconsin [Mr. OBEY] just yesterday. The National Transportation Safety Board letter stated that the basic scientific research required by such a study is currently beyond the mission and capability of the Safety Board. In addition, the letter stated that such a study would require about 1-½ years of professional staff effort, and could replace or delay other safety studies already scheduled.

Mr. Chairman, I strongly believe that taxpayer dollars should be targeted to the mission of the National Transportation Safety Board, which is investigating accidents and helping to prevent their reoccurrences, and not diverted for projects for which the agency is not suited.

Second, the age 60 rule has been studied and restudied for decades by experts in the field. Congress ordered a major study in 1979. The National Institutes of Health, National Institutes of Aging, and National Academy of Sciences undertook an exhaustive study and concluded that while there may be individuals capable of flying after age 60, there was no way to make such a determination without constant examinations, which are completely impractical.

During the 1980's the issue was revisited in various forums without change, and in 1995 the Federal Aviation Administration, which has a medical component, undertook another extensive review, receiving thousands of comments. Not only did the agency conclude that a change in the retirement age was not warranted, but it applied the age 60 rule to commuter airlines which had been allowed to have pilots over the age of 60. I reiterate, this was just last year.

I believe that requiring the National Transportation Safety Board to do yet another study is not only unwarranted, it is not a wise use of taxpayers' dollars, and certainly not a wise use of the National Transportation Safety Board's already strained resources.

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

The CHAIRMAN. Does the gentleman from Virginia [Mr. WOLF] rise in opposition?

Mr. WOLF. Mr. Chairman, I rise in opposition.

The CHAIRMAN. The gentleman from Virginia will control 10 minutes in opposition.

Mr. WOLF. Mr. Chairman, I yield myself 4 minutes.

If this bill said to raise the age to 60 or 61, I would not be for it. All it says is the National Transportation Safety Board should look at the issue. Fifteen other countries do it. We know what has happened. There has been some political pressure by one group who has come in and said, ''Don't even look at it.'' We cannot put our head in the sand on this issue.

You can argue it is age discrimination. Should we have an amendment that every Member of Congress over 60 ought to bail out of here? That every surgeon ought to bail out of here? That every dentist ought to bail out of here? That every whatever ought to bail out of here? The answer is no. All it is is a study to see, because it may be a major safety issue. Let me just read a couple of things.

The NTSB at our hearing stated that there is data showing that flying skills, judgment, and seasoning in general do improve with experience. If you think back to the Sioux City accident, the United Airlines pilot who saved a lot of lives was able to avert a tragic accident at the last minute. That pilot was 59 years old and had to retire the following year. Another example that comes to mind is United Airlines 811 where the cargo door blew out, causing both engines on the left side of the plane to fail and placed large holes in the floor and the wall. The pilot, age 59, brought the plane to a safe landing in Honolulu and the NTSB cited his skill as the finest piloting job ever done under these circumstances.

In comparison, there are some vivid examples of young pilots who lack the seasoning and the skills to recognize the seriousness of conditions they are flying in and have caused tragic accidents.

Let me give an example. A recent accident is the American Eagle accident near Morrisville, NC that occurred because a young pilot, age 29, misinterpreted an engine-out light and lost his orientation, resulting in a perfectly good aircraft being flown into the ground. Another example is when a Henson Airlines pilot, using an incorrect navigation aid, flew the aircraft into a mountain near Grotto, VA. In this case the copilot was 26 years old, even younger and less experienced than the pilot.

I final example is a 1983 Air Illinois flight where a 32-year-old pilot took off at night, lost electrical power, and instead of turning the aircraft around for an emergency landing, he continued to fly the aircraft and he crashed it.

I do not say that the age out to be raised. I am not sure. If there were a vote today to raise the age, I would oppose it. But everything that we could do in this bill to make the airlines safer, we have done. Safety has been the number one priority. We put more money in this bill than the FAA even asked us for for safety. This side of the aisle and the gentleman from Texas [Mr. COLEMAN] can be proud, this is a safety bill. This may be a safety issue. When you walk in that aircraft, you may like to see a little gray on that pilot's hair.

If you vote for this amendment to knock this out, then maybe you ought to support an amendment that every Member of Congress over 60 ought to bail out and your dentist ought to bail out and your surgeon ought to bail out.

I do not know if it ought to be raised. I do not know. But what I do know is this was put in in 1959. Men are living longer since 1959. Some men work out and take care of themselves. Maybe we should take some pilots after they are 55 and maybe some that are 61. I do not know. But I want the NTSB to look at it, study it, come back and make a recommendation to the FAA. And whatever the FAA does, I will be happy with. But I cannot say we ought not even look at this.

Mr. Chairman, I strongly urge the defeat of this amendment.

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

Mr. COLLINS of Georgia. I remind the gentleman, this is not the FAA. This is the NTSB.

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

Mr. OBEY. Mr. Chairman, I would simply like to rise in support of the

amendment and note that if a Member of Congress has a heart attack or if a dentist has a heart attack, the public safety is not at risk. That is not the case in the occupation we are talking about here tonight.

I would also say that it is important to understand that the National Transportation Safety Board itself does not believe that it is qualified to conduct the study that it is being asked to conduct. When we asked them what they felt about it, they responded as follows:

> It is likely that the proposed study will conclude that significant new laboratory research on the effect of aging on tasks that are critical to safe performance as an airline pilot will be required. Basic safety research of this nature, of course, is currently beyond the mission and capability of the Safety Board.

After that letter was sent, I understand that they sent another letter to the gentleman from Virginia [Mr. WOLF], because I know how things work. When the subcommittee chairman says something, they respond. In the subsequent letter which the agency sent to the gentleman from Virginia, they indicated that they would conduct the study if they were asked to do so and if it was requested. But, I will repeat, they indicated that in their judgment such a study, while they would do it if told to by the Congress, is beyond the mission and the capability of the Safety Board.

So it seems to me that maybe this study ought to be conducted, but it certainly should not be conducted by an agency that itself believes it does not have the capacity to do it. I would urge that the gentleman's amendment be adopted.

Mr. WOLF. Mr. Chairman, I yield myself 30 seconds.

There was no pressure. I said to Mr. Hall, ''You do the right thing, whatever the right thing is.''

Second, I do not have the confidence in the FAA to do this study and I wanted the National Transportation Safety Board, which is above and beyond the pressure of politics and Cabinet secretaries of whatever administration, to evaluate all the data—as I said, 15 other countries do it—and make a report back. I tell the gentleman it is the Safety Board that would make the report back to the FAA and the FAA would do whatever.

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

Mr. COLLINS of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Georgia [Mr. COLLINS] and the ranking member of the full Committee on Transportation and Infrastructure, the gentleman from Minnesota [Mr. OBERSTAR].

I seriously doubt, Mr. Chairman, that the Federal Government needs another study. But if one is needed, then we should let the groups and the companies which are for and against this fund these studies. In addition, we can hold hearings on this without requiring the taxpayers to fund any new studies.

I know there are good and well-intentioned people on both sides of this issue, but this question has already been much studied since this rule was first imposed during the Eisenhower administration. As has been pointed out, National Transportation Safety Board Chairman Hall recently wrote that this study, ''may replace or delay other safety studies scheduled for accomplishment during fiscal year 1997.''

The Federal Aviation Administration, as a result of its studies and its one-level-of-safety initiative, concluded just this past December that the age 60 rule should not be changed and, moreover, the FAA has recently applied the age 60 rule to commuter pilots.

Mr. Chairman, I think this is a good amendment and I urge its support.

Mr. COLLINS of Georgia. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. I thank the gentleman for yielding me this time and for cosponsoring this amendment, for initiating it, in fact.

Mr. Chairman, I was very interested and pleased to hear that the chairman of the appropriations subcommittee mentioned the Sioux City, IA crash. People walked away from that crash for a couple of reasons: The seat strengthening that was required on all aircraft, to 18 G forces, that kept those seats in place and saved 110 lives; and for the skill of that pilot in managing this aircraft when he lost all control surfaces. Capt. Al Haynes, who flew that aircraft, is very strongly in support of the age 60 rule. I do not think it was the intention of the chairman to imply that he was opposed to the age 60 rule, but it is very clear that Capt. Al Haynes supports the age 60 rule and wants it to remain in place.

This issue has been studied to death. We do not need to waste more dollars and the precious resources of the National Transportation Safety Board on another study. In 1979 Congress directed NIH to study the age 60 rule. The Institute on Aging, the Institute of Medicine, the National Academy of Sciences conducted the research, prepared the report, completed it in 1981, and recommended keeping the age 60 rule and extending it to commuter pilots—1981. It took until this year, under the one-level-of-safety rule issued by the FAA, to extend that rule to commuter airlines and to standardize the age 60 rule for all of aviation.

The Academy of Sciences, the FAA, and the Civil Aeromedical Institute have conducted extensive studies on this issue. They all have come to the same conclusion after thousands of comments, after extensive review, public hearings, extensive debate over the 37 years this rule has been in place. Every entry pilot knows that age 20 or whatever it is when that pilot enters that cockpit, that at age 60 they are going to have to retire. They live by it and they know it.

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This is a safety issue. Every entity that has studied it has come down on the side of retaining age 60 as a safety measure. Do not mess with something that is working, that is safe. Keep it in place.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Texas, [Mr. DELAY], the majority whip.

Mr. DELAY. Mr. Chairman, I thank the chairman and ranking member for the hard work they have done on this bill. While I have the deepest respect for my friend from Georgia, I have to rise in opposition to his amendment.

Clearly great controversy exists regarding the age 60 rule. Therefore, I believe it is entirely appropriate for a study to be done by the NTSB to provide us with some hard data. So far the data that exists leads me to believe that this rule is totally out of date. The FAA's latest study released in 1993 showed that accidents declined to their safest level at age 55 and remained at that level until the age of 63. Now, that study also showed that the highest risk age category was from 24 years old to 39 years old, and it stated and I quote:

> In all of our analyses, we saw no hint of an increase in the accident rate for pilots of scheduled air carriers as they neared their 60th birthday.
>
> Further, accident data collected by the National Transportation Safety Board confirms that inexperience, not age, is the leading cause of aviation accidents.

When we really need to know what caused an accident, we do not call the FAA. We call the NTSB. They have worldwide respect in their knowledge of what causes accidents. So it is only natural to ask the NTSB to make this kind of study and report to the FAA and look at it. So why does the FAA insist so stubbornly on retaining this rule?

I think it is time to really fully examine the relationship between age and performance and explore alternatives to the age 60 rule. Our friends on the other side of the Atlantic are already moving in this direction. Additionally, foreign carriers are allowed to fly under less restrictive age rules through and into U.S. airspace in America. This is absurd. Vote ''no'' on the amendment.

The CHAIRMAN. The gentleman from Virginia, Mr. WOLF, has 3 minutes remaining and the right to close, and the gentleman from Georgia, [Mr. COLLINS], has 1 minute remaining.

Mr. COLLINS of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Texas, [Mr. COLEMAN].

Mr. COLEMAN. Mr. Chairman, I only wanted to say to my colleagues, the gentleman from Virginia [Mr. WOLF] has done what he should have done with NTSB. He has agreed to their reprogramming requests. Let me tell all of my colleagues why this amendment is important. The safety studies are already in progress by NTSB. They are

not going to get any more money by doing this study. In progress, they have emergency evacuation of commercial aviation under aviation; under highways they have a child-passenger protection study; a study of passive grade-crossing study; effectiveness of school bus seat belt study; a fishing vessel safety study; evacuation damage prevention for pipeline safety; safety at passive grade crossings and rail safety.

In addition to that, at the moment they have 24 ongoing major accident investigations in all modes of transportation; 8 of them are in aviation. We are not going to give them more resources, but we are going to ask them more or less let us do another study. That is the reason I think the gentleman from Georgia's amendment is appropriate at this point in time. If we want to have people do more studies, we are going to have to pay for it. Is that not what we all said when we talk about a balanced budget? I think the gentleman from Georgia's amendment is a good one and I recommend it to my colleagues.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. PACKARD].

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

Mr. Chairman, let me make several points. There is nothing magic about the age 60. It is strictly an arbitrary age. We can pick 59, we can pick 50 or 70. It is arbitrary. People are living longer and more productive lives. All common carrier planes have to have at least two pilots. A heart attack will not cause the plane to go down and they also, most of them, have a flight engineer. No other profession requires the termination of their careers at age 60, not the railroad engineer, not a bus driver, not a truck driver, not a physician, a nurse. Age 60 is not consistent with the Age Discrimination in Employment Act which states that ability, not age, should determine an individual's qualifications for getting and keeping a job.

These pilots are willing to subject themselves to rigorous medical or physical tests in order to keep flying. That should be what determines whether they are qualified to fly or not is if they are physically capable of doing so. I urge my colleagues to oppose this amendment.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I reluctantly oppose the gentleman from Georgia's amendment. Let me tell Members why. I am not asking to let STORM THURMOND fly, but in my experience, I can name a dozen people that are flying in air shows right now at that age that are pulling minus 5 G's and positive 9 G's every day. And we go through a rigorous examination, an annual physical. They even check for drug and alcohol, for eye, for heart, for sonograms, and that picks out what it is. If my colleagues ask me, with my experience, what flying requires, if I am going to fly with a young pilot or an experienced pilot, I am going to take the experienced pilot because in the long run that is going to be safe.

Mr. Chairman, I do not believe, and I know Members have good intentions on this amendment, that age 60 should limit someone. When we talk about it is a wasted study, when we are talking about taking someone's livelihood, that is not proportionate to the safety exercised. I believe that is wrong and I oppose the amendment.

Mr. WOLF. Mr. Chairman, I yield to a Member who will be so convincing, the next Senator, the gentleman from Iowa [Mr. LIGHFOOT].

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

Mr. LIGHTFOOT. Mr. Chairman, I thank the gentleman for yielding me the time, and I hope I can meet up to our chairman's expectations.

Mr. Chairman, I rise in opposition to the amendment, based on a couple of reasons. First of all, my good friend from Minnesota said that we have studied this forever and we agree about 99 percent on what we need to do with the FAA. But the problem is, there is no data to study. We do not have any pilots in this country flying commercial airlines over the age of 60 because the law has prohibited it for 37 years. So it is very difficult to study the performance of people over the age of 60 if you do not let them fly in the first place.

So in order to reach some kind of a logical agreement, I agree with the gentleman from Virginia, [Mr. WOLF], the vote was tonight to raise the age limit. I think I would be opposed to it simply because we do not have the data available to do it. All that the chairman is asking us to do is to try to look at other countries that are allowing commercial airline pilots over the age of 60 to perform, to see how they meet the safety standards, to see how they stack up, to see what their accident rate is, and then perhaps the NTSB, working with FAA can make the proper decision.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. COLLINS.]

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. COLLINS of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 460, further proceedings on the amendment offered by the gentleman from Georgia [Mr. COLLINS] will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 460, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: the amendment offered by the gentleman from Minnesota [Mr. OBERSTAR]; the amendment offered by the gentleman from California [Mr. FILNER]; the amendment offered by the gentleman from New Jersey [Mr. ANDREWS]; and the amendment offered by the gentleman from Georgia [Mr. COLLINS].

The Chair will reduce to 5 mintues the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. OBERSTAR

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota [Mr. OBERSTAR], on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 212, not voting 28, as follows:

[Roll No. 288]

AYES—193

Abercrombie
Andrews
Baesler
Baldacci
Ballenger
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Blumenauer
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Chabot
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Duncan
Durbin
Edwards
Engel
English
Ensign
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Geren
Gonzalez
Goodling
Gordon
Green (TX)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
LaHood
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Mascara
Matsui
McCarthy
McDermott
McHale
McIntosh
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Poshard
Quillen
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shuster
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stenholm
Stokes

Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Weller
Williams
Wilson
Wise
Woolsey
Wynn

NOES—212

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

NOT VOTING—28

Ackerman
Brewster
Bryant (TX)
Flake
Foglietta
Gephardt
Gibbons
Gutierrez
Hall (OH)
Hayes
Houghton
Jacobs
Lincoln
Linder
Martinez
McDade
Peterson (FL)
Smith (TX)
Solomon
Stark
Stockman
Taylor (NC)
Torricelli
Towns
Vucanovich
Weldon (PA)
Yates
Young (FL)

□ 0027

Mrs. SMITH of Washington and Messrs. HAYWORTH, FOLEY, FRANKS of Connecticut, STEARNS, and GREENWOOD changed their vote from ''aye'' to ''no.''

Mr. RAMSTAD and Mr. BALDACCI changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FILNER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California [Mr. FILNER], on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 162, noes 238, not voting 33, as follows:

[Roll No. 289]

AYES—162

Abercrombie
Andrews
Baesler
Barcia
Becerra
Beilenson
Bentsen
Berman
Bevill
Bilbray
Bishop
Blumenauer
Boehlert
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Forbes
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gonzalez
Gordon
Green (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kleczka
LaHood
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Maloney
Manton
Markey
Mascara
Matsui
McDermott
McHale
McKinney
McNulty
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Montgomery
Moran
Nadler
Neal
Oberstar
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Poshard
Rahall
Rangel
Reed
Richardson
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Skelton
Slaughter
Spratt
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torres
Traficant
Velazquez
Vento
Visclosky
Volkmer
Walsh
Ward
Waters
Watt (NC)
Waxman
Whitfield
Williams
Wilson
Wise
Woolsey
Wynn

NOES—238

Allard
Archer
Armey
Bachus
Baker (CA)
Baldacci
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Jones
Kasich
Kelly
Kildee
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
McCarthy
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Meehan
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Mollohan
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (WA)
Souder
Spence
Stearns
Stenholm
Stump
Talent
Tate
Tauzin
Taylor (MS)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Walker
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Wicker
Wolf
Young (AK)
Zeliff
Zimmer

NOT VOTING—33

Ackerman
Baker (LA)
Brewster
Bryant (TX)
Flake
Foglietta
Gephardt
Gibbons
Goodling
Gutierrez
Hall (OH)
Hayes
Houghton
Jacobs
Johnson, Sam
LaFalce
Lincoln
Linder
Martinez
McDade
Obey
Peterson (FL)
Smith (TX)
Solomon
Stark
Stockman
Taylor (NC)
Torricelli
Towns
Vucanovich
Weldon (PA)
Yates
Young (FL)

□ 0035

Mr. BARRETT of Wisconsin changed his vote from ''aye'' to ''no.''

Mr. BOEHLERT, and Mr. WHITFIELD changed their vote for ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ANDREWS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey [Mr. ANDREWS], on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 123, noes 280, not voting 30, as follows:

[Roll No. 290]

AYES—123

Abercrombie
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bonior
Browder
Brown (CA)
Brown (OH)
Chapman
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyne
Cummings
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
English
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Frank (MA)
Frost
Furse
Gejdenson
Gonzalez
Gordon
Green (TX)
Hastings (FL)
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnston
Kanjorski
Kennedy (MA)
Kennelly
Kildee
Kleczka
LaFalce
Lantos
Levin
Lewis (GA)
Lowey
Manton
Markey
Mascara
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Moran
Nadler
Neal
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (MN)
Rangel
Richardson
Rivers
Rose
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Schumer
Scott
Serrano
Slaughter
Stupak
Thompson
Thornton
Torres
Traficant
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Williams
Wilson
Woolsey
Wynn

NOES—280

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brown (FL)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Ehlers
Ehrlich
Ensign
Eshoo
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lucas
Luther
Maloney
Manzullo
Martini
Matsui
McCarthy
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (WA)
Souder
Spence
Spratt
Stearns
Stenholm
Studds
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Tejeda
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Upton
Volkmer
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (AK)
Zeliff
Zimmer

NOT VOTING—30

Ackerman
Brewster
Bryant (TX)
Flake
Foglietta
Ford
Gephardt
Gibbons
Gutierrez
Hall (OH)
Hayes
Houghton
Jacobs
Lincoln
Linder
Martinez
McDade
Peterson (FL)
Smith (TX)
Solomon
Stark
Stockman
Stokes
Taylor (NC)
Torricelli
Towns
Vucanovich
Weldon (PA)
Yates
Young (FL)

□ 0042

MESSRS. DINGELL, DOOLEY of California, and Mr. FRANK of Massachusetts changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. COLLINS OF GEORGIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia [Mr. COLLINS], on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded

A recorded vote was ordered.

[Roll No. 291]

The CHARIMAN. This is a 5 minute vote.

The vote was taken by electronic device, and there were—ayes 247, noes 159, not voting 27, as follows:

AYES—247

Abercrombie
Andrews
Bachus
Baesler
Baldacci
Barcia
Barr
Barrett (WI)
Barton
Becerra
Bentsen
Berman
Bevill
Bishop
Blumenauer
Blute
Bonilla
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Buyer
Calvert
Camp
Campbell
Cardin
Chambliss
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Durbin
Edwards
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Everett
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Flanagan
Forbes
Ford
Fox
Franks (CT)
Frelinghuysen
Frisa
Frost
Furse
Gejdenson
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Green (TX)
Gutknecht
Hamilton
Hastings (FL)
Hefner
Hilliard
Hobson
Hoekstra
Holden
Hostettler
Hoyer
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Kleczka
Klink
LaHood
Lantos
LaTourette
Lazio
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Meyers
Millender-McDonald
Miller (CA)
Minge
Moakley
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Nadler
Neal
Ney
Norwood
Oberstar
Obey
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pombo
Pomeroy
Porter
Poshard
Quillen
Quinn
Rahall
Ramstad
Rangel
Reed
Richardson
Rivers
Roberts
Roemer
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard

Rush
Sabo
Sawyer
Saxton
Schroeder
Schumer
Scott
Serrano
Shuster
Sisisky
Skaggs
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Spratt
Stenholm
Stokes
Studds
Stupak
Tanner
Tate
Taylor (MS)
Tejeda
Thomas
Thompson
Thornton
Thurman
Torkildsen
Torres
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Walker
Ward
Waters
Watt (NC)
Watts (OK)
Weller
Williams
Wilson
Wise
Wynn
Young (AK)
Zimmer

NOES—159

Allard
Archer
Armey
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Bass
Bateman
Beilenson
Bereuter
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bono
Bryant (TN)
Bunn
Bunning
Burr
Burton
Callahan
Canady
Castle
Chabot
Chenoweth
Christensen
Chrysler
Coburn
Combest
Condit
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
DeLay
Dickey
Dornan
Dunn
Ehlers
Ewing
Fields (TX)
Foley
Fowler
Frank (MA)
Franks (NJ)
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hinchey
Hoke
Horn
Hunter
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kasich
Kim
Kingston
Klug
Knollenberg
Kolbe
LaFalce
Largent
Latham
Laughlin
Leach
Lewis (CA)
Lightfoot
Livingston
McCollum
McCrery
McHugh
McInnis
McIntosh
Metcalf
Mica
Miller (FL)
Mink
Molinari
Morella
Myrick
Nethercutt
Neumann
Nussle
Olver
Oxley
Packard
Paxon
Petri
Pickett
Portman
Pryce
Radanovich
Regula
Riggs
Rogers
Rohrabacher
Royce
Salmon
Sanders
Sanford
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Skeen
Smith (WA)
Souder
Spence
Stearns
Stump
Talent
Tauzin
Thornberry
Tiahrt
Walsh
Wamp
Waxman
Weldon (FL)
White
Whitfield
Wicker
Wolf
Woolsey
Zeliff

NOT VOTING—27

Ackerman
Brewster
Bryant (TX)
Flake
Foglietta
Gephardt
Gibbons
Gutierrez
Hall (OH)
Hayes
Houghton
Jacobs
Lincoln
Martinez
McDade
Peterson (FL)
Smith (TX)
Solomon
Stark
Stockman
Taylor (NC)
Torricelli
Towns
Vucanovich
Weldon (PA)
Yates
Young (FL)

□ 0050

Mr. PACKARD and Mr. PAXON changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the final lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Department of Transportation and Related Agencies Appropriations Act, 1997''.

Mr. TORRES. Mr. Chairman, I rise in support of H.R. 3675, the fiscal year 97 Transportation Appropriations bill and would urge my colleagues to support its passage today.

I do, however, want to register my concerns about the omission from this bill of funding that would enable the NHTSA to conduct an audit of compliance by auto companies with the American Automobile Labeling Act [AALA]. The administration had requested $500,000 for the purpose of verifying the required labeling information. Periodic audits are necessary for us to convince the Japanese that we have the capability to verify their figures submitted under the AALA. These audits are necessary to assure the credibility of the AALA reports.

The AALA was enacted in 1994 as a means to provide consumers with information about the origin of motor vehicles and their parts, information they can take into account in their vehicle purchasing decisions. Thus, consumers who want to ''Buy American'', can do so. In this way, the Act promotes the jobs of American workers in the automotive industry.

It is my hope that as H.R. 3675 proceeds through the legislative process, there will be an opportunity to provide the funding requested by the Transportation Department and NHTSA for the audits of auto content under the AALA.

Ms. MCKINNEY. Mr. Chairman, I wish to thank the Chairman and the ranking member for their hard work on this bill. This year's funding level demonstrates our continued commitment to America's Transportation networks.

America's productivity and global competitiveness depends on our ability to move products and people in an efficient manner. At the current rate, highway passenger travel is expected to double in only 30 years. To prevent excessive congestion and pollution, we need alternative ways of transporting our people and products. Rail systems are a clean and efficient alternative.

Although this bill reduces funds for Amtrak and the northeast corridor, it increases funding for the next generation high-speed rail programs.

In short, investing in America's passenger rail lines ensures a more efficient, prosperous and environmentally sound future. I urge my colleagues to support this bill.

Mr. DIXON. Mr. Chairman, I rise in support of H.R. 3675, the fiscal year 1997 Transportation Appropriations Bill. Under current fiscal constraints, Chairman FRANK WOLF and ranking member RON COLEMAN should be commended for their efforts to craft a bill which seeks to balance the needs of transit systems, highways, and aviation. I want to extend my thanks to both of them and the subcommittee for their continued support of transportation infrastructure initiatives in my region and throughout California. I also want to extend my best wishes to Representative COLEMAN on the occasion of managing his final Transportation Appropriations bill as a Member of this body.

I rise today to highlight two programs of particular importance to the Los Angeles area. The bill includes funding to continue our partnership with the Federal Government on the metro rail redline subway—an integral component of our efforts to build a comprehensive transportation system. H.R. 3675 also includes essential Federal assistance for the Alameda Corridor Project, which promises to accrue substantial benefits not only to the Los Angeles area, but to the entire Nation.

The Transportation Appropriations bill provides $59 million for direct loans of $400 million over 3 years to be used for the construction of the Alameda Corridor under sections 505 of the Railroad Revitalization Act of 1976. This $2 billion project consolidate over 90 miles of rail with 200 at grade crossings into a single 20-mile grade separated system. The corridor will link the ports of Los Angeles and Long Beach with the National Railroad System and widen and improve the truck route paralleling the rail facility to expedite truck traffic.

The Alameda Corridor will mitigate traffic congestion and pollution, enhance the competitiveness of the San Pedro ports, bring jobs to a hard-pressed region, and enhance redevelopment along the corridor. These are important local benefits. But it is essential that Members not from California understand the national significance of the Alameda Corridor Project.

The current value of trade traveling through the San Pedro Bay ports is estimated today at $116 billion annually. Nationally, this trade generates 2.5 million jobs, $14 billion Federal taxes, and over $5 billion in State and local revenues. One need only look at some of the regional figures included in those estimates to understand the significance of the corridor project to the Nation.

The estimated value of Atlantic seaboard region trade traveling through the San Pedro ports totals $14.9 billion; in the Great Lakes region $16.6 billion; in the South East region $5 billion. Jobs related to these trade figures number in the hundreds of thousands, and State and local revenues in the hundreds of millions.

Forecasts of the projected growth of U.S.-Pacific rim trade consistently project a doubling of trade volumes over the next 15–20 years. We cannot take full advantage of this expanded growth by depending on freight traveling at speeds of 5 miles an hour—as it now is apt to do along the Alameda Corridor. This situation will be exacerbated as train traffic along the corridor grows from its current 29 trains per day to an expected 97 trains by the year 2020.

It is seldom that we encounter a project that makes greater sense from a local, State, and national standpoint.

The Transportation Appropriations bill also includes $90 million for further design and construction of segment 3 of the metro rail red line. While this is significantly less than the Federal Transit Administration's recommendation and the Los Angeles Metropolitan Transportation Authority's [MTA] request, we recognize that a number of worthy projects are competing for tight Federal dollars. I am also well aware of the committee's concern about a number of matters associated with metro rail construction. I am gratified by the committee's continued support of the Los Angeles subway and its expectation that, under new leadership, any outstanding problems facing the project will be overcome.

A broad-based bipartisan coalition of elected officials, and business and community leaders support the L.A. MATS's efforts to implement our comprehensive transportation plan. That plan includes combining heavy-rail subway, at grade light-rail, commuter rail, and improved bus service. The People of Los Angeles have levied a one-cent sales tax on themselves to

improve transit in our area. This source of revenue, which totals approximately $750 million per year, coupled with State and Federal funds, is partially used to fund the Los Angeles metro rail project—a 23.4 mile, heavy-rail subway, which will act as the spine of our transit network.

Extensions from the metro rail spine include the 22 mile light-rail blue line—from Long Beach to downtown Los Angeles; the blue line extension, north to Pasadena; and the green line which intersects the blue line from the Los Angeles international airport area. These are all locally funded projects built without Federal assistance. In addition, Los Angeles has continued to seek a 50-percent Federal share for construction of the metro rail project, well below the maximum 80 percent allowed by law.

Segment 3 of the metro rail red line MOS-3 will add an additional 11.6 miles to the metro system upon completion. This segment is particularly important to those of us who represent economically and ethnically diverse constituencies. The mid-city segment, East Los Angeles and North Hollywood extensions, will provide services to an ethnically and economically diverse community comprised of African American, Asian, and Latino residents traditionally dependent on public transit.

Residents of these communities have the same, if not greater, transit needs as our more affluent neighborhoods, but lack significant transportation options. Access to metro rail will not merely enhance the daily lives of these residents, it will also enable many to easily travel to other job rich areas of Los Angeles County.

With the Los Angeles area continuing to recover from a stubborn recession, L.A.'s metro rail also provides thousands of needed jobs to residents of the area, with Federal dollars leveraging local and private funding vital to expansion of the local economy. Last year, 15,000 jobs were created through metro rail construction, and the MTA estimates that over 100,000 jobs will be created by the time the metro rail is complete.

The Alameda Corridor and the metro rail system are essential to improving the quality of life in the Los Angeles and to providing economic stimulus and security to the region, as well as the entire Nation. Statistics pointing to dramatic increases in the future population of the State and region, as well as the lessons learned from the transportation upheavals in the aftermath of the 1994 Northridge earthquake, demonstrate that it is essential that we continue to move ahead aggressively on our plans for a comprehensive intermodal transportation network. I commend the committee for acknowledging the importance of the Federal role in achieving that goal and urge support for the bill.

Mr. WISE. Mr. Chairman, I would like to take a few minutes to draw my colleagues attention to funding for Amtrak. We are at a critical stage with regard to our national rail passenger policy as we attempt to transition Amtrak from Federal financial support. However, are we being penny wise and pound foolish?

We are all aware that the budget resolutions for the last 2 years have put Amtrak on a glide path off of operating support. Additionally, after months of hearings and deliberations, the Transportation and Infrastructure Committee brought a bill before the House to reauthorize Amtrak last year, which passed the House by a vote of 406 to 4. The House-passed bill also constructs a gradual phase out of Amtrak's operating support by 2002. Moreover, Amtrak's own business plan also eliminates the need for Federal assistance by 2002. Essentially, we all made an agreement with Amtrak. We told them to do what no other national passenger railroad in the world has been able to do: be free of operating support. This is indeed a major accomplishment and one that Congress should encourage. In return, we offered Amtrak a structured funding phaseout and passage of cost saving legislation.

Yet, from 1995 to 1997, Amtrak's funding levels are $1.2 billion less than what they requested and what they told us was necessary for operating self-sufficiency. In fact, this year the Northeast Corridor Improvement program will receive no funding. The President requested $200 million and in fiscal year 1996 it was appropriated $115 million. Amtrak's capital budget also took a severe hit. It is appropriated $120 million, which is $176.5 million less than the President requested and $110 million less than the fiscal year 1996 level. How can we expect them to operate our national railroad passenger system given these deep cuts?

Congress has deviated from the plan we set forth in the budget resolution and the House-passed reauthorization bill. Without adequate capital funds during this critical transition period, Amtrak will not be able to make the necessary investment to survive once Congress ceases its financial support. Additionally, the Senate has failed to pass their vision of the Amtrak reauthorization bill, thus, Amtrak does not benefit yet from any of the cost savings contained in that bill.

A railroad is a capital intensive enterprise. Since Amtrak came into existence 25 years ago, Congress has never provided it with adequate funding. Consequently, Amtrak has not been able to modernize its locomotives and purchase more reliable and fuel-efficient engines. Many of their maintenance shops are still from the engine era and need to be upgraded. The electric wires that are used on the Northeast Corridor are the same ones the Pennsylvania Railroad first strung in 1933. We will never get them to a legitimate point of self-sufficiency, if we do not give Amtrak the ability to reinvest now.

Mr. Chairman, let us not forget that if Amtrak becomes insolvent, the liability to the Federal Government is going to be a far greater cost to the taxpayer than giving Amtrak the funds they need to successfully transition into self-sufficiency.

I ask my colleagues to weigh carefully what we are doing here and ask ourselves if the end justify the means.

Mrs. MORELLA. Mr. Chairman, I feel that it is appropriate for me to rise at this time to express my concern about funding for Amtrak. It is my understanding that this bill includes $542 million for fiscal year 1997. This is well below the $922 million assumed for Amtrak in the 1997 Republican budget resolution.

Amtrak is our national passenger railroad. It has been in existence for more than a quarter of a century, built on a commitment by Congress. Amtrak is a cross-country passenger system that services the commuter and travel needs of Americans. This passenger railroad relieves congested highways while reducing pollution. This intercity railroad is a necessary component of a balanced transportation system.

Amtrak will not be able to continue its present level of service under the funding levels in this appropriations bill. The railroad would be forced to discontinue a number of routes and many workers would lose their jobs. Amtrak employs more than 25,000 people. The taxes on the salaries of these workers and on sales of supplies to Amtrak exceed congressional funding. Drastic cuts in Federal funding of Amtrak will result in the decline and the eventual elimination of this railroad system.

Amtrak meets the transportation needs of many small communities that are poorly served by buses and air services. Trains are an important travel option for senior citizens, the disabled, and for persons with medical conditions that prevent them from flying.

Amtrak's goal is to operate an efficient rail passenger system that does not have to depend on Federal dollars, and it has a business plan to accomplish this goal by the year 2002. Until that time, Amtrak needs Government support in order to successfully achieve its goal. By cutting Amtrak's budget in half over the past 2 years, we are putting America in jeopardy of losing its national passenger railroad and the essential services it provides to its citizens.

Ms. HARMAN. Mr. Chairman, I rise today in strong support of H.R. 3675, the Transportation Appropriations bill for fiscal year 1997. I would like to commend Chairman FRANK WOLF and his entire subcommittee colleagues for their bipartisan work on this legislation.

I am particularly pleased that the bill funds the Alamenda Corridor project in Southern California. The Alameda Corridor will facilitate the nationwide movement of goods from the ports of Los Angeles and Long Beach, which already account for 25 percent of all U.S. waterborne international trade. The bills $59 million appropriation will be used to finance a $400 Federal loan for the project. This Federal component will be leveraged against an additional $1.4 billion in non-Federal funds from the ports, local municipalities and railroad users.

The Alameda Corridor is about the economy, not politics. Members from both sides of the aisle have fought hard for the program in the Democratically-led 103d Congress as well as in the Republican-led 104th. The administration has also made the Corridor a priority by including the project in the President's fiscal year 1997 budget request. The Alamenda Corridor is proof positive that we can make sound policy as long as we work together on a bipartisan basis.

In addition to funding the Corridor, this bill provides much needed Federal support for the L.A. County Metropolitan Transportation Authority. By funding the Metro Rail Red Line, the legislation helps ensure that Southern California residents will soon be able to break free of their cars in favor of dependable mass transit. By financing the Advanced Technology Transit Bus—also known as the ''Stealth Bus''—the bill guarantees that defense technology will play an important role in our Nation's developing advanced transportation industry.

Mr. Chairman, investments in transportation are investments in our future. I urge my colleagues to join me in supporting this bipartisan legislation to do just that.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in opposition to H.R. 3675, the Transportation Appropriations Act for fiscal year 1997.

As we debate this measure it is particularly important for Members to focus on assuring that Federal policy continues to help address the mounting infrastructure needs and transportation priorities of major cities such as Chicago.

It is the opinion of this Member that the minuscule increases offered by the Gingrich-Armey budget simply do not keep pace with the Nation's transportation needs. And that, Mr. Chairman, is very disheartening.

Furthermore, it is outrageous that this Republican budget rescinds funding for surface transportation demonstration projects at a time when our urban centers are in their greatest need for such projects. In the city of Chicago, for example, at least 237 bridges need substantial rehabilitation and maintenance work; the city's arterial street network is in need of major rehabilitation, and resurfacing and other improvements are desperately needed.

This Republican proposal which is nearly $170 million below the administration's request is flawed. It is asking States and municipalities to do a whole lot more with a whole lot less.

America's major urban centers are maxed-out. Our cities cannot continue bearing the heavy economic burden of attracting residents back to our urban areas without the continued assistance of the Federal Government.

In the Chicago metropolitan area the funding of several important transportation initiatives such as improvements to the Chicago Transit Authority's bus and rail fleet and other street and road repair projects would go far in increasing the economic base of the area. This requires a lot more assistance than what this funding proposal offers. And that Mr. Chairman, is why I urge my colleagues to vote no on H.R. 3675.

Ms. DELAURO. Mr. Chairman, funding America's transportation needs is absolutely essential to the viability of our nation's business and industry. And for the most part, the House 1997 transportation spending bill recognizes this national priority for economic expansion and job creation. While the bill is $50 million below President Clinton's request for 1997, and more than $1 billion below 1995 levels, this bill does represent an increase of about $150 million from current year levels.

Yet despite this significant increase, this bill eliminates funding for one of the most important and successful transportation projects in this country. Amtrak's Northeast Corridor Improvement Project will speed travel between Washington and Boston; alleviate airport and highway congestion and the associated environmental problems; and create jobs.

The Transportation Committee recommended the elimination of Amtrak corridor improvement funds for 1997 because of the belief that Amtrak had a backlog of unspent funds due to unavoidable project slowdowns. Yet these funds will be expended by the end of the year. If this happens, Amtrak will not have money to complete Northeast corridor projects needed to bring high-speed rail to America.

We'll have the opportunity to fix these cuts when the House and the other body meet to work out differences between our respective transportation spending bills. But the cuts in the House bill are harmful to America's workers, harmful to consumers, and harmful to business. Nearly every Member of the House of Representatives, myself included, supported Amtrak's efforts to end Federal operating subsidies for Amtrak by the year 2002. Yet these cuts are $1.2 billion below what Amtrak needs for operating self-sufficiency until the phase-out of subsidies. We cannot expect them to continue to operate a national system given these deep cuts.

Amtrak needs to invest in order to strengthen future business prospects. Creating the high-speed corridor in the Northeast is just one example of how Amtrak can run more like a private business and create jobs and economic growth in this country.

Let's give them what they need to get the job done so that they can operate more like other businesses. Let's not be shortsighted in our obligation to ensure that Americans have the best transportation system in the world.

Ms. MCKINNEY. Mr. Chairman, Metropolitan Atlanta is the fastest growing major metropolitan area in the nation. DeKalb County, a major part of metropolitan Atlanta, is the second most populated county in the State of Georgia, with 577,877 residents in 1994 and a projected growth to 719,761 residents by the year 2010. This growth is bound to exacerbate current stress on the county's increasingly insufficient public transportation system.

Regarding the modes of transportation used in DeKalb County, 75 percent of commuters drive alone and only 8 percent use public transportation to reach their work on a daily basis. Moreover, almost half the county's residents work within the county. Clearly these present factors contribute to the daily traffic jams that occur throughout the populated communities of DeKalb County.

While the Metropolitan Atlanta Rapid Transit Authority's [MARTA] rail system serves the city of Atlanta, only two lines are dedicated to serve DeKalb County, and the vast number of rail stations exists outside DeKalb County.

For these reasons, I requested $1 million to be included in H.R. 3675 to conduct a study exploring the feasibility of a light-rail line in DeKalb County. This study will examine the impact of the line and its effect on the surrounding communities. Among the institutions and communities that will benefit from the MARTA extension are the Emory community that is home to the university, the Center for Disease Control, several other prominent health institutions, and the residential area of South DeKalb. One excellent possibility would be a rail line connecting the Lindbergh Station on the current North-Northeast-South Line nexus with the East Line at East Lake Station and extending into Southern DeKalb County to DeKalb College South Station. Such a line would be a vital connection between these important areas.

Thus, to ensure the future vitality of Metro Atlanta, we must continue to explore new ways of transporting its residents. I commend the chairman and the ranking member for their work on this bill, and for their efforts to meet the transportation needs of America's fastest growing metropolitan area.

Mr. MARKEY. Mr. Chairman, I rise in opposition to H.R. 3675, the Transportation appropriations bill for fiscal year 1997. I am particularly concerned about the drastic cuts that are proposed for Amtrak. Under H.R. 3675, the Northeast corridor improvement program would receive no funding for fiscal year 1997. In addition, Amtrak's capital assistance and operating assistance budgets would be cut by a total of $173 million compared to last year. This will have a devastating impact on railroad service in the Northeast corridor and, therefore, on travelers in New England.

It should be clear by now that Congress intends Amtrak to be self-sufficient by fiscal year 2002. Last year, the House of Representatives approved a reauthorization bill for Amtrak which gradually phases out financial support by the year 2002. In addition, the fiscal year 1997 budget resolution places Amtrak on a glidepath toward self-sufficiency. However, with the proposed level of funding for fiscal year 1997, Congress has moved away from the blueprint envisioned in the budget resolution and in last year's reauthorization bill. Amtrak's funding levels from 1995 to 1997 are $1.2 billion less than what they indicated was necessary for operating self-sufficiency.

Railroads are capital intensive operations, and yet Congress has kept Amtrak on a slim-fast capital diet for the better part of its 25-year existence. Without adequate capital funds during this critical transition period, Amtrak cannot make the essential investments necessary to survive once Congress has provided its last dollar of operating support. Amtrak will need to modernize its locomotive fleet by purchasing more reliable and fuel-efficient engines. In addition, many of their maintenance shops, which date to the steam era, need to be upgraded, and the electric wires on the Northeast corridor, which are the same ones the Pennsylvania Railroad first strung in 1933, also need to be replaced. If we do not give Amtrak the ability to reinvest now, we will never get them to a legitimate point of self-sufficiency.

We are at a pivotal time with regard to our national passenger rail policy. We have told Amtrak to do what no other national passenger railroad in the world has been able to do—to be free of operating support. This is a major accomplishment and one that Congress should encourage. However, without adequate capital funds now, Amtrak will forever be dependent on Congress to meet its operating needs. Should Amtrak become insolvent, the liability to the Federal Government is going to be a far greater cost to the taxpayer than giving Amtrak the funds needed to successfully transition to self-sufficiency.

Mr. FRANKS of New Jersey. Mr. Chairman, today I rise in strong support of H.R. 3675, the Fiscal Year 1997 Transportation Appropriations Act. For the second consecutive year, Chairman WOLF and the House Transportation Appropriations Subcommittee have produced an excellent bill that builds America's infrastructure while helping to balance the Federal budget.

While there are many fine provisions contained in this bill, there is one provision of particular concern to my constituents. The provision to which I am referring is a $1 million appropriation for the West Trenton Line in New Jersey. This appropriation is a major step forward in restoring commuter service on this line.

The West Trenton Line would provide transit service to southern and central Somerset County as well as the northern and western portions of Mercer County. It is expected to provide service to 1,750 commuters a day by 2015. The service would be offered from West Trenton to Bound Brook. The train would then joint the Raritan Valley Line and terminate at Newark. Passengers traveling south could board SEPTA trains to Philadelphia or other points in Pennsylvania. In fact, there are plans

to have future coordination with the Pennsylvania Department of Transportation to eventually extend the line into Bucks County.

I believe restoring the line makes sense for a number of reasons. First, it would provide cost-effective relief from traffic congestion along Routes 31, 27, 1, 206, and 22. Somerset County's highway system is already overburdened and building new roads or expanding existing ones is a costly and potentially difficult proposition. Additionally, the line would help the state meet its Clean Air Act mandates, and improve the current 1.08 average vehicle occupancy for this area—which is the lowest in the State.

While a large number of residents in this area go to work everyday to Philadelphia, Trenton, Newark, or New York, there is no scheduled public transportation. This was not always the case. The West Trenton Line was established in the 19th century and continued under various owners until 1982. Unfortunately, service was forced to terminate in 1982 because of declining ridership due to old equipment, poor on-time performance, and infrequent service. The line is now used by Conrail as a freight line.

Much has changed since the line stopped carrying passengers 14 years ago. The population has soared, which has resulted in increases of traffic congestion on both State and local roads. The township of Hillsborough alone has experienced a 51-percent increase in population from 1980 to 1990. According to NJ transit, the government entity which would operate this line, a total of 104,000 people now reside in the West Trenton corridor.

This project enjoys the support of many groups, including: the Union County Transportation Advisory Board, the Lower Bucks County Chamber of Commerce, the Somerset County Planning Board, the Greater Princeton Transportation Management Association, the Mercer County Chamber of Commerce, the Somerset County Chamber of Commerce, the Somerset County Environmental Stewardship Council, RideWise of Raritan Valley, the West Trenton Coalition, and the Middlesex County Planning Board. Moreover, I thank Mayor Ken Scherer of Hillsborough, NJ, and Barbara Roos, president of the Somerset County Chamber of Commerce, for coming to Washington to testify before Congress in support of this project. I believe their testimony was crucial in finally getting this project off the ground.

Mr. Chairman, I support this project because of its positive benefits regarding economic cost effectiveness, energy efficiency, congestion mitigation, and safety. I urge my colleagues to vote ''aye'' on this important bill.

The CHAIRMAN. If there are no further amendments to the bill, under the the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. PETRI] having assumed the chair, Mr. BEREUTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, (H.R. 3675), making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes, pursuant to House Resolution 460, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

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

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

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

Pursuant to clause 7 of rule IV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 403, nays 2, not voting 29, as follows:

[Roll No. 292]

YEAS—403

Abercrombie
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cummings
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Souder
Spence
Spratt
Stearns
Stenholm
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Zeliff
Zimmer

NAYS—2

Beilenson
Schroeder

NOT VOTING—29

Ackerman
Blute
Brewster
Bryant (TX)
Flake
Foglietta
Gephardt
Gibbons
Gutierrez
Hall (OH)
Hayes
Houghton
Jacobs
Lincoln
Martinez
McDade
Peterson (FL)
Smith (TX)
Solomon
Stark
Stockman
Taylor (NC)
Torricelli
Towns
Vucanovich
Waters
Weldon (PA)
Yates
Young (FL)

☐ 0108

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

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

H.R. 1880. An act to designate the United States Post Office building located at 102

South McLean, Lincoln, Illinois, as the ''Edward Madigan Post Office Building''.

H.R. 2704. An act to provide that the United States Post Office building that is to be located at 7436 South Exchange Avenue, Chicago, Illinois, shall be known and designated as the ''Charles A. Hayes Post Office Building''.

H.R. 3364. An act to designate the Federal building and United States courthouse located at 235 North Washington Avenue in Scranton, Pennsylvania, as the ''William J. Nealon Federal Building and United States Courthouse''.

H. Con. Res. 192. Concurrent resolution providing for an adjournment of the two Houses.

JOURNAL

The SPEAKER pro tempore (Mr. PETRI). Pursuant to clause 5 of rule I, the pending business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

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

SETTING THE RECORD STRAIGHT

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

Mr. DORNAN. Mr. Speaker, my colleague who just spoke from Connecticut is married to one of the best pollsters in this country. When she tells us that our ratings are at an all-time low for this century, I listen. I said: Stan is one of the best pollsters in this country; when you say our ratings are at an all-time low, I listen. It is a compliment. It is a compliment.

Mr. Speaker, in the middle of the afternoon at some point, the majority leader has just approved it, I will rise to a question of personal privilege for 1 hour to discuss the truth over a Member of this Chamber on our side calling me a liar, a bigot, and a hater.

I will set the record straight on one of the key reasons this Chamber is held in such low esteem. I will put into the record an editorial that tells us that the homosexual movement in this country does not want just tolerance; they want total acceptance.

While we are trying to get through no same-sex marriage, how do we give spouse cards and pins to three male boyfriends in their forties and fifties?

I am against giving China most-favored-nation status.

Mr. Speaker, this excellent challenging report is from Lamda Report.

SILENCE-DEFEAT

In this election year, we feel compelled to call attention to an emerging political blunder we hope can still be averted. It is about a political silence that's getting so loud we suspect by the Fall it will be deafening.

What is this resounding silence? The lack of thoughtful criticism within the conservative movement and GOP circles of the ''gay rights'' agenda. Although homosexual activism continues to rub most Americans the wrong way—and shows no signs of abating—we sense Republicans are running away from the issue faster than Madalyn Murray O'Hair from a revival meeting. There is a good chance the GOP will largely ignore as a campaign issue President Clinton's extensive pro-homosexual record, including his recent endorsement of intrusive legislation that would inject ''sexual orientation'' into employers' hiring and firing decisions. Even the Christian Coalition, we fear, may not use its influence to make Clinton's pro-homosexual record a major campaign issue in the upcoming election.

Compounding the problem is a skillful homosexual propaganda strategy that labels anyone who opposes ''gay'' activism an ''extremist'' or a ''bigot.'' It is no accident that the pro-gay group PFLAG has targeted Christian Coalition founder Pat Robertson with its $625,000 ad campaign linking Christian leaders with heinous violence and suicidal youth (see page 8). And now the Human Rights Campaign, a homosexual lobby, has proclaimed that three GOP presidential contenders—Buchanan, DORNAN, and Gramm—are ''HRC-designated extremists''. (page 12)

Let's see: Phil Gramm, anti-gay extremist. Can there be any doubt such reckless hyperbole is meant to intimidate critics and stifle debate?

We are hardly shocked that the homosexual lobby would attempt to marginalize its foes, but it is telling that even some ''pro-family'' leaders would stigmatize those intent on countering ''gay'' activism, or are at least shying away from this critical issue. Two years ago, Bill Bennett sent an ominous signal when (speaking at a Christian Coalition convention) he chastised conservatives who ''obsess'' on homosexuality. The much respected Bennett was dead wrong in this case. What he did was the political equivalent of scolding pro-life groups for fixating on the fetus. Yet his putdown spoke volumes about the way Washington insiders, versus everyday Americans, perceive this troubling issue.

We understand why Bennett, like many Washington politicos, would rather downplay homosexual-related matters. Unfortunately, gay activists aren't so accommodating. In fact, they are spending millions to, in effect, normalize the homosexual lifestyle. A decade ago, their call was for tolerance. Now, as Candace Gingrich puts it, ''Tolerance is not enough!'' Gay leaders—including the Log Cabin Federation of gay Republicans—are uniting begin a massive campaign to legalic homosexual ''marriage.'' In the face of such resources and dedication, and a ''cultural elite'' eager to promote homosexuality at every turn, it is utter folly for conservatives to ignore the issue. Worse yet are those GPO leaders like Mary Matalin and Jim Pinkerton who are actually championing ''gay'' causes (p.5).

In politics, the side that is willing to champion its cause confidently is the side with momentum, the side headed for victory. By that standard, gay activists surely have the Big Mo. Misguided as their mission is, at least they believe in it enough to defend it with gusto. In contrast, many on the Right seem to wish the ''gay'' issue would just go away. It won't. We see a parallel with abortion politics. In recent elections it seemed ''pro-choice'' candidates were always willing to boast of their position, while ''pro-life'' politicians often hid theirs or avoided the issue. Silent support is better than nothing, but if GOP leaders fall to engage the issue intelligently now, they will be unprepared when the ultimate ''gay rights'' battle—''marriage''—beats up.

We sympathize with groups like Christian Coalition for not wanting to appear like they are ''bashing'' homosexuals, but rather are reacting defensively to homosexual activist demands. Unfortunately, it seems like some important groups are not even playing solid defense—much less doing anything to seriously thwart homosexual activist goals. Witness the pallid response of the pro-family movement to the judiciary's rush to bless homosexual adoptions. And Big Tent or no Big Tent, it certainly didn't bode well when Log Cabin's Rich Tafel praised Ralph Reed's ''Contract with the American Family'' as a ''step in the right direction'' (it ignored gay issues).

Truth, is many homosexual activists regard anything against their agenda as ''gay bashing.'' Of course, most religious conservatives are not ''bashers''; they merely oppose the promotion of homosexuality—by the state, in schools, or in the culture. To profoundly disagree with an agenda, especially on religious grounds, is not to HATE. So, conservatives: get over your misplaced guilt and face up to this movement that is on the verge of radically altering two pillars of American society: marriage and family.

Bill Clinton is the most—indeed, the only—pro-homosexual president in U.S. history. His most unpopular act among voters was his attempt to allow homosexuals in the military. If Republicans fail to make his pro-gay record a part for the '96 campaign, or carefully avoid discussing the H-word, they will not only miss a political opportunity but they will have helped enshrine the ''gay'' political agenda—including ''marriage''—into U.S. law.

EULOGY FOR THE LATE HONORABLE BILL EMERSON

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

Mr. ROBERTS. Mr. Speaker, today, in the Cape Girardeau First Presbtyerian Church, in very emotional but appropriate services, the loving family, friends, colleagues, and constituents of Bill Emerson bade farewell and paid tribute to our dear friend and colleague.

Mr. Speaker, just 2 days ago, Member after Member of this body rose in an outpouring of personal tribute to our late colleague; the comments diverse in content but uniform in affection, appreciation, and sense of personal loss. A veteran member of this House observed the tribute to Bill was the most far reaching in terms of both time and members that has been witnessed in recent times.

Mr. Speaker, the American Heritage Dictionary defines ''eulogy'' as a public speech or tribute extolling the virtues or achievements of a person and honoring one recently deceased. The eulogy for Bill was given by his longtime friend and trusted assistant, Lloyd Smith, and in his remarks, Lloyd provided all of us a life portrait of Bill so fitting to our celebration of his life. In behalf of the Speaker and all of those present, we thank Lloyd for his most fitting, appropriate and comforting tribute.

I commend to my colleagues and to the citizens of his beloved Eighth Congressional District and this country that he served so well, the eulogy in behalf of our friend, the Honorable Bill

Emerson, Congressman from the Eighth Congressional District of Missouri.

The eulogy referred to is as follows:

Marie, Jo Ann, Liz, Abby, Tori, Kathryn, Mr Speaker, Colleagues and the many friends of Bill Emerson, both here in this beautiful sanctuary and around the area, today I have the distinct honor and pleasure to share a few words about the life journey of our friend Bill Emerson. This extraordinary journey makes this day a day of celebration.

Even in his passing Bill had the last word. Now, why should that be different? Because in my 15 years of working for him, he always had the last word.

You know, I'm doing this today because Bill dictated it in a memo, and I always did what Bill told me to do—(particularly if it was in writing). Bill's biography is known to most, and although it is well know, in rereading it I found a grievous error. The Committee assignments were correct, both Agriculture and the Committee on Transportation and Infrastructure—but the first line in the second paragraph reads—''Bill's political career began at the age of 15 when he was appointed a Page in the U.S. House of Representatives.'' Now folks, that is simply not the fact. Bill's career began on the knee of a sage politician in Jefferson County. Bill's political career and life's journey began when he listened to Associate County Judge Bill (Fritz) Reinemer tell stories about political battles. Mr. Reinemer, Marie's father (and Bill's grandfather), was the strongest political influence in Bill's life. He urged young William (along with Marie's teaching guidance) to read newspapers, 2 or 3 a day, ''because you never know which one is distorting the facts.''

As a Mayor and county school board member, Grandpa Reinemer taught little Billy to *listen* to *people—to listen to people.* So, the beginning of Bill Emerson's political journey was on his Grandpa's knee.

Most people think that his Page experience was his first trip to Washington, DC. It wasn't. He had previously traveled there with his Mom and Margaret Kelly, our State Auditor, and her mom.

He may have caught the national political fever on that trip. Because his next journey to DC was in January 1953, to see Ike (the beloved General) inaugurated as the 34th President of the United States. He traveled by train alone at 15 years of age, and with only one brown suit.

While there Congressman Tom Curtis tracked Bill down and offered him a Page position in the House of Representatives. The problem was the job started in two days and Billy didn't have a blue suit. He bought one and some black shoes and called his Mom and told her the news. Marie had sent her 15-year old son to Washington, DC alone on a train, and now her only child had been appointed a Page in the U.S. House. Marie cried, and old Judge Reinemer went straight to a Republican Township meeting and celebrated and told them Billy wasn't with him because he had gone to help Ike run the country—and even better, the Republicans were in the majority in Congress. The journey continued.

While in Page school, Bill met Paul Kanjorski, who is here today and they were not only roommates and Pages in the Congress, they also served together as Members. Bill and Mr. Kanjorski were there when the Puerto Rican Nationals shot up the House of Representatives from the gallery. They helped carry Members from the chamber. Following this incident, the journey would continue and would lead to graduation from the House Page School, Westminster College, and the University of Baltimore. The next part of his life's journey included working with Congressman Bob Ellsworth of Kansas and Congressman Senator Mac Mathias of Maryland, and many corporate jobs. Along this early way, Bill married and had two wonderful children, Liz and Abby—and then the journey really got exciting for Southeast Missouri.

In 1979 Bill came home a 6th generation Missourian and threw caution and his corporate career to the wind. He ran for *and* won a seat in the U.S. House of Representatives by defeating a 6-term incumbent (no one could believe it—since the seat had not been held by a republican in years). His journey mates in 1980 were his wife Jo Ann, and his new daughter Tori, as well as Liz and Abby. Jo Ann, a politician in her own right, pounded the streets and campaigned with Bill side-by-side. The journey which had begun at his granddad's knee now had come again to the U.S. House of Representatives, but now Bill was a Member of the institution he loved.

His campaign manager in 1980 was Peter Kinder, now a MO State Senator. His political consultant was Al Sikes—who is with us today.

Bill won with a coalition of conservative democrats and republicans, and he continued to win because he never forgot his grandfather's admonition to listen to the people. With Bill, there were no democrats or republicians—only constituents. (Newspaper editorial—Emercrats)

He said yes to his constituents with expanded services and answering the mail (he loved signing those letters and catching those mistakes).

On numerous occasions he would ask if every ''t'' had been crossed and every ''I'' dotted. He personally wanted to make sure the right envelope was with the right letter—even after we started using window envelopes.

Bill was, in the words of our junior U.S. Senator, John Ascroft, ''of the people.'' To quote the old saying he ''danced with those what brung him.''

His journey of service to the 8th district included touring farms, the National Forest, the clear running Ozark streams, and his beloved Mississippi River all across our 26 country district. Bill would often comment that our Congressional District is 5000 square miles larger than the country of Switzerland. He loved the people and we loved him. His staff, whom he loved and encouraged, is a legacy to Bill. Numerous of the staff and volunteers have gone on to elective offices and stellar careers. Although he trusted his staff, in certain cases when the final decision was made—it was always his decision. As he reminded us many times—''you know I am the Congressman.''

The journey included a deep love of family. He could name his first, second and third cousins, and all his aunts, uncles and great aunts and uncles by name. His love and deepest pride was for his daughters. He cherished his time with them and would brag about Tori's grades and softball finesse; Kathryn's soccer success and her outstanding oboe playing abilities. He rejoiced with each new career advancement of Liz and Abby. He loved them all and only regretted he had not spent more time with them. And, that's why today the family should know that the journey included them in a very important way. Marie, Jo Ann, Liz, Abby, Tori, and Kathryn, shared Bill with this District. His accomplishments are their accomplishments as well.

Whether it's new bridge here at Cape, a new Highway 60, providing food for the starving in Somalia or the hungry here at home, or helping the disabled person, you were a part of the journey. You shared with half a million people, the most precious resource—your son's, your husband's and your father's time. You allowed Bill's journey to include all of us and we consider you family—just as he considered us family.

Probably the pinnacle of his Congressional career was chairing the House of Representatives on opening day of the 104th Congress, the institution he loved. A man ''of the people,'' the journey had bridged the Republican 83rd Congress of 1953, and the Republican Congress of 1995. We all rejoiced with him.

There was another part of the life journey of Bill Emerson—the spiritual side. He loved his Lord, and in recent years and months, had been heavily involved in the Thursday Morning Prayer Breakfast and also a small chapel group that met each Tuesday. It seems to me that after chairing the National Prayer Breakfast in 1993, his spiritual journey became his mainstay—whether it was helping those that had substance abuse problems or spreading the gospel to places such as the former Soviet Union—he, indeed, felt ''a calling to spiritually reach out to his fellowman.'' He loved uplifting music and sometimes driving down the highway we would strike up a gospel favorite. An ongoing joke was that we needed to keep the windows rolled up because we could be charged with noise pollution.

One of our favorite scriptures was Isaiah 40:30–31—

''Even youths grow tired and weary, and young men stumble and fall: but those who hope in the Lord will renew their strength. They will soar on wings like eagles; they will run and not grow weary, they will walk and not be faint.''

Last Saturday the journey on this earth for Bill ended, but I know, and the family knows, that Bill soared on wings like eagles, and he now runs and is not faint.

In your program is Bill's favorite Theodore Roosevelt quote:

''It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly; who errs, and comes short again and again, because there is not effort without error and shortcoming, but who does actually strive to do the deeds, who knows the great enthusiasms, the great devotions, who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly so that his place shall never be with those cold and timid souls who know neither victory nor defeat.''

Bill's journey into the arena of life touched many of us. One staff member, in a note to Bill on Saturday, wrote ''I am honored to have been a part of your team on earth and one day we will be on the same team again.''

Today, Bill's journey on this earth will end at the place it began—in the small community of Hillsboro, at his grandfather's side. But his eternal journey has already started, and the hymns he's singing now in glory, exceed his beloved Mormon Tabernacle Choir. To his family and friends he would state the Prince of Wales quote as he sent the troops into battle—''Be strong to endure and resolute to overcome.'' Another Emerson handwritten note to a departing staff member read: ''I'm sorry I missed you, but I'm not good at saying goodbye, and besides it's not goodbye—just altered circumstances.''

Thank you Bill Emerson for taking us on this journey with you. Remember, it is not ''goodbye—just altered circumstances.''

God Bless the family and all of you.

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

Mr. POSHARD. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1462.

Mr. Speaker, I would also like to second the comments made by my dear friend, the gentleman from Kansas, about the services for Bill Emerson.

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

There was no objection.

DESIGNATION OF THE HONORABLE CONSTANCE A. MORELLA TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH MONDAY, JULY 8, 1996

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

WASHINGTON, DC
June 27, 1996.

I hereby designate the Honorable Constance A. Morella to act as Speaker pro tempore to sign enrolled bills and joint resolution through Monday, July 8, 1996.

NEWT GINGRICH,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the designation is agreed to.

There was no objection.

HOUR OF MEETING ON TUESDAY, JULY 9, 1996

Mr. WATTS of Oklahoma. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday, July 8, 1996, it adjourn to meet at 12:30 p.m. on Tuesday, July 9, 1996, for morning hour debates.

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

There was no objection.

HOUR OF MEETING ON WEDNESDAY, JULY 10, 1996

Mr. WATTS of Oklahoma. Mr. Speaker, I ask unanimous consent that when the House adjourns on Tuesday, July 9, 1996, it adjourn to meet at 9 a.m. on Wednesday, July 10, 1996.

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

There was no objection.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON WEDNESDAY, JULY 10, 1996, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING HIS EXCELLENCY, BINYAMIN NETANYAHU, PRIME MINISTER OF ISRAEL

Mr. WATTS of Oklahoma. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, July 10, 1996, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting his Excellency, Binyamin Netanyahu, Prime Minister of Israel.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JULY 10, 1996

Mr. WATTS of Oklahoma. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday, July 10, 1996.

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

There was no objection.

GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO EXTEND AND REVISE REMARKS IN CONGRESSIONAL RECORD

Mr. WATTS of Oklahoma. Mr. Speaker, I ask unanimous consent that for today all Members be permitted to extend their remarks and to include extraneous material in that section of the RECORD entitled ''Extension of Remarks.''

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

There was no objection.

AUTHORIZING SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND MAKE APPOINTMENTS, NOTWITHSTANDING ADJOURNMENT

Mr. WATTS of Oklahoma. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until Monday, July 8, 1996, the Speaker and the minority leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

PERMISSION FOR COMMITTEE ON SMALL BUSINESS HAVE UNTIL WEDNESDAY, JULY 3, 1996, TO FILE REPORT ON H.R. 3158, PILOT SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAM EXTENSION ACT OF 1996

Mr. WATTS of Oklahoma. Mr. Speaker, I ask unanimous consent that the Committee on Small Business be permitted to file its report on H.R. 3158, the Pilot Small Business Technology Transfer Program Extension Act of 1996, before 4 p.m. on Wednesday, July 3.

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

There was no objection.

THE GRAY WHALE SHOULD BE PROTECTED, NOT HUNTED

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

Mr. METCALF: Mr. Speaker, I am pleased to announce that the Makah Tribe's proposal to hunt five gray whales a year in the Pacific Northwest has been put on hold for at least 1 year. It is my hope that it will eventually be put on hold permanently.

Today, the Clinton administration's delegation to the International Whaling Commission meeting in Aberdeen, Scotland withdrew its request for Makah whaling rights, but has indicated it will renew the request at the IWC meeting next year.

Mr. Speaker, I strongly believe that Congress needs to hold public hearings, so we can give the Clinton administration direction on this issue.

Opposition to this proposal cuts across ideological and political lines. Environmentalists, Republicans, Democrats, and even seven Makah elders question the tribe's need to renew whaling.

Yesterday, my distinguished colleague from the other side of the aisle, Mr. MILLER of California, joined with me in introducing a resolution in the Resources Committee opposing the Clinton administration's support for the gray whale hunt. The resolution passed unanimously.

Let me give some background on this issue.

For centuries, the Makah Indians, who live on the Olympic Peninsula, hunted the gray whales that migrated past their villages. Seventy years ago, the hunts were abandoned when the whale population plummeted.

Only 2 years ago, gray whales were removed from the endangered species list, and since that time, a number of native groups in both the United States and Canada have eyed the hunting of the gray whale as a lucrative commercial venture.

Makah tribal leaders say they want to start hunting the gray whale again as a way of reviving their culture. They insist that the whales would be used for ceremonial and subsistence purposes—but they have also reserved the right to commercial whaling in the future.

In fact, seven elders of the Makah Tribe strongly oppose the proposal. They question the need for resuming the hunting of gray whales, and some of them have questioned the motives of the tribal officials making the request, fearing the hunt will become a commercial enterprise.

According to the June 19 edition of the Seattle Post Intelligencer, one gray whale could fetch as much as $1 million in Japan. Norwegian whaling interests have offered the tribe harpoons and a boat.

Another factor is that 13 native groups in Canada have already indicated their intention to resume whaling if the Makah Tribe is given a green light by the IWC. The Makah Tribal leaders say they want to kill only five whales a year, but if they start, how many more would be taken by other native groups? Where would it stop, once it started?

In addition to supporting the Makah request, the U.S. delegation to the IWC also supported a request by Russia to allow whaling of the

endangered bowhead whale by a native group. Meanwhile, that same delegation opposed Japan's request for a small-scale whale hunt for scientific research. Mr. Speaker, it is plainly clear the Clinton administration has no real whaling policy.

This lack of a coherent policy is why we definitely need to hold congressional hearings on the Clinton administration's support of renewing commercial whaling under the guise of Native American hunting rights.

As a member of the Fisheries, Wildlife and Oceans Subcommittee and the Subcommittee on Native American and Insular Affairs, I intend to do everything in my power to stop this tragedy before it gets started.

I would like to close by quoting from an editorial which appeared in the June 23 Seattle Times:

By supporting the Makah bid to the IWC, the U.S. sets up an untenable double standard—Native American whaling is legitimate but Japanese whaling is not. It will get worse; tribes from Washington to the Bering Sea are sharpening their harpoons, waiting for the Makahs to get the go-ahead.

The Seattle Times editorial continues:

As creatures that routinely migrate the globe, whales demand a coherent and consistent international policy. If the world community approves the Makahs' whale hunt, then Japan deserves the same. But the long, grim history of commercial whaling points to a tougher response: No more harpoons. Whales are for watching.

Mr. Speaker, I have the good fortune occasionally to observe gray whales from my home on Whidbey Island. The Gray Whale should be protected, not hunted.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HALL of Ohio (at the request of Mr. GEPHARDT), for today, on account of personal business.

Mr. YATES (at the request of Mr. GEPHARDT), for today, after 8 p.m., on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. POSHARD) to revise and extend their remarks and include extraneous material:)

Mrs. COLLINS of Illinois, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. WATTS of Oklahoma) to revise and extend their remarks and include extraneous material:)

Mr. RIGGS, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. LARGENT, for 5 minutes, today.

Mr. BARR, for 5 minutes, today.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2437. An act to provide for the exchange of certain lands in Gilpin County, Colorado.

H.R. 3525. An act to amend title 18, United States Code, to clarify the Federal jurisdiction over offenses relating to damage to religious property.

□ 0115

ADJOURNMENT TO MONDAY, JULY 8, 1996

Mr. WATTS of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the provisions of House Concurrent Resolution 192 of the 104th Congress, the House stands adjourned until noon on Monday, July 8, 1996.

Thereupon (at 1 o'clock and 16 minutes a.m.), pursuant to House Concurrent Resolution 192, the House adjourned until Monday, July 8, 1996, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3860. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Almonds Grown in California; Order Amending the Order (FV93–981–1) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3861. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Spearmint Oil Produced in the Far West; Order Amending the Order (FV95–985–4) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3862. A letter from the Under Secretary for Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's final rule—Food Stamp Program: Automated Date Processing Equipment and Services; Reduction in Reporting Requirements (Food and Consumer Service) (RIN: 0584–AB92) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3863. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Notification Procedures for Pesticide Registration Modification (FRL 5372–8) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3864. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Pesticide Worker Protection Standard; Language and Size Requirements to Warning Sign (FRL–5358–7) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3865. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Pesticide Worker Protection Standard; Language and Size Requirement for Warning Sign (FRL–5358–8) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3866. A letter from the Administrator, Farm Service Agency, transmitting the Agency's final rule—Tobacco-Tobacco Loan Program (RIN: 0560–AE41) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3867. A letter from the Acting General Sales Manager and Acting Vice President, Commodity Credit Corporation, Foreign Agricultural Service, transmitting the Service's final rule—Commodity Credit Corporation Supplier Credit Guarantee Program (RIN: 0551–AA30) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3868. A letter from the Under Secretary of Defense, transmitting the Department's report on nonmajor acquisition programs, pursuant to 10 U.S.C. 2220(b); to the Committee on National Security.

3869. A letter from the Under Secretary of Defense, transmitting the Department's report on payment of restructuring costs under defense contracts, pursuant to 10 U.S.C. 2324 note; to the Committee on National Security.

3870. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Operating-Differential Subsidy for Bulk Cargo Vessels; Maintenance and Repair Subsidy (Maritime Administration) (RIN: 2133–AB27) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

3871. A letter from the Deputy Secretary of Defense, transmitting the Department's report entitled ''Effect of Closure of Fitzsimons Army Medical Center on Provision of Care to Military Personnel, Retired Military Personnel, and their Dependents,'' pursuant to Public Law 104–106, section 747(a) (110 Stat. 387); to the Committee on National Security.

3872. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 96–35: Determination Under Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as Amended: People's Republic of China; to the Committee on Banking and Financial Services.

3873. A letter from the Assistant Secretary of Education, transmitting notice of final priority and limitation on use of funds; Elementary School Mathematics and Science Equipment Program for the fund for the improvement of education, pursuant to 20 U.S.C. 1232(f); to the Committee on Economic and Educational Opportunities.

3874. A letter from the Assistant Secretary, Department of Education, transmitting Final Priority—Postsecondary Education Program for Individuals with Disabilities, pursuant to 20 U.S.C. 1232(f); to the Committee on Economic and Educational Opportunities.

3875. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on postsecondary education programs for individuals with disabilities, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

3876. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Reorganization, Renumbering, and Reinvention

of Regulations (RIN: 1212–AA75) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Economic and Educational Opportunities.

3877. A letter from the General Counsel, Department of Energy, transmitting the Department's final rule—Federal Energy Management and Planning Programs; Methodology and Procedures for Life Cycle Cost Analyses [Docket No. EE–RM–95–501] (RIN: 1991–AA80) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3878. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's ''Major'' final rule—Regulation of Fuels and Fuel Additives: Certification Standards for Deposit Control Gasoline Additives (FRL–5528–5) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3879. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—General Procedures to Opt out of the Reformulated Gasoline Requirements; Removal of Jefferson County, Albany and Buffalo, New York; Twenty-eight Counties in Pennsylvania; and Hancock and Waldo Counties in Maine from the Reformulated Gasoline Program (FRL 5528–6) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3880. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Withdrawal of Final Test Rule for Mesityl Oxide (FRL–5363–2) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3881. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Flutolanil; Pesticide Tolerance (FRL–5369–7) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3882. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Potassium Citrate; Tolerance Exemption (FRL–5381–5) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3883. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Folpet; Revocation of Pesticide Tolerances (FRL–5382–1) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3884. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Pentaerythritol Stearates; Tolerance Exemption (FRL–5381–2) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3885. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule—Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under The Energy Policy and Conservation Act (16 CFR Part 305) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3886. A letter from the Administrator, Health Care Financing Administration, transmitting the Administration's report entitled ''Evaluation of the Grant Program for Rural Health Care Transition,'' report to Congress 1996, pursuant to 42 U.S.C. 1395ww note; to the Committee on Commerce.

3887. A letter from the Chairman, Securities and Exchange Commission, transmitting the annual report of the Securities Investor Protection Corporation for the year 1995, pursuant to 15 U.S.C. 78ggg(c)(2); to the Committee on Commerce.

3888. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Jordan for defense articles and services (Transmittal No. 96–45), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3889. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a report of enhancement or upgrade of sensitivity of technology or capability for Japan (Transmittal No. E–96), pursuant to 22 U.S.C. 2776(b)(5)(A); to the Committee on International Relations.

3890. A letter from the Acting Director, Defense Security Assistance Agency, transmitting the Department of the Air Force's proposed lease of defense articles to Jordan (Transmittal No. 14–96), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3891. A letter from the Acting Director, Defense Security Assistance Agency, transmitting the Department of the Air Force's proposed lease of defense articles to Jordan (Transmittal No. 13–96), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3892. A letter from the Acting Director, Defense Security Assistance Agency, transmitting the Department of the Air Force's proposed lease of defense articles to Oman (Transmittal No. 21–96), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3893. A letter from the Acting Director, Defense Security Assistance Agency, transmitting the Department of the Navy's proposed lease of defense articles to Israel (Transmittal No. 22–96), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3894. A letter from the Acting Director, Defense Security Assistance Agency, transmitting the Department of the Navy's proposed lease of defense articles to Israel (Transmittal No. 23–96), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3895. A letter from the Acting Director, Defense Security Assistance Agency, transmitting the Department of the Army's proposed lease of defense articles to the United Nations for use in Rwanda (Transmittal No. 20–96), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

3896. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification that the Department of Defense has completed delivery of defense articles, services, and training on the attached list to the Dominican Republic, pursuant to 22 U.S.C. 2318(b)(2); to the Committee on International Relations.

3897. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed issuance of export license agreement for the transfer of defense articles or defense services sold commercially to Belgium (Transmittal No. DTC–34–96), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3898. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting text of agreements in which the American Institute in Taiwan is a party between January 1 and December 31, 1995, pursuant to 22 U.S.C. 3311(a); to the Committee on International Relations.

3899. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Blocked Persons, Specially Designated Nationals, Specially Designated Terrorists, Specially Designated Narcotics Traffickers, and Blocked Vessels (Office of Foreign Assets Control) (31 CFR Chapter V) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3900. A letter from the NARA Regulatory Policy Official, National Archives and Records Administration, transmitting the Archive's final rule—Audiovisual Records Management (RIN: 3095–AA18) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

3901. A letter from the Program Management Officer, National Marine Fisheries Service, transmitting the Service's final rule—Atlantic Tuna Fisheries; Annual Quotas and Effort Controls [Docket No. 960416112–6164–02; I.D. 030896D] received June 29, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3902. A letter from the Deputy Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Coastal Zone Management Program Regulations [Docket No. 960126015–6165–02] (RIN: 0648–AI43) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3903. A letter from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Service's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic [Docket No. 960313071–6169–022; I.D. 050996D] received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3904. A letter from the Administrator, Federal Aviation Administration, transmitting the report on the effectiveness of the Civil Aviation Security Program for the period January through December 1994, pursuant to 49 U.S.C. app. 1356(a); to the Committee on Transportation and Infrastructure.

3905. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Jetstream Model 4101 Airplanes [Docket 96–NM–129–AD] (RIN: 2120–AA64) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3906. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Jetstream Model 4101 Airplanes [Docket No. 95–NM–159–AD] (RIN: 2120–AA64) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3907. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328–100 Series Airplanes [Docket No. 95–NM–231–AD] (RIN: 2120–AA64) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3908. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F28 mark 0100 and 0070 Series Airplanes [Docket No. 95–NM–224–AD] (RIN: 2120–AA64) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3909. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to redesignate the title of the National Cemetery System and the position of the Director of the National Cemetery System; to the Committee on Veterans' Affairs.

3910. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Statement of Procedural Rules (RIN: 1512–AB53) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3911. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Taxpaid Distilled Spirits Used in Manufacturing Products Unfit for Beverage Use (RIN: 1512–AA20) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3912. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Extension of the Paso Robles Viticultural Area (93F–026T) (RIN: 1512–AA07) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3913. A letter from the General Counsel, Department of Treasury, transmitting a draft of proposed legislation to amend section 304 of the Tariff Act of 1930 concerning the country of origin marking of certain imported articles and containers of a NAFTA country, and for other purposes; to the Committee on Ways and Means.

3914. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule—Work Incentive (WIN) Programs for AFDC Recipients; Removal of Obsolete Work Program Regulations (RIN: 1205–AB12) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3915. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Regulations Under Section 1502 of the Internal Revenue Code of 1986; Limitations on Net Operating Loss Carryforwards and Certain Built-in Losses and Credits Following an Ownership Change of a Consolidated Group (RIN: 1545–AU36) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3916. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Consolidated Returns—Limitations on the use of certain losses and deductions (RIN: 1545–AU35) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3917. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Modifications of Debt Instruments (RIN 1545–AR04) received June 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3918. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Part III Administrative, Procedural, and Miscellaneous (Revenue Procedure 96–37) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3919. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Regulations Under Section 382 of the Internal Revenue Code of 1986; Application of Section 382 in Short Taxable Years and With Respect to Controlled Groups (RIN 1545–AU37) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3920. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Extensions of Time to Make Elections (RIN: 1545–AU41) received June 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3921. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Part IV—Items of General Interest—Processing of Returns Filed by Exempt Organizations to be Centralized in the Ogden Service Center (Announcement 96–63, 1996–29 I.R.B.) received June 27, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3922. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's fiscal year [FY] 1997 budget request; jointly, to the Committees on Commerce and Appropriations.

3923. A letter from the Secretary of Health and Human Services, transmitting the Department's report on the development of relative value units for the full range of pediatric physicians' services, pursuant to Public Law 103–432, section 124(b)(2) (108 Stat. 4413); jointly, to the Committees on Ways and Means and Commerce.

3924. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's March 1996 ''Treasury Bulletin,'' pursuant to 26 U.S.C. 9602, 26 U.S.C. 9602(a), 26 U.S.C. 9505, 42 U.S.C. 10222(e)(1), 16 U.S.C. 1606a(c)(1), 31 U.S.C. 331(b), 42 U.S.C. 2297(g), and section 9633(b)(1) of CERCLA; jointly, to the Committees on Ways and Means, Transportation and Infrastructure, Economic and Educational Opportunities, Commerce, Agriculture, and Resources.

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. ARCHER: Committee on Ways and Means. H.R. 361. A bill to provide authority to control exports, and for other purposes (Rept. 104–605, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLINGER: Committee on Government Reform and Oversight. Fraud and Abuse in Medicare and Medicaid: Stronger Enforcement and Better Management Could Save Billions (Rept. 104–641). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on National Security. H.R. 3308. A bill to amend title 10, United States Code, to limit the placement of U.S. forces under United Nations operational or tactical control, and for other purposes (Rept. 104–642, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2560. A bill to provide for conveyances of certain lands in Alaska to Chickaloon-Moose Creek Native Association, Inc., Ninilchik Native Association, Inc., Seldovia Native Association, Inc., Tyonek Native Corporation, and Knikatnu, Inc. under the Alaska Native Claims Settlement Act; with an amendment (Rept. 104–643). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS: Committee on Agriculture. H.R. 2670. A bill to provide for the release of the reversionary interest held by the United States in certain property located in the County of Iosco, MI; with an amendment (Rept. 104–644). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS: Committee on Agriculture. H.R. 3387. A bill to designate the Southern Piedmont Conservation Research Center located at 1420 Experimental Station Road in Watkinsville, GA, as the ''J. Phil Campbell, Senior Natural Resource Conservation Center'' (Rept. 104–645). Referred to the House Calendar.

Mr. HYDE: Committee on the Judiciary. H.R. 2925. A bill to modify the application of the antitrust laws to health care provider networks that provide health care services; and for other purposes (Rept. 104–646). Referred to the Committee of the Whole House on the State of the Union.

Mr. STUMP: Committee on Veterans' Affairs. H.R. 3458. A bill to increase, effective as of December 1, 1996, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans (Rept. 104–647). Referred to the Committee of the Whole House on the State of the Union.

Mr. STUMP: Committee on Veterans' Affairs. H.R. 3643. A bill to amend title 38, United States Code, to extend through December 31, 1998, the period during which the Secretary of Veterans Affairs is authorized to provide priority health care to certain veterans who were exposed to agent orange or who served in the Persian Gulf war and to make such authority permanent in the case of certain veterans exposed to ionizing radiation, and for other purposes; with amendments (Rept. 104–648). Referred to the Committee of the Whole House on the State of the Union.

Mr. STUMP: Committee on Veterans' Affairs. H.R. 3673. A bill to amend title 38, United States Code, to revise and improve certain veterans programs and benefits, to authorize the American Battle Monuments Commission to enter into arrangements for the repair and long-term maintenance of war memorials for which the Commission assumes responsibility, and for other purposes (Rept. 104–649). Referred to the Committee of the Whole House on the State of the Union.

Mr. STUMP: Committee on Veterans' Affairs. H.R. 3674. A bill to amend title 38, United States Code, to clarify the causal relationship required between a veteran's service-connected disability and employment handicap for purposes of determining eligibility for training and rehabilitation assistance, to transfer certain educational assistance entitlements from the Post-Vietnam Era Educational Assistance Program to the Montgomery GI bill, and for other purposes (Rept. 104–650). Referred to the Committee of the Whole House on the State of the Union.

Mr. KASICH: Committee on the Budget. H.R. 3734. A bill to provide for reconciliation pursuant to section 201(a)(1) of the concurrent resolution on the budget for fiscal year 1997 (Rept. 104–651). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLILEY: Committee on Commerce. H.R. 248. A bill to amend the Public Health Service Act to provide for the conduct of expanded studies and the establishment of innovative programs with respect to traumatic brain injury, and for other purposes; with an amendment (Rept. 104–652). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS: Committee on Agriculture. H.R. 3665. A bill to transfer to the Secretary of Agriculture the authority to conduct the census of agriculture; with amendments (Rept. 104–653 Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X The Committee on International Relations discharged from further consideration. H.R. 3308 referred to the Committee on the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SPRATT (for himself and Mr. MCCOLLUM):

H.R. 3730. A bill to take measures to protect the security of the United States from proliferation and use of weapons of mass destruction; to the Committee on National Security, and in addition to the Committees on International Relations, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT (for himself, Mr. FAZIO of California, Mr. BONO, Mr. BROWN of California, Mr. LEWIS of California, Mr. BOUCHER, Ms. RIVERS, Mr. HORN, and Mr. RIGGS):

H.R. 3731. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to State and local governments of certain surplus property for use for law enforcement or public safety purposes; to the Committee on Government Reform and Oversight.

By Mr. CAMP (for himself, Mr. UPTON, Mr. SMITH of Michigan, Mr. KNOLLENBERG, and Mr. CHRYSLER):

H.R. 3732. A bill to authorize the State of Michigan to implement the demonstration project known as To Strengthen Michigan Families; to the Committee on Ways and Means.

By Ms. PELOSI (for herself, Mrs. LOWEY, Mrs. MORELLA, Mr. HILLIARD, Mr. BOUCHER, Ms. VELAZQUEZ, Mr. BEREUTER, Mr. HINCHEY, Mrs. KENNELY, Mr. FARR, Mr. SABO, Mr. MCDERMOTT, Mr. LAFALCE, Mr. FRANK of Massachusetts, Ms. WOOLSEY, Mrs. CLAYTON, Mr. FALEOMAVAEGA, Mr. MARKEY, Mr. EVANS, Mr. ROMERO-BARCELO, Mr. HASTINGS of Florida, Mr. FROST, Mr. HORN, Mrs. JOHNSON of Connecticut, Mr. STARK, Mr. OWENS, Mr. DURBIN, Ms. WATERS, Ms. ESHOO, Mr. YATES, Mrs. MALONEY, and Ms. SLAUGHTER):

H.R. 3733. A bill to amend the Legal Services Corporation Act to prescribe an income rule for determining if a client who is a victim of domestic violence is eligible for assistance; to the Committee on the Judiciary.

By Mr. KASICH:

H.R. 3734. A bill to provide for reconciliation pursuant to section 201(a)(1) of the concurrent resolution on the budget for fiscal year 1997.

By Mr. BEREUTER (for himself, Ms. ROS-LEHTINEN, Mr. JOHNSTON of Florida, Mr. HOUGHTON, Mr. PAYNE of New Jersey, and Mr. HASTINGS of Florida):

H.R. 3735. A bill to amend the Foreign Assistance Act of 1961 to reauthorize the development fund for Africa under chapter 10 of part I of that act; to the Committee on International Relations.

By Mr. BLILEY (for himself, Mr. HYDE, Mr. COBURN, Mr. SAXTON, Mr. ZIMMER, Mr. KLUG, Mr. BARTON of Texas, Mr. INGLIS of South Carolina, Mr. WHITFIELD, Mr. KNOLLENBERG, Mr. UPTON, Mr. MCHUGH, Mr. COBLE, Mrs. SEASTRAND, Mr. BILBRAY, Mr. WOLF, Mr. HOKE, Mr. PICKETT, Mr. CONDIT, Mrs. MEYERS of Kansas, Mr. STOCKMAN, Mr. BALLENGER, Mr. BURR, Mr. GILMAN, Mr. HORN, Mr. OXLEY, Mr. GALLEGLY, Mr. SMITH of Texas, Mr. LAUGHLIN, Ms. MOLINARI, Mr. METCALF, Mr. STEARNS, Mr. COOLEY, Mr. BUYER, Mr. HAYES, Mr. MCKEON, Mr. CHAMBLISS, Mr. GREEN of Texas, Mrs. CHENOWETH, Mr. BARR, Mr. DAVIS, Mr. CALVERT, Mr. FRANKS of Connecticut, Mr. RIGGS, Mr. ROYCE, Mrs. MYRICK, Mr. FIELDS of Texas, Mr. SISISKY, Mr. PACKARD, Mr. TANNER, Mr. GOODLATTE, Mr. BAKER of Louisiana, Mrs. LINCOLN, Mr. BATEMAN, Mr. BILIRAKIS, Mr. WATTS of Oklahoma, Mr. BUNNING of Kentucky, Mr. DREIER, and Mr. HAYWORTH):

H.R. 3736. A bill to amend the Housing and Community Development Act of 1974 to terminate the availability of community development block grant amounts for States and localities within such States that allow recovery of damages for injuries suffered in the commission of a felony; to the Committee on Banking and Financial Services.

By Mr. BRYANT of Tennessee (for himself and Mr. CLEMENT):

H.R. 3737. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of educational grants by private foundations, and for other purposes; to the Committee on Ways and Means.

By Mr. ENGLISH of Pennsylvania:

H.R. 3738. A bill to reform the Federal unemployment benefit system; to the Committee on Ways and Means.

By Mr. FALEOMAVAEGA:

H.R. 3739. A bill to amend title 49, United States Code, to provide, without subsidy, for enhanced essential air service to remote insular areas; to the Committee on Transportation and Infrastructure.

By Mr. LAZIO of New York (by request):

H.R. 3740. A bill to consolidate the community and economic revitalization and affordable housing programs of the Department of Housing and Urban Development into two performance funds, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 3741. A bill to enhance the effectiveness of enforcement provisions relating to single family and multifamily housing, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 3742. A bill to increase the flexibility of and to streamline certain single family programs administered by the Federal Housing Administration, to reform the single family claims and property disposition procedures, and for other purposes; to the Committee on Banking and Financial Services.

H.R. 3743. A bill to establish a single authority under Title IV of the National Housing Act for rental and cooperative housing with five or more units and for health care facilities through consolidation of multifamily programs, authorization of risk sharing programs with private and public entities, and increased flexibility for FHA to establish program operations; to make changes to the multifamily housing programs designed for the elderly and persons with disabilities; to extend certain provisions of existing law; and for other purposes; to the Committee on Banking and Financial Services.

By Mrs. MALONEY (for herself, Ms. BROWN of Florida, Mrs. CLAYTON, Mr. CLYBURN, Mr. DELLUMS, Mr. EVANS, Mr. FRANK of Massachusetts, Mr. FROST, Ms. FURSE, Mr. GUTIERREZ, Mr. HINCHEY, Ms. NORTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LAFALCE, Ms. MCCARTHY, Ms. MCKINNEY, Mrs. MEEK of Florida, Mrs. MINK of Hawaii, Mr. NADLER, Mr. PAYNE of New Jersey, Mr. OLVER, Miss COLLINS of Michigan, Mrs. SCHROEDER, and Ms. VELAZQUEZ):

H.R. 3744. A bill to require the Attorney General to promulgate regulations relating to gender-related persecution, including female genital mutilation, for use in determining an alien's eligibility for asylum or withholding of deportation; to the Committee on the Judiciary.

By Mrs. MEYERS of Kansas (for herself, Mr. HOEKSTRA, Mr. CHRYSLER, Mr. MANZULLO, Mr. HILLEARY, Mr. BARCIA of Michigan, Mr. HEFLEY, Mr. BARTLETT of Maryland, Mr. COLLINS of Georgia, Mr. OXLEY, Mr. EHLERS, Mr. TAYLOR of North Carolina, Mr. BALLENGER, Mr. UPTON, Mr. ENGLISH of Pennsylvania, Mr. COBLE, Mr. KNOLLENBERG. Mr. CALVERT, Mr. CHAMBLISS, Mr. CRAMER, Mr. BARR, Mr. DEAL of Georgia, Mr. LINDER, Mr. EVERETT, Mr. SALMON, Mr. STUMP, Mr. BAKER of Louisiana, Mr. FLANAGAN, and Mr. QUILLEN):

H.R. 3745. A bill to amend title 18, United States Code, to minimize unfair competition for Federal contracting opportunities between Federal Prison Industries and private firms, especially small business concerns, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY of Massachusetts (for himself, Mr. BROWN of Ohio, Mr. OLVER, Mr. KENNEDY of Rhode Island, Mr. BARRETT of Wisconsin, Mr. GREEN of Texas, Mr. MASCARA, and Mr. STARK):

H.R. 3746. A bill to amend title IX the Public Works and Economic Development Act of 1965 to make the development of brownfield sites eligible for assistance; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H.R. 3747. A bill to amend the Internal Revenue Code of 1986 to encourage economic development through the creation of additional empowerment zones and enterprise communities and to encourage the cleanup of contaminated brownfield sites; to the Committee on Ways and Means.

By Mrs. SCHROEDER (for herself and Mr. MARKEY):

H.R. 3748. A bill to amend certain Federal civil rights statutes to prevent the involuntary application of arbitration to claims that arise from unlawful employment discrimination based on race, color, religion, sex, national origin, age, or disability; and for other purposes; to the Committee on Economic and Educational Opportunities, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS (for himself, Mr. RIGGS, and Mr. HERGER):

H.R. 3749. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of crops destroyed by casualty; to the Committee on Ways and Means.

By Mr. THORNBERRY:

H.R. 3750. A bill to permit the interstate distribution of State-inspected meat under appropriate circumstances; to the Committee on Agriculture.

By Ms. VELAZQUEZ (for herself, Mr. OWENS, Mr. NADLER, Mr. CONYERS,

Mr. HILLIARD, Mr. THOMPSON, Mr. EVANS, and Mr. JOHNSTON of Florida):

H.R. 3751. A bill to establish certain requirements for managed care plans; to the Committee on Commerce.

By Mr. YOUNG of Alaska:

H.R. 3752. A bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands; to the Committee on Resources.

By Mr. GUNDERSON (for himself, Mr. POSHARD, Mr. ROBERTS, Mr. STENHOLM, Mr. BEREUTER, Mr. BONILLA, Mr. BUNN of Oregon, Mr. HILLARD, Mrs. JOHNSON of Connecticut, Mrs. LINCOLN, Mr. PAYNE of Virginia, Mr. WILLIAMS, Mr. BAKER of Louisiana, Mr. BARRETT of Nebraska, Mr. BOEHLERT, Mr. BOUCHER, Mr. BREWSTER, Mr. CLINGER, Mr. COMBEST, Mr. CONDIT, Mr. COOLEY, Ms. DANNER, Mr. EHLERS, Mr. EVANS, Mr. FAZIO of California, Mr. HALL of Texas, Mr. JOHNSON of South Dakota, Mr. KLUG, Mr. MCHUGH, Mr. NEY, Mr. NUSSLE, Mr. PETERSON of Minnesota, Mr. RAHALL, Mr. RAMSTAD, Mr. SANDERS, Mr. SKELTON, Mr. STUPAK, Mr. THORNBERRY, Mr. WALSH, and Mr. WHITFIELD):

H.R. 3753. A bill to amend the Social Security Act and the Public Health Service with respect to the health of residents of rural areas, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DIAZ-BALART:

H. Con. Res. 192. Concurrent resolution providing for an adjournment of both Houses; which was considered and agreed to.

By Mr. DELAY (for himself, Mr. BALLENGER, MR. BOEHNER, MR. BLILEY, MR. BURR, MR. CHAMBLISS, MR. CLINGER, MR. CRAPO, MR. CUNNINGHAM, MR. EWING, MR. HOEKSTRA, MRS. KELLY, MR. KNOLLENBERG, MR. MANZULLO, MR. MCINTOSH, MR. MICA, MRS. MYRICK, MR. SAXTON, Mrs. VUCANOVICH, Mr. GINGRICH, Mr. BARTON of Texas, Mr. KINGSTON, Mr. ZELIFF, Mr. ROYCE, Mr. WICKER, Mr. SAM JOHNSON, Mr. POMBO, Mr. COX, Ms. DUNN of Washington, Mr. ROTH, Mr. BARR, Mr. HASTERT, Mr. LAHOOD, Mr. PACKARD, Mr. ALLARD, Mr. HEINEMAN, Mr. LEWIS of Kentucky, and Mr. ARMEY):

H. Con. Res. 193. Concurrent resolution expressing the sense of the Congress that the cost of Government spending and regulatory programs should be reduced so that American families will be able to keep more of what they earn; to the Committee on Government Reform and Oversight.

By Mrs. MORELLA:

H. Con. Res. 194. Concurrent resolution establishing a commission to study compensation and other personnel policies and practices in the legislative branch; to the Committee on House Oversight.

By Ms. ROYBAL-ALLARD (for herself, Mr. MATSUI, Mrs. MYRICK, Ms. WOOLSEY, Mrs. MORELLA, Mrs. CLAYTON, Mrs. LOWEY, Ms. LOFGREN, Mr. HILLIARD, Mr. KILDEE, Mr. GREEN of Texas, Mrs. KENNELLY, Ms. BROWN of Florida, Mr. FRANK of Massachusetts, Mr. LAFALCE, Mr. FARR, Mr. MCDERMOTT, Ms. SLAUGHTER, Mr. ACKERMAN, Mr. OBERSTAR, Mr. GONZALEZ, Mr. ROMERO-BARCELO, Mr. OLVER, Mr. FRAZER, Mr. SANDERS, Mr. ABERCROMBIE, Mr. MILLER of California, Mr. BROWN of California, Mr. HINCHEY, Mr. STARK, Mr. OWENS, Mr. FILNER, Ms. WATERS, Ms. VELAZQUEZ, Mrs. MALONEY, and Mr. GUTIERREZ):

H. Con. Res. 195. Concurrent resolution to express the sense of the Congress that any welfare reform legislation enacted by the Congress should include provisions addressing domestic violence; to the Committee on Ways and Means, and in addition to the Committee on Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSTON of Florida:

H. Res. 468. Resolution relating to a question of the privileges of the House; which was laid on the table.

By Mr. BAKER of California (for himself, Mr. CALVERT, and Mr. LIPINSKI):

H. Res. 469. Resolution to commend the patriotic citizens of Remy, France, who honorably buried Lt. Houston Braly after his heroic attack on a German munitions train on August 2, 1994; to the Committee on International Relations.

By Mr. GOODLING (for himself and Mr. MCKEON):

H. Res. 470. Resolution expressing the sense of the Congress that the Department of Education should play a more active role in monitoring and enforcing compliance with the provisions of the Higher Education Act of 1965 related to campus crime; to the Committee on Economic and Educational Opportunities.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

231. By the SPEAKER: Memorial of the Legislature of Guam, relative to Resolution No. 432 (LS) relative to congratulating and commending Julita Cruz-Aviles for being the first Chamorro woman appointed as Associate Director of Policy, Office of the Under Secretary of Defense, U.S. Federal Government; to the Committee on National Security.

232. Also, memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 138 memorializing Congress to approve legislative authorization states to restrict the amount of solid waste they import from other States; to the Committee on Commerce.

233. Also, memorial of the Legislature of the State of California, relative to Assembly Joint Resolution 58 illegal, undocumented alien prisoners; to the Committee on International Relations.

234. Also, memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 99 requestion the President and Secretary of State of the United States to express disapproval of Norway for its commercial whaling policies and for the raising of its quotas on minke whales; to the Committee on Resources.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 145: Mrs. CHENOWETH and Mr. STOCKMAN.

H.R. 163: Mr. VENTO.

H.R. 263: Mr. WILSON.

H.R. 324: Mr. MCHALE.

H.R. 387: Mr. CAMPBELL.

H.R. 491: Mr. GILLMOR, MR. DIAZ-BALART, Mr. SPENCE, and Mr. WELDON of Pennsylvania.

H.R. 777: Mr. LOBIONDO.

H.R. 778: Mr. LOBIONDO.

H.R. 779: Mr. GANSKE.

H.R. 780: Mr. GANSKE.

H.R. 820: Mr. SOLOMON, Mr. FRANK of Massachusetts, Mr. JEFFERSON, and Mr. MCNULTY.

H.R. 858: Mr. RIGGS and Mr. KENNEDY of Massachusetts.

H.R. 895: Mr. STUMP, Mr. CLINGER, Mr. FAZIO of California, Mr. FRELINGHUYSEN, Mr. HOSTETTLER, Mr. WELLER, Mr. WELDON of Pennsylvania, Mr. ENGEL, Mr. BOUCHER, Mr. SANDERS, Mrs. THURMAN, Mr. LIPINSKI, Mr. HOKE, Mrs. FOWLER, and Mr. FRISA.

H.R. 958: Mr. LOBIONDO.

H.R. 1010: Mr. FAZIO of California.

H.R. 1073: Mr. CONDIT and Mr. SISISKY.

H.R. 1074: Mr. CONDIT and Mr. SISISKY.

H.R. 1078: Mr. MCCOLLUM.

H.R. 1127: Mr. SHAYS.

H.R. 1226: Mr. BEREUTER.

H.R. 1496: Mr. MCCOLLUM.

H.R. 1552: Mr. ZIMMER.

H.R. 1656: Mrs. SCHROEDER.

H.R. 1950: Mr. BOEHLERT.

H.R. 2011: Mr. BISHOP, Mr. BONIOR, and Mr. CONDIT.

H.R. 2089: Mr. HORN and Mr. MANZULLO.

H.R. 2185: Mr. GREEN of Texas, Mr. NADLER, Mr. FALEOMAVAEGA, Ms. SLAUGHTER, MR. MONTGOMERY, Mr. DAVIS, and Mr. GREENWOOD.

H.R. 2209: Mr. LAFALCE, Mr. PETE GEREN of Texas, Ms. DANNER, Mr. CALLAHAN, Mr. FORD, Mr. BERMAN, Mr. JACOBS, Mr. MCNULTY, and Mr. HASTINGS of Florida.

H.R. 2244: Mr. HERGER.

H.R. 2247: Mrs. JOHNSON of Connecticut, Mr. KLECZKA, and Mr. SAWYER.

H.R. 2270: Mrs. KELLY and Mr. METCALF.

H.R. 2470: Mr. LEWIS of Kentucky.

H.R. 2591: Mr. BISHOP.

H.R. 2618: Mr. DIXON.

H.R. 2683: Mr. SKEEN.

H.R. 2697: Mr. CUMMINGS, MR. MARTINEZ, Mr. MANTON, Ms. DELAURO, and Mrs. MORELLA.

H.R. 2740: Mr. CALVERT.

H.R. 2748: Ms. MCKINNEY, Mrs. SCHROEDER, Ms. NORTON, Mrs. KENNELLY, Mrs. THURMAN, Mr. LEVIN, Ms. EDDIE BERNICE JOHNSON of Texas, MR. PALLONE, Ms. VELAZQUEZ, and Mr. JEFFERSON.

H.R. 2757: Mr. SPENCE, Mr. WISE, and Mr. NORWOOD.

H.R. 2849: Mr. BOEHLERT, Ms. SLAUGHTER, and Mr. SERRANO.

H.R. 2875: Mr. LOBIONDO.

H.R. 2900: Mr. NETHERCUTT and Mr. EHRLICH.

H.R. 2911: Mr. WELDON of Pennsylvania.

H.R. 2925: Mrs. LINCOLN.

H.R. 2951: Mr. GUTIERREZ and Mr. YATES.

H.R. 2976: Ms. BROWN of Florida, Mr. HEFLEY, and Mr. RICHARDSON.

H.R. 2984: Mr. BARTLETT of Maryland.

H.R. 2985: Mr. EWING, Mr. WALSH, Mr. NEY, Mr. ENGLISH of Pennsylvania, and Mr. WELLER.

H.R. 3012: Mr. CAMPBELL, Mr. BOUCHER, Mr. BAKER of California, Mr. BLILEY, Mr. BALDACCI, Mr. METCALF, Mrs. SEASTRAND, Mr. QUILLEN, Mr. FOGLIETTA, Mr. STARK, and Mr. MEEHAN.

H.R. 3077: Mr. WELDON of Pennsylvania, Mr. HOBSON, and Mr. MORAN.

H.R. 3083: Mr. DORNAN, Mr. COX, Mr. RADANOVICH, Mr. ROYCE, and Mr. POMBO.

H.R. 3114: Mr. GREENWOOD and Mr. SAWYER.

H.R. 3142: Mr. BARR.

H.R. 3173: Ms. NORTON, Mr. FAWELL, Mr. TORKILDSEN, and Mr. MEEHAN.
H.R. 3187: Mr. COSTELLO, Mr. DELLUMS, Mr. LAFALCE, and Mr. MCHUGH.
H.R. 3195: Mr. CHAMBLISS, Mr. KLUG, Mr. WILSON, Mr. DICKEY, and Mr. CAMPBELL.
H.R. 3199: Mr. THOMSPON, Mr. FRANK of Massachusetts, Mr. PARKER, Ms. NORTON, Mr. CHAMBLISS, Mr. MONTGOMERY, and Mr. LAHOOD.
H.R. 3211: Mr. DELAY, Mr. BEREUTER, and Mr. HOKE.
H.R. 3245: Ms. NORTON.
H.R. 3260: Mr. BARTON of Texas, Mr. DICKEY, and Mr. HAYES.
H.R. 3263: Mr. FOLEY.
H.R. 3292: Ms. PELOSI.
H.R. 3307: Mr. HEINEMAN, Mr. BUYER, and Mr. GALLEGLY.
H.R. 3337: Mrs. JOHNSON of Connecticut and Mr. BARRETT of Wisconsin.
H.R. 3338: Mr. STENHOLM and Mr. GILLMOR.
H.R. 3374: Mr. STARK.
H.R. 3395: Mr. GREEN of Texas.
H.R. 3396: Mr. PAXON.
H.R. 3449: Mr. BRYANT of Tennessee.
H.R. 3452: Mr. PETERSON of Minnesota.
H.R. 3486: Mr. HANSEN.
H.R. 3496: Mr. JEFFERSON, Mrs. MORELLA, Mr. HASTINGS of Florida, Ms. FURSE, Mr. BAKER of Louisiana, and Ms. WOOLSEY.
H.R. 3505: Mrs. MALONEY.
H.R. 3520: Mr. GORDON and Ms. ROYBAL-ALLARD.
H.R. 3566: Mr. STUPAK.
H.R. 3568: Mr. ENGLISH of Pennsylvania, Mr. BORSKI, Mr. WELDON of Pennsylvania, Mr. GOODLING, Mr. KLINK, Mr. KANJORSKI, Mr. DOYLE, Mr. MASCARA, Mr. MCHALE, Mr. MURTHA, and Mr. GREENWOOD.
H.R. 3580: Mr. SPENCE, Mr. HAYWORTH, and Mr. HASTINGS of Washington.
H.R. 3622: Mr. ROHRABACHER, Mr. WHITE, and Mr. PAXON.
H.R. 3645: Ms. NORTON, Ms. KAPTUR, Mr. ENGLISH of Pennsylvania, Mrs. CLAYTON, Mr. EHLERS, and Mr. KILDEE.
H.R. 3654: Mr. YOUNG of Alaska, Mr. GEPHARDT, MR. EVERETT, and Ms. DELAURO.
H.R. 3665: Mr. FARR.
H.R. 3688: Mr. LIPINSKI.
H.R. 3715: Mrs. MEYERS of Kansas, Mrs. MINK of Hawaii, Mrs. MALONEY, Ms. NORTON, and Mr. GUTIERREZ.
H.R. 3725: Mr. HAMILTON, Mr. DELLUMS, and Ms. MCKINNEY.
H.R. 3727: Mr. FIELDS of Louisiana, Mr. ROYCE, Mr. BLUTE, and Mr. VENTO.
H. Con. Res. 10: Mr. KILDEE.
H. Con. Res. 135: Mr. SAXTON, Mr. YATES, Mr. HORN, and Mr. MORAN.
H. Con. Res. 179: Mr. FALEOMAVAEGA, Mr. FUNDERBURK, Mr. DORNAN, and Ms. LOFGREN.
H. Con. Res. 184: Mr. FALEOMAVAEGA, Ms. NORTON, Mr. EVANS, and Mr. ENGEL.
H. Con. Res. 190: Mr. FROST, Mr. DOYLE, Mr. ZIMMER, and Mr. ROHRABACHER.
H. Res. 452: Mr. PACKARD.
H. Res. 461: Mr. BOEHNER, Mr. GILMAN, Mr. ROYCE, and Mr. SPENCE.

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. POSHARD.
H.R. 1972: Mr. LUTHER.

DISCHARGE PETITIONS

Under clause 3, of rule XXVII the following discharge petitions were filed:

Petition 13, June 25, 1996, by Mr. CONDIT on House Resolution 443, was signed by the following Members: Gary A. Condit, James A. Hayes, Wes Cooley, Norman Sisisky, Bill Baker, Calvin M. Dooley, Charles W. Stenholm, Collin C. Peterson, Doug Bereuter, George P. Radanovich, Howard P. ''Buck'' McKeon, Pat Roberts, Vic Fazio, Bill K. Brewster, Saxby Chambliss, John T. Doolittle, Charlie Rose, Frank Riggs, David L. Hobson, Andrea H. Seastrand, Bob Stump, Terry Everett, Scott McInnis, Bill Orton, Glenn Poschard, Pete Geren, Helen Chenoweth, Jim Lightfoot, Ken Calvert, Karen L. Thurman, Bob Barr, Mel Hancock, Nick Smith, Sanford D. Bishop, Jr., and Ike Shelton.

Petition 14, June 27, 1996, by Mr. TANNER on House Resolution 425, was signed by the following Members: John S. Tanner, Bill Orton, and L.F. Payne.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 12 by Mrs. SMITH of Washington on House Resolution 373: Rick White.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. .

(Labor, HHS, and Education Appropriations, 1997)

OFFERED BY: MR. ISTOOK

AMENDMENT NO. 1: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act, when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) any portion of such funds is knowingly being used by such entity to provide services after March 31, 1997, to a minor, other than a minor who—

(A) is emancipated under applicable State law;

(B) has the written consent of a custodial parent or legal guardian to receive such services; or

(C) has an order of a court of competent jurisdiction to receive such services, based on—

(i) the court's assumption of custody over the minor; or

(ii) actions of a custodial parent or legal guardian that present a continuing threat to the health and safety of the minor and preclude the obtaining of consent under subparagraph (B); and

(2) The State in which such services are provided has not, after the date of the enactment of this section, enacted a statute that excludes the minor seeking a title X service from the parental consent requirements as to that particular service.

H.R. .

OFFERED BY MR. CAMPBELL OF CALIFORNIA

(Legislative Branch, Appropriations, 1997)

AMENDMENT NO. Before the short title at the end of the bill, add the following new section:

SEC. . (a) In addition to any other estimates it may prepare of any proposed change in Federal revenue law, a fiscal estimate shall be prepared by the Joint committee on Taxation of each such proposed change on the basis of assumptions that estimate the probable behavioral responses of personal and business taxpayers and other relevant entities to that proposed change and the dynamic macroeconomic feedback effects of that proposed change, and it shall include a statement identifying those assumptions. The preceding sentence shall apply only to a proposed change that the Joint committee on Taxation determines, pursuant to a static fiscal estimate, has a fiscal impact in excess of $100,000,000 in any fiscal year.

(b) In addition to any other estimates it may prepare of any proposed change in Federal revenue or spending law, a fiscal estimate shall be prepared by the Congressional Budget Office of each such proposed change on the basis of assumptions that estimate the probable behavioral responses of personal and business taxpayers and other relevant entities to that proposed change and the dynamic macroeconomic feedback effects of that proposed change, and it shall include a statement identifying those assumptions. The preceding sentence shall apply only to a proposed change that the Congressional Budget Office determines, pursuant to a static fiscal estimate, has a fiscal impact in excess of $100,000,000 in any fiscal year.

(c) Any report to Congress or the public made by the Joint Committee on Taxation or the Congressional Budget Office that contains an estimate made under this concurrent resolution of the effect that any legislation will have on revenues or spending shall rely upon Congressional Budget Office data and shall be accompanied by a written statement fully disclosing the economic, technical, and behavioral assumptions that were made in producing that estimate.

(d) In performing the tasks specified in subsections (a) and (b), the Joint Committee on Taxation and the Congressional Budget Office may, subject to the availability of appropriations, enter into contracts with universities or other private or public organizations to perform such estimations or to develop protocols and model for making such estimates.