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House of Representatives

AMERICAN PEOPLE WANT LAW ENFORCEMENT TO HAVE TOOLS IT NEEDS TO FIGHT TERRORISM

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

Mr. CARDIN. Mr. Speaker, the American people are shocked and outraged over the tragedies of TWA Flight 800 and at the Olympic Park.

The American people want us to show determination and common sense in giving our Nation's law enforcement community the tools it needs to fight terrorism.

One proposal is to put chemical markers, or taggants, in gun powder to help the FBI identify the vicious cowards responsible for bombings.

What sensible person would side with the bombers and against the FBI? We have a chance, before we leave this week, to do what the American people would do if they could vote themselves.

The President has asked us to pass this antiterrorism proposal. Unfortunately, the long arm of the National Rifle Association has reached into this House and prevented us from even taking the issue up.

It is time for this House to stand with the American people, and stand up to the NRA. Let's pass meaningful antiterrorism legislation.

PRESIDENT CLINTON FINALLY COMES AROUND TO TRUE HEALTH CARE REFORM

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

Mr. BALLENGER. Mr. Speaker, good news for all Americans today. Not only has President Clinton agreed to sign the bipartisan welfare reform bill, he has said he will also sign the bipartisan health care reform bill.

With the enactment of the health care bill, this commonsense Congress is giving Americans genuine health care reform without a government takeover. The bill establishes medical savings accounts, fights fraud and abuse, provides a long-term care insurance deduction, allows the self-employed to deduct 80 percent of health care costs, and allows people the freedom to change jobs without losing their health care coverage.

Mr. Speaker, I'm glad President Clinton has finally come around. True health care reform is what the American people want.

PUTTING AMERICA AGAINST ITS OWN IMMIGRANT ROOTS

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

Mr. RICHARDSON. Mr. Speaker, another Democratic initiative, health care and insurance reform, will soon become law, affecting millions of Americans. The Kennedy-Kassebaum bill, which reforms insurance portability and preexisting conditions in insurance, will permit us to go home and say, rightfully, that this is not a do-nothing Congress.

But along with same-sex marriage, abortion, and illegal immigration, Republicans are looking for another wedge issue to divide the country and get some votes. They have found it in ''English Only,'' an initiative that puts America against its own immigrant roots and the sweeping tides of history.

□ 1015

It tells the billions that are watching the Olympics in Atlanta that America is saying that any language besides English is not important. ''English Only'' is bad for business, since most of our commerce is done in other languages. It is bad for tourism. It is a bad nativist, isolationist initiative that the Congress should reject summarily.

CONGRESS ACTS TO MAKE ENGLISH OUR OFFICIAL LANGUAGE

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

Mr. ROTH. Mr. Speaker, today is a great day for America. We are finally going to address an issue that the American people have been asking us to address for a long time, like the 45,000 people, 97 percent of the people who called in to USA Today in one weekend who said let us make English our official language.

Winston Churchill said a common language is one of the Nation's most priceless inheritances, and as an American I am delighted to say today that we are going to address this issue. English is a legacy for you and for me. No matter what our background or ethnic group, we all want to pass on this legacy for posterity so we can remain one Nation, one people, one language.

We Americans are from every corner of the globe. We represent every ethnic group, every religious group, every nation. But we are one nation, one people. Why? Because up to now we have had a wonderful commonality and today we are going to make English our official language so that we can respect all cultures, but also reaffirm our common bond and unifying force, the English language.

MEXICAN DRUG TRAFFICKING TO AMERICA MUST BE STOPPED

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

Mr. TRAFICANT. Mr. Speaker, a former Mexican drug agent says the

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Mexican Government is so corrupt that Mexican drug agents regularly escort massive drug shipments to America's borders. He further said Mexican drug agents are nothing more than bodyguards for drug traffickers to America.

Mr. Speaker, are you surprised? I am not. Everybody knows Mexico's war on drugs is a joke and America's war on drugs is a comedy of errors.

Think about it. When an 8-year-old can find brown Mexican heroin, Mexican cocaine, and Mexican marijuana on any street corner of America, something is not only wrong, somebody in high places, both in Mexico and in Washington, is getting awfully rich.

Mr. Speaker, I say it is time to deploy troops to the border and cut off aid to Mexico until they stop flooding our shores with dope. Think about it, Congress.

THANK YOU, MR. PRESIDENT, FOR SUPPORTING WELFARE REFORM

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

Mr. BARTLETT of Maryland. Mr. Speaker, it's been a 2-year struggle, but I welcome President Clinton's support for the bipartisan effort by the 104th Congress to save generations of Americans from the poverty trap of the failed welfare system.

These commonsense welfare reforms will end welfare as a way of life.

These commonsense welfare reforms will ensure that able-bodied citizens between the ages of 18 and 50 without children must work in order to get welfare benefits.

These commonsense welfare reforms will help preserve families and give them a helping hand to self-sufficiency instead of discouraging marriage and encouraging illegitimacy.

These commonsense welfare reforms will end the tyranny of Washington bureaucrats preventing our State Governors from instituting innovative programs to help their neediest citizens become self-sufficient.

Most important, these commonsense welfare reforms will help save children, communities, and cities from the horrific cycle of poverty and violence which has destroyed so many lives.

Welfare reform is a victory for all Americans.

MUCH-NEEDED HEALTH CARE REFORM IS FINALLY HERE

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

Ms. DELAURO. Mr. Speaker, finally, almost a year to the day that it was introduced, we are prepared to pass the Kennedy health care reform bill. This much-needed legislation will provide millions of Americans with health insurance through greater portability and other needed reforms.

And to think that this day almost never was. In spite of the vote of 100 to 0 in the Senate, it took Democrats, constantly pressuring the Republicans, to get to where we are today.

The Republicans were prepared to let this bill languish in the Senate, but we applied the pressure here, and more important the American people applied the pressure all across this country, and the Republicans were forced to act.

Imagine, forced to enact legislation that would help working families be able to maintain their insurance, to prevent insurance companies from discriminating based on preexisting conditions.

Mr. Speaker, we are sent here to do the people's business and to work on behalf of families in this country. The bottom line is that although some may have gotten here kicking and screaming, they are here. We will pass health care legislation today.

PASSAGE OF WELFARE REFORM MARKS HISTORIC DAY FOR CONGRESS

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

Mr. LEWIS of California, Mr. Speaker, yesterday was a historic day for the U.S. Congress. The passage of the Gingrich-Dole Welfare Reform Act provides a dramatic shifting of the direction of the ship-of-state, a shift away from welfare, from a growing Federal bureaucracy and ever expanding Federal welfare spending.

And as the ship turns, it will move toward less dependency upon Government, toward private opportunity and independence.

The welfare reform effort passed yesterday was initiated by Speaker NEWT GINGRICH and majority leader BOB DOLE. Speaker GINGRICH and his committees crafted the bill and worked tirelessly for its passage. And only yesterday, Speaker GINGRICH successfully got a commitment from President Clinton to sign it.

So while Speaker GINGRICH will share a piece of the credit for the Gingrich-Dole reform package with the President, yesterday will go down as a historic success for the new Republican majority in Congress.

RAISING THE MINIMUM WAGE NOW A POSSIBILITY

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

Mr. POMEROY. Mr. Speaker, this morning I rise to give credit to a small brave group of House Republicans that will join House Democrats and make it possible to at least raise the minimum wage. We in the House minority think that $4.25 an hour is not enough to live on. We know that with the minimum wage at its lowest purchasing point in 40 years, the time to act is now.

Unfortunately, the rigid, extreme opposition of the House majority, most of the Members and their leadership, have made it impossible to act before this point. In fact, the House majority leadership has said that they ought to eliminate the minimum wage, not raise it.

Well, a few Republicans working with us in the House minority are going to create a bipartisan majority to raise the minimum wage. I admire those House Republicans that took on their leadership on this one. They have made it possible to do something very important for working Americans.

ELECTION YEAR POLITICS

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

Mr. KINGSTON. Mr. Speaker, aren't election year politics fun? Here yesterday President Clinton, following Bob Dole's lead, agreed to sign the Republican welfare bill. And then following Clinton, who was following Dole, 68 Democrats changed their vote from less than a month ago to pass this bill on an overwhelming bipartisan basis.

Then, in the paper today Clinton is going to support the Hastert-Kassebaum Republican health care bill. Right under that, President Clinton is going to support the Republican clean drinking water bill. Add these to the fact that this party and this Congress has passed the line-item veto, securities reform litigation, a telecommunications bill, Social Security earnings limitation increase, lobbyist reform, a gift ban and the dissolving of 28 different committees and subcommittees. This Republican Party has made in this Congress a significant change in moving the country in the direction of less government. Thank goodness for election year politics.

GOOD HEALTH CARE IMPORTANT, BUT ALSO A SECURE NATION

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am so grateful that I am able to tell one of my constituents who called in yesterday to talk of a sick wife who lost her job that the Democrats have prevailed and we do have a good health care bill that will allow portability and not take into consideration preexisting condition.

But I am saddened about my Republican colleagues, so dominated by the National Rifle Association, that after the TWA tragedy and the Atlanta tragedy we will not give law enforcement officers the right tools, such as tagants, to determine who planted the bomb? Why? Why? Because the NRA dominates this Republican Congress, because they believe in following their

leaders at the National Rifle Association.

I am grateful that we may get good health care, but I am saddened that we will not have a secure Nation for all of our citizens. Why have we not had hearings on terrorism, domestic and international? Why? Because the Republicans have not set it on the agenda.

I hope America will rise up and determine that we must have, yes, good health care for all of our citizens, but we must also have a safe, secure Nation. We must give law enforcement the tools to fight terrorism and hold hearings on terrorism in America.

PEOPLE NEED HEALTH CARE SECURITY

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

Mr. HASTERT. Mr. Speaker, I rise today to announce to the American people and to this body that the score is not exactly an Olympic score, but it is big Government, big obtrusive Government, 0, the American people, 2.

That is a good trend, and we hope to raise and make that score even spread, but with the passage of welfare reform and, today, health care reform, we have given the American people something on a bipartisan basis, mainly because some people in this Congress have stood up and said there is a principle, there are some things we could do.

People need to have health care security. We need to make health care portable so a mother who loses her job, with an asthmatic child, can go and get health care at the next stop, at the next job she picks up; that a father who is locked into a job that he has and a wife with a heart condition will move on to a better job because there is portability.

And, yes, we do give American families choice, choice through the medical savings account to choose the doctor they want, to choose the health care they want, and if they do not spend that money they get to keep it.

MEDICARE

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

Ms. MCKINNEY. Mr. Speaker, gripped by the fear of losing control over the first Republican Congress in 40 years, NEWT GINGRICH and his legions are trying to convince the public that they did not cut Medicare to pay for tax breaks to the wealthy.

On October 26, however, Speaker GINGRICH boasted about Republican efforts to weaken fee-for-service Medicare to the point where it would, quote, ''Wither on the vine.''

And in an attempt to back away from that statement, Speaker GINGRICH said that he meant the health care financing administration would wither on the vine. The Los Angeles Times, however, reported that Speaker GINGRICH's spokesman, Tony Blankley, said that, quote, ''GINGRICH's comments were consistent with the Republican belief that most seniors would voluntarily choose to leave the traditional Medicare fee-for-service system in favor of HMO's.''

Now that's the real scoop on NEWT GINGRICH and Medicare.

Think about it, when have you known the Speaker to not say what he means and mean what he says.

CONFERNCE REPORT ON HEALTH CARE REFORM

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

Mr. CHRYSLER. Mr. Speaker, when Republicans took over the Congress, we proved to the Washington liberal establishment that politicians can come here and keep their word. We proved that we could make a difference in the lives of the American people.

The events of this week are proof that this Congress has been one of the most productive in a generation.

Yesterday, Bill Clinton said that he would sign our commonsense welfare reform bill that we will send him later this week. It is a good bill. It is genuine reform of the broken welfare system.

Today, the House will consider the conference report on health care reform. This bill will give health care security to working Americans. It establishes medical savings accounts, which I have had for 3 years, fights fraud and abuse, and ends job lock.

Mr. Speaker, this Congress is making a difference. We are providing the commonsense changes that the American people have demanded for years.

DEMOCRATIC AGENDA ALIVE AND WELL

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

Mr. WYNN. Mr. Speaker, good morning. Despite my GOP friends' spin, I have to tell you the Democratic agenda is alive and well in America and American citizens are better for it, because it is the Democrats who have pushed for health care reform and for the minimum wage.

On health care reform, the Kennedy-Kassebaum health insurance reform bill will be on the floor today, and we will be able to provide Americans with health insurance when they change jobs. We will be able to ensure that Americans will not be prohibited from getting health insurance because of preexisting conditions, such as the fact that your child may have asthma or someone has a longstanding hip injury who is an older member of your family.

□ 1030

That is important and that was a Democratic initiative. We are also going to take up tomorrow the minimum wage. Republicans have said they would fight it with every fiber of their being. The fact is the Democrats stood for decent wages and decent working conditions. Forty percent of the people who earn the minimum wage are bread winners for their family. Fifty-eight percent of the people who earn the minimum wage are women. We need decent wages in America.

Mr. Speaker, the Democratic agenda is alive and well.

CHECKING ON NAFTA

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

Mr. WELDON of Pennsylvania. Mr. Speaker, the debate over the success of NAFTA continues. Two years after this legislation became law, we look back and see whether or not it has been successful, and there is still disagreement.

Tomorrow I will introduce bipartisan legislation, Mr. Speaker, however, that all of us can join together on. My legislation, the NAFTA check bill, will require the President of the United States to certify each year to the Congress whether or not those side agreements that he told us would raise up the workers standards in Mexico and would enforce tough environmental laws in Mexico are actually working.

Mr. Speaker, I ask our colleagues to join with us to allow this President each year to certify to us as to whether or not what he told us to get our votes for NAFTA has in fact been occurring for the past 2 years. That is an annual certification as to environmental protection and as to worker standards in the state of Mexico as parties to the NAFTA agreement.

I urge our colleagues to sign as cosponsors when this bill is dropped tomorrow. We can move it quickly in September to get passage in this body and the other body.

TESTING SINCERITY ON WELFARE REFORM

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

Mr. DURBIN. Mr. Speaker, yesterday was a historic day. The passage of welfare reform is long overdue. If we listen to the speeches on this floor, we heard Member after Member stand up and say we need to put people to work. The first test of sincerity on those speeches will come today or tomorrow on the question of whether we raise the minimum wage in America.

Think about how many millions of Americans are struggling today at a minimum wage job trying to stay off welfare. The Republican leadership, Mr. GINGRICH and Mr. Dole, have both resisted our efforts to raise the minimum wage so people who are doing the personally responsible thing for their

families will receive a decent wage. Those coming off welfare because of reform need to have an opportunity to move to a job where they can make a living.

The first test of sincerity on the welfare reform bill is whether we will leave this week defying the Republican leadership, Mr. Dole and Mr. GINGRICH, and increase the minimum wage. If we fail to do that, the critics can just say that this welfare reform debate was political hot air.

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

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

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

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

There was no objection.

CONFERENCE REPORT ON H.R. 3754, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1997

Mr. PACKARD. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider the conference report to accompany the bill (H.R. 3754) making appropriations for the legislative branch for the fiscal year ending September 30, 1997, and for other purposes, that all points of order against the conference report and against its consideration be waived, and that the conference report be considered as read when called up.

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

There was no objection.

Mr. PACKARD. Mr. Speaker, pursuant to the order of the House of today, I call up the conference report on the bill (H.R. 3754) making appropriations for the legislative branch for the fiscal year ending September 30, 1997, and for other purposes.

The Clerk read the title of the bill.

GENERAL LEAVE

Mr. PACKARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report to accompany H.R. 3754 and that they may include tabular and extraneous material.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Wednesday, July 31, 1996, at page H9450).

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from California [Mr. PACKARD] and the gentleman from Arkansas [Mr. THORNTON] each will control 30 minutes.

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

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

This is the conference report on the legislative branch appropriations bill. It will cut from the 1996 program level over $22 million and will keep us on the glidepath to a balanced budget.

HIGHLIGHTS—H.R. 3754 CONFERENCE REPORT

CONTINUING PROGRAM OF OVERALL SAVINGS

$22.3 million below 1996 program level (budget authority); $48.6 million below in outlays.

Two-year reduction of $226 million in BA and $236 million in outlays.

Cut funding for 616 jobs in this bill; two year total of 1643 FTE'S=6.4 percent of legislative workforce.

House budget down by $45 million and House staff down by 854 FTE's over 96–97 period.

If entire Federal budget were reduced proportionately, Federal budget would show a $100 billion surplus (based on closed model extrapolation).

FRANKED MAIL REFORM

Make permanent law the 90-day before election ban on unsolicited mass mailings.

MOVING TOWARD CYBERCONGRESS

$211 million provided for operations and investments in computers and telecommunications—12.5 percent of entire legislative budget (Senate excluded).

Expanding public access through Internet to public laws, Congressional debate, Congressional schedule, and other legislative matter via THOMAS and GPO ACCESS.

Established a legislative branch-wide information system working group—under guidance of House Oversight Committee and Senate Rules Committee.

Directed a study of audio broadcasts of House proceedings.

STREAMLINING

Completing two-year program to downsize General Accounting Office by 25 percent.

Eliminated funding for jobs not being utilized by several agencies.

Converting permanent edition of bound Congressional Record, a 26 volume document, to CD–ROM: will expedite availability by at least 2 years, enhance the research capabilities of the document, and save over $1 million annually.

Converting Congressional Serial Set, a 60 volume document to CD–ROM: will expedite availability by several years, enhance its use as a research tool, and save over $1 million annually.

Clerk of the House will expand capability of House to use electronic formats for legislative documents to reduce printing and distribution costs.

Have deferred to authorizing Committees the Public Printer's plan to convert Federal Depository Program to electronic format.

INCREASING USE OF PRIVATE SECTOR

Outsourcing custodial work at Ford House Office Building; directed Architect to transfer affected staff to comparable jobs at comparable pay.

Conducting studies of other outsourcing possibilities at Power Plant, care and maintenance of other Congressional buildings.

Continue public-private sector collaboration on National Digital Library.

Public Printer to determine potential for privatizing GPO plant workload.

Looking for alternatives for operating the Botanic Garden.

CONFERENCE REPORT COMPARED TO HOUSE BILL

Added $1.1 million for the Capitol Police.

Added $244,000 for CBO.

Added $1 million for the Library of Congress to pay for a Management study.

Added $750,000 for a new backup power supply for the Library's computers.

$250,000 reduction for the Joint Economic Committee; conferees believe the need for this joint committee should be reviewed with the idea that it will be phased out in the future. In the meantime, funding continues at a reduced level.

General Provisions; the bill contains a provision that will bring greater standardization to legislative information processes.

The Capitol Police will be able to elect to use comp time in lieu of paid overtime.

There is a provision that will remove copyright prohibitions from reproduction and distribution of braille and other special materials for the blind and other readers with disabilities.

COMPARED TO 602(B)'S

$15 million below Budget Authority target.

$17 million below Outlay target.

CONFERENCE AGREEMENT COMPARED TO ITEMS IN ORIGINAL HOUSE BILL

The House bill sent to the Senate was $37.4 million below 1996 in BA and $52.5 million below in outlays.

The conference agreement is $34.4 million below in BA and $48.5 below in outlays.

FY 1997 LEGISLATIVE BRANCH APPROPRIATIONS ACT (H.R. 3754)

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - CONGRESSIONAL OPERATIONS						
SENATE						
Expense Allowances						
Expense allowances:						
Vice President	10,000	10,000	.....	10,000	10,000	.....
President Pro Tempore of the Senate	10,000	10,000	.....	10,000	10,000	.....
Majority Leader of the Senate	10,000	10,000	.....	10,000	10,000	.....
Minority Leader of the Senate	10,000	10,000	.....	10,000	10,000	.....
Majority Whip of the Senate	5,000	5,000	.....	5,000	5,000	.....
Minority Whip of the Senate	5,000	5,000	.....	5,000	5,000	.....
Chairman of the Majority Conference Committee	3,000	3,000	.....	3,000	3,000	.....
Chairman of the Minority Conference Committee	3,000	3,000	.....	3,000	3,000	.....
Subtotal, expense allowances	56,000	56,000	.....	56,000	56,000	.....
Representation allowances for the Majority and Minority Leaders	30,000	30,000	.....	30,000	30,000	.....
Total, Expense allowances and representation	86,000	86,000	.....	86,000	86,000	.....
Salaries, Officers and Employees						
Office of the Vice President	1,513,000	1,570,000	.....	1,513,000	1,513,000	.....
Office of the President Pro Tempore	325,000	325,000	.....	325,000	325,000	.....
Offices of the Majority and Minority Leaders	2,195,000	2,377,000	.....	2,195,000	2,195,000	.....
Offices of the Majority and Minority Whips	656,000	682,000	.....	1,156,000	1,156,000	+500,000
Conference committees	1,992,000	2,068,000	.....	1,992,000	1,992,000	.....
Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority	360,000	367,000	.....	384,000	384,000	+24,000
Policy Committees	1,930,000	2,002,000	.....	1,930,000	1,930,000	.....
Office of the Chaplain	192,000	234,000	.....	234,000	234,000	+42,000
Office of the Secretary	12,128,000	12,959,000	.....	12,714,000	12,714,000	+586,000
Office of the Sergeant at Arms and Doorkeeper	31,889,000	34,037,000	.....	34,037,000	34,037,000	+2,148,000
Offices of the Secretaries for the Majority and Minority	1,047,000	1,135,000	.....	1,135,000	1,135,000	+88,000
Agency contributions and related expenses	15,500,000	18,482,000	.....	17,000,000	17,000,000	+1,500,000
Total, salaries, officers and employees	69,727,000	76,238,000	.....	74,615,000	74,615,000	+4,888,000
Office of the Legislative Counsel of the Senate						
Salaries and expenses	3,381,000	3,447,000	.....	3,447,000	3,447,000	+66,000
Office of Senate Legal Counsel						
Salaries and expenses	936,000	960,000	.....	936,000	936,000	.....
Expense Allowances of the Secretary of the Senate, Sergeant at Arms and Doorkeeper of the Senate, and Secretaries for the Majority and Minority of the Senate: Expenses allowances	12,000	12,000	.....	12,000	12,000	.....
Contingent Expenses of the Senate						
Inquiries and investigations	66,395,000	70,561,000	.....	69,561,000	69,561,000	+3,166,000
Expenses of United States Senate Caucus on International Narcotics Control	305,000	.....	.....	305,000	305,000	.....
Secretary of the Senate	1,266,000	1,266,000	.....	1,511,000	1,511,000	+245,000
Sergeant at Arms and Doorkeeper of the Senate	61,347,000	65,931,000	.....	65,931,000	65,931,000	+4,584,000
Miscellaneous items	6,644,000	6,791,000	.....	6,791,000	6,791,000	+147,000
Senators' Official Personnel and Office Expense Account	204,029,000	226,825,000	.....	208,000,000	208,000,000	+3,971,000
Office of Senate Fair Employment Practices	778,000	.....	.....	.....	.....	-778,000
Settlements and Awards Reserve	1,000,000	1,000,000	.....	.....	.....	-1,000,000
Stationery (revolving fund)	13,000	13,000	.....	13,000	13,000	.....
Official Mail Costs						
Expenses	11,000,000	36,500,000	.....	10,000,000	10,000,000	-1,000,000
Total, contingent expenses of the Senate	352,777,000	408,887,000	.....	362,112,000	362,112,000	+9,335,000
Total, Senate	426,919,000	489,630,000	.....	441,208,000	441,208,000	+14,289,000

FY 1997 LEGISLATIVE BRANCH APPROPRIATIONS ACT (H.R. 3754)— continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
HOUSE OF REPRESENTATIVES						
Payments to Widows and Heirs of Deceased Members of Congress						
Gratuities, deceased Members	.....	.....	.....	.....	133,600	+133,600
Salaries and Expenses						
House Leadership Offices						
Office of the Speaker	1,478,000	1,621,000	1,535,000	1,535,000	1,535,000	+57,000
Office of the Majority Floor Leader	1,470,000	1,561,000	1,526,000	1,526,000	1,526,000	+56,000
Office of the Minority Floor Leader	1,480,000	1,574,000	1,534,000	1,534,000	1,534,000	+54,000
Office of the Majority Whip	928,000	976,000	957,000	957,000	957,000	+29,000
Office of the Minority Whip	918,000	963,000	949,000	949,000	949,000	+31,000
Speaker's Office for Legislative Floor Activities	376,000	385,000	376,000	376,000	376,000	.....
House Republican Steering Committee	664,000	681,000	664,000	664,000	664,000	.....
House Republican Conference	1,083,000	1,146,000	1,130,000	1,130,000	1,130,000	+47,000
House Democratic Steering and Policy Committee	1,181,000	1,211,000	1,191,000	1,191,000	1,191,000	+10,000
House Democratic Caucus	566,000	616,000	603,000	603,000	603,000	+37,000
Nine minority employees	1,127,000	1,155,000	1,127,000	1,127,000	1,127,000	.....
Subtotal, House Leadership Offices	11,271,000	11,889,000	11,592,000	11,592,000	11,592,000	+321,000
Members' Representational Allowances						
Expenses	360,503,000	398,898,000	363,313,000	363,313,000	363,313,000	+2,810,000
Committee Employees						
Standing Committees, Special and Select (except Appropriations)	78,629,000	80,524,000	80,222,000	80,222,000	80,222,000	+1,593,000
Committee on Appropriations (including studies and investigations)	16,945,000	18,430,000	17,580,000	17,580,000	17,580,000	+635,000
Subtotal, Committee employees	95,574,000	98,954,000	97,802,000	97,802,000	97,802,000	+2,228,000
Salaries, Officers and Employees						
Office of the Clerk	13,807,000	15,370,000	15,074,000	15,074,000	15,074,000	+1,267,000
Office of the Sergeant at Arms	3,410,000	3,889,000	3,638,000	3,638,000	3,638,000	+228,000
Office of the Chief Administrative Officer	53,556,000	70,464,000	55,209,000	55,209,000	55,209,000	+1,653,000
Office of Inspector General	3,954,000	4,048,000	3,954,000	3,954,000	3,954,000	.....
Office of Compliance	858,000	.....	.....	.....	.....	-858,000
Transfer to new Office of Compliance	-500,000	.....	.....	.....	.....	+500,000
Office of the Chaplain	126,000	126,000	126,000	126,000	126,000	.....
Office of the Parliamentarian	1,180,000	1,036,000	1,036,000	1,036,000	1,036,000	-144,000
Office of the Parliamentarian	(775,000)	(713,000)	(713,000)	(713,000)	(713,000)	(-62,000)
Compilation of precedents of the House of Representatives	(405,000)	(323,000)	(323,000)	(323,000)	(323,000)	(-82,000)
Office of the Law Revision Counsel of the House	1,700,000	1,817,000	1,767,000	1,767,000	1,767,000	+67,000
Office of the Legislative Counsel of the House	4,524,000	4,763,000	4,687,000	4,687,000	4,687,000	+163,000
Other authorized employees	837,000	1,000,000	768,000	768,000	768,000	-69,000
Former Speakers	(666,000)	(825,000)	(594,000)	(594,000)	(594,000)	(-72,000)
Technical Assistants, Office of the Attending Physician	(171,000)	(175,000)	(174,000)	(174,000)	(174,000)	(+3,000)
Subtotal, Salaries, Officers and Employees	83,452,000	102,515,000	86,259,000	86,259,000	86,259,000	+2,807,000
Allowances and Expenses						
Supplies, materials, administrative costs and Federal tort claims	994,000	2,301,000	2,374,000	2,374,000	2,374,000	+1,380,000
Official mail (committees, leadership, administrative and legislative offices)	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	.....
Reemployed annuitants reimbursements	68,000	71,000	71,000	71,000	71,000	+3,000
Government contributions	117,541,000	122,508,000	120,779,000	120,779,000	120,779,000	+3,238,000
Miscellaneous items	658,000	641,000	641,000	641,000	641,000	-17,000
Subtotal, Allowances and expenses	120,261,000	126,521,000	124,865,000	124,865,000	124,865,000	+4,604,000
Total, House of Representatives	671,061,000	738,777,000	683,831,000	683,831,000	683,964,600	+12,903,600

FY 1997 LEGISLATIVE BRANCH APPROPRIATIONS ACT (H.R. 3754)— continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
JOINT ITEMS						
Joint Committee on Inaugural Ceremonies of 1997	.....	950,000	950,000	950,000	950,000	+950,000
Joint Economic Committee	3,000,000	3,000,000	3,000,000	750,000	2,750,000	-250,000
Joint Committee on Printing	750,000	777,000	777,000	777,000	777,000	+27,000
Joint Committee on Taxation	5,116,000	7,716,000	5,470,000	5,470,000	5,470,000	+354,000
Office of the Attending Physician						
Medical supplies, equipment, expenses, and allowances	1,260,000	1,225,000	1,225,000	1,225,000	1,225,000	-35,000
Capitol Police Board						
Capitol Police						
Salaries:						
Sergeant at Arms of the House of Representatives	34,213,000	37,286,000	32,927,000	34,213,000	33,437,000	-776,000
Sergeant at Arms and Doorkeeper of the Senate	35,919,000	39,108,000	35,465,000	35,919,000	35,919,000	.....
Subtotal, salaries	70,132,000	76,394,000	68,392,000	70,132,000	69,356,000	-776,000
General expenses	2,560,000	7,606,000	2,685,000	2,880,000	2,782,000	+222,000
Subtotal, Capitol Police	72,692,000	84,000,000	71,077,000	73,012,000	72,138,000	-554,000
Capitol Guide Service and Special Services Office	1,991,000	1,991,000	1,991,000	1,991,000	1,991,000	.....
Statements of Appropriations	30,000	30,000	30,000	30,000	30,000	.....
Total, Joint items	84,839,000	99,689,000	84,520,000	84,205,000	85,331,000	+492,000
OFFICE OF COMPLIANCE						
Salaries and expenses	2,000,000	3,268,000	2,609,000	2,609,000	2,609,000	+609,000
Transfer from House of Rep. Office of Compliance	500,000	.....	.....	.....	.....	-500,000
Total, Office of Compliance	2,500,000	3,268,000	2,609,000	2,609,000	2,609,000	+109,000
OFFICE OF TECHNOLOGY ASSESSMENT						
Salaries and expenses	3,615,000	.....	.....	.....	.....	-3,615,000
Reappropriation	2,500,000	.....	.....	.....	.....	-2,500,000
Total, Office of Technology Assessment	6,115,000	.....	.....	.....	.....	-6,115,000
CONGRESSIONAL BUDGET OFFICE						
Salaries and expenses	24,288,000	24,775,000	24,288,000	24,775,000	24,532,000	+244,000
ARCHITECT OF THE CAPITOL						
Office of the Architect of the Capitol						
Salaries	8,569,000	8,714,000	8,454,000	8,454,000	8,454,000	-115,000
Travel (limitation on official travel expenses)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	.....
Contingent expenses	100,000	100,000	100,000	100,000	100,000	.....
Subtotal, Office of the Architect of the Capitol	8,669,000	8,814,000	8,554,000	8,554,000	8,554,000	-115,000
Capitol Buildings and Grounds						
Capitol buildings	22,882,000	23,679,000	23,255,000	23,555,000	23,255,000	+373,000
Capitol grounds	5,143,000	5,020,000	5,020,000	5,020,000	5,020,000	-123,000
Senate office buildings	41,757,000	39,640,000	.....	39,640,000	39,640,000	-2,117,000
House office buildings	33,001,000	32,556,000	32,556,000	32,556,000	32,556,000	-445,000
Capitol Power Plant	35,518,000	34,749,000	34,749,000	34,749,000	34,749,000	-769,000
Offsetting collections	-4,000,000	-4,000,000	-4,000,000	-4,000,000	-4,000,000	.....
Net subtotal, Capitol Power Plant	31,518,000	30,749,000	30,749,000	30,749,000	30,749,000	-769,000
Subtotal, Capitol buildings and grounds	134,301,000	131,644,000	91,580,000	131,520,000	131,220,000	-3,081,000
Total, Architect of the Capitol	142,970,000	140,458,000	100,134,000	140,074,000	139,774,000	-3,196,000
LIBRARY OF CONGRESS						
Congressional Research Service						
Salaries and expenses	60,084,000	63,056,000	62,641,000	62,641,000	62,641,000	+2,557,000
GOVERNMENT PRINTING OFFICE						
Congressional printing and binding	83,770,000	83,770,000	81,669,000	81,669,000	81,669,000	-2,101,000
Total, title I, Congressional Operations	1,502,546,000	1,643,423,000	1,039,692,000	1,521,012,000	1,521,728,600	+19,182,600

FY 1997 LEGISLATIVE BRANCH APPROPRIATIONS ACT (H.R. 3754)— continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE II - OTHER AGENCIES						
BOTANIC GARDEN						
Salaries and expenses	3,053,000	2,902,000	2,902,000	2,902,000	2,902,000	-151,000
LIBRARY OF CONGRESS						
Salaries and expenses	211,664,000	226,235,000	215,007,000	216,007,000	216,007,000	+4,343,000
Authority to spend receipts	-7,869,000	-7,869,000	-7,869,000	-7,869,000	-7,869,000	.....
Net subtotal, Salaries and expenses	203,795,000	218,366,000	207,138,000	208,138,000	208,138,000	+4,343,000
Copyright Office, salaries and expenses	30,818,000	34,566,000	33,402,000	33,402,000	33,402,000	+2,584,000
Authority to spend receipts	-19,830,000	-22,278,000	-22,269,000	-22,269,000	-22,269,000	-2,439,000
Net subtotal, Copyright Office	10,988,000	12,288,000	11,133,000	11,133,000	11,133,000	+145,000
Books for the blind and physically handicapped, salaries and expenses	44,951,000	46,057,000	44,964,000	44,964,000	44,964,000	+13,000
Furniture and furnishings	4,882,000	4,882,000	4,882,000	4,882,000	4,882,000	.....
Total, Library of Congress (except CRS)	264,616,000	281,593,000	268,117,000	269,117,000	269,117,000	+4,501,000
ARCHITECT OF THE CAPITOL						
Library Buildings and Grounds						
Structural and mechanical care	12,428,000	9,003,000	9,003,000	10,453,000	9,753,000	-2,675,000
GOVERNMENT PRINTING OFFICE						
Office of Superintendent of Documents						
Salaries and expenses	30,307,000	30,827,000	29,077,000	29,077,000	29,077,000	-1,230,000
GENERAL ACCOUNTING OFFICE						
Salaries and expenses	382,806,000	377,773,000	338,425,000	338,425,000	338,425,000	-44,381,000
Offsetting collections	-8,400,000	-6,100,000	-5,905,000	-5,905,000	-5,905,000	+2,495,000
Total, General Accounting Office	374,406,000	371,673,000	332,520,000	332,520,000	332,520,000	-41,886,000
Total, title II, Other agencies	684,810,000	695,998,000	641,619,000	644,069,000	643,369,000	-41,441,000
Grand total	2,187,356,000	2,339,421,000	1,681,311,000	2,165,081,000	2,165,097,600	-22,258,400
TITLE I - CONGRESSIONAL OPERATIONS						
Senate	426,919,000	489,630,000	.....	441,208,000	441,208,000	+14,289,000
House of Representatives	671,061,000	738,777,000	683,831,000	683,831,000	683,964,600	+12,903,600
Joint Items	84,839,000	99,689,000	84,520,000	84,205,000	85,331,000	+492,000
Office of Compliance	2,500,000	3,268,000	2,609,000	2,609,000	2,609,000	+109,000
Office of Technology Assessment	6,115,000	.....	.....	.....	.....	-6,115,000
Congressional Budget Office	24,288,000	24,775,000	24,288,000	24,775,000	24,532,000	+244,000
Architect of the Capitol	142,970,000	140,458,000	100,134,000	140,074,000	139,774,000	-3,196,000
Library of Congress: Congressional Research Service	60,084,000	63,056,000	62,641,000	62,641,000	62,641,000	+2,557,000
Congressional printing and binding, Government Printing Office	83,770,000	83,770,000	81,669,000	81,669,000	81,669,000	-2,101,000
Total, title I, Congressional operations	1,502,546,000	1,643,423,000	1,039,692,000	1,521,012,000	1,521,728,600	+19,182,600
TITLE II - OTHER AGENCIES						
Botanic Garden	3,053,000	2,902,000	2,902,000	2,902,000	2,902,000	-151,000
Library of Congress (except CRS)	264,616,000	281,593,000	268,117,000	269,117,000	269,117,000	+4,501,000
Architect of the Capitol (Library buildings and grounds)	12,428,000	9,003,000	9,003,000	10,453,000	9,753,000	-2,675,000
Government Printing Office (except congressional printing and binding)	30,307,000	30,827,000	29,077,000	29,077,000	29,077,000	-1,230,000
General Accounting Office	374,406,000	371,673,000	332,520,000	332,520,000	332,520,000	-41,886,000
Total, title II, Other agencies	684,810,000	695,998,000	641,619,000	644,069,000	643,369,000	-41,441,000
Grand total	2,187,356,000	2,339,421,000	1,681,311,000	2,165,081,000	2,165,097,600	-22,258,400

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

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

I rise to express my appreciation to the conference for following the instructions of this House and instructing action on the conference report and to commend the chairman, the gentleman from California [Mr. PACKARD], for his efforts.

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

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

Pursuant to clause 5 of rule I, further proceedings on the conference report will be postponed.

CONFERENCE REPORT ON H.R. 3603, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider a conference report to accompany the bill (H.R. 3603) making appropriations for Agriculture, Rural Development, Food and Drug Administration and Related Agencies programs for the fiscal year ending September 30, 1997, and for other purposes, that all points of order against the conference report and against its consideration be waived, and that the conference report be considered as read when called up.

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

There was no objection.

Mr. SKEEN. Mr. Speaker, pursuant to the order of the House of today, I call up the conference report on the bill (H.R. 3603) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1997, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Tuesday, July 30, 1996, at page H9368.)

The SPEAKER pro tempore. The gentleman from New Mexico [Mr. SKEEN] and the gentleman from Illinois [Mr. DURBIN] each will control 30 minutes.

The Chair recognizes the gentleman from New Mexico [Mr. SKEEN].

GENERAL LEAVE

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report to accompany H.R. 3603, and that they may include tabular and extraneous material.

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

There was no objection.

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

I will be brief and ask that my formal remarks be inserted in the RECORD. This conference report is almost the same as the bill that passed the House on June 12.

Mr. Speaker, this conference agreement has programs that benefit every one of our constituents and their lives every day no matter where they live or what they do. I respectfully ask that we get an ''aye'' vote on the conference agreement on H.R. 3603.

Mr. Speaker, I am pleased to present to you today the conference agreement for H.R. 3603, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for fiscal year 1997.

This is a solid bipartisan bill which advances both the goals of budget reduction and the support of a large number of programs important to the health and safety of the American people.

Going into conference with the Senate, our bills were $316 million apart in discretionary spending, with the House having the lower mark. The leadership of both committees split the difference, giving the House an additional $158 million.

This conference agreement is essentially the same as the bill that passed the House on June 12. The additional money added in the conference has gone almost entirely for rural development, research and education programs all of which have high priority and long-term benefits.

I want to emphasize, Mr. Speaker, that this agreement is right on our required spending targets. Discretionary spending is at $12.96 billion which is $350 million less than fiscal year 1996. Mandatory spending is at $39.9 billion which is $9.9 billion less than the current year. Total spending in the bill is $52.8 billion which is $10.2 billion less than the current year and $5.6 billion below the administration request.

Mr. Speaker and Members of the House, this agreement supports programs which benefit every one of your constituents every day, no matter if they live in rural America, the suburbs or in our great cities.

It supports the food stamp program, the Women, Infants and Children feeding program, school lunch, school breakfast, elderly feeding programs, and other essential services.

Our rural development funding brings clean water, affordable housing, jobs, and economic growth to rural America.

Our research programs support the finest and most efficient agricultural system in the world. This system not only delivers an abundance of food to the American consumer but this year it creates a more than $30 billion trade surplus in agricultural products, meaning jobs in the food processing, transportation and service industries in every State.

This conference report also supports the Food and Drug Administration and the food safety and inspection service which protect our supply of food, medicines and medical devices. I want to point out, Mr. Chairman, that this agreement fully funds the food safety and inspection service as it launches the most comprehensive change ever in our Federal meat and poultry inspection system.

Mr. Speaker, I do want to point out one matter than I know is of concern to a number of Members and that is the formula grants to 1890's colleges and Tuskegee University. For the fiscal year 1997, cuts were made in extension grants using an across-the-board formula with last year's grants as a base. There was an error in the calculation of the grant formula for 1890's colleges and Tuskegee University. I have discussed this with representatives of these institutions and I want to assure them and my colleagues that I will work to correct this error at the first opportunity.

Finally, Mr. Speaker, I mentioned at the start that this is a bipartisan effort and I want to point out that the distinguished ranking member of the subcommittee, Mr. DURBIN, successfully added a package of reforms to the rural housing programs which have been needed for quite some time. These reforms are not only good for rural Americans in need of housing but they are good for the taxpayer as well.

Mr. Speaker, I thank you and your colleagues for the opportunity to appear before you here today. I believe this will be the first domestic conference report to clear the Congress. On behalf of the Agriculture Appropriations Subcommittee, I respectfully ask for the support of all my colleagues in the House. Vote ''yes'' on the conference report for H.R. 3603.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3603)

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - AGRICULTURAL PROGRAMS						
Production, Processing, and Marketing						
Office of the Secretary	10,227,000	10,336,000	2,836,000	2,836,000	2,836,000	-7,391,000
Executive Operations:						
Chief Economist	3,948,000	4,292,000	4,231,000	4,231,000	4,231,000	+283,000
National Appeals Division	11,846,000	13,363,000	11,718,000	11,718,000	11,718,000	-128,000
Office of Budget and Program Analysis	5,899,000	5,986,000	5,986,000	5,986,000	5,986,000	+87,000
Office of Small and Disadvantaged Business Utilization	.....	804,000	.....	.....	.....	.....
Total, Executive Operations	21,693,000	24,445,000	21,935,000	21,935,000	21,935,000	+242,000
Chief Financial Officer	4,133,000	4,437,000	4,283,000	4,283,000	4,283,000	+150,000
Office of the Assistant Secretary for Administration	596,000	613,000	613,000	613,000	613,000	+17,000
Agriculture buildings and facilities (USDA)	135,774,000	149,635,000	125,548,000	144,053,400	144,053,000	+8,279,000
Payments to GSA	(89,971,000)	(103,754,000)	(103,754,000)	(103,754,000)	(103,754,000)	(+13,783,000)
Building operations and maintenance	(20,216,000)	(20,294,000)	(16,794,000)	(16,794,000)	(16,794,000)	(-3,422,000)
Repairs, renovations, and construction	(25,587,000)	(25,587,000)	(5,000,000)	(23,505,400)	(23,505,000)	(-2,082,000)
Advisory committees (USDA)	650,000	856,000	.....	.....	.....	-650,000
Hazardous waste management	15,700,000	15,700,000	15,700,000	15,700,000	15,700,000	.....
Departmental administration	27,986,000	29,137,000	28,304,000	30,529,000	30,529,000	+2,543,000
Office of the Assistant Secretary for Congressional Relations	3,797,000	3,842,000	3,728,000	3,668,000	3,668,000	-129,000
Office of Communications	8,198,000	8,317,000	8,138,000	8,138,000	8,138,000	-60,000
Office of the Inspector General	63,639,000	64,523,000	63,028,000	63,028,000	63,028,000	-611,000
Office of the General Counsel	27,860,000	29,249,000	27,749,000	27,749,000	27,749,000	-111,000
Office of the Under Secretary for Research, Education and Economics	520,000	540,000	540,000	540,000	540,000	+20,000
Economic Research Service	53,131,000	54,947,000	54,176,000	53,109,000	53,109,000	-22,000
National Agricultural Statistics Service	81,107,000	102,624,000	100,221,000	98,121,000	100,221,000	+19,114,000
Agricultural Research Service	710,000,000	728,853,000	702,831,000	722,839,600	716,826,000	+6,826,000
Buildings and facilities	30,200,000	80,100,000	59,600,000	59,200,000	69,100,000	+38,900,000
Total, Agricultural Research Service	740,200,000	808,953,000	762,431,000	782,039,600	785,926,000	+45,726,000
Cooperative State Research, Education, and Extension Service:						
Research and education activities	421,929,000	418,572,000	411,849,000	419,370,000	421,504,000	-425,000
Native Americans Institutions Endowment Fund	(4,600,000)	(4,600,000)	(4,600,000)	(4,600,000)	(4,600,000)	.....
Buildings and facilities	57,838,000	.....	30,449,000	55,668,000	61,591,000	+3,753,000
Extension Activities	427,750,000	423,488,000	409,670,000	431,122,000	425,520,000	-2,230,000
Total, Cooperative State Research, Education, and Extension Service	907,517,000	842,060,000	851,968,000	906,160,000	908,615,000	+1,098,000
Office of the Assistant Secretary for Marketing and Regulatory Programs	605,000	618,000	618,000	618,000	618,000	+13,000
Animal and Plant Health Inspection Service:						
Salaries and expenses	431,921,000	439,033,000	435,428,000	432,103,000	434,909,000	+2,988,000
AQI user fees 1/	(100,254,000)	(100,000,000)	(98,000,000)	(98,000,000)	(98,000,000)	(-2,254,000)
Buildings and facilities	8,757,000	3,200,000	3,200,000	3,200,000	3,200,000	-5,557,000
Total, Animal and Plant Health Inspection Service	440,678,000	442,233,000	438,628,000	435,303,000	438,109,000	-2,569,000
Agricultural Marketing Service:						
Marketing Services	46,517,000	48,311,000	37,592,000	46,767,000	38,507,000	-8,010,000
New user fees	(3,887,000)	.....	(3,887,000)	(3,887,000)	(3,887,000)	.....
(Limitation on administrative expenses, from fees collected)	(58,461,000)	(59,012,000)	(59,012,000)	(59,012,000)	(59,012,000)	(+551,000)
Funds for strengthening markets, income, and supply (transfer from section 32)	10,451,000	10,576,000	10,576,000	10,576,000	10,576,000	+125,000
Payments to states and possessions	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	.....
Total, Agricultural Marketing Service	58,168,000	60,087,000	49,368,000	58,543,000	50,283,000	-7,885,000
Grain Inspection, Packers and Stockyards Administration	23,058,000	24,595,000	22,728,000	23,928,000	23,128,000	+70,000
Inspection and Weighing Services (limitation on administrative expenses, from fees collected)	(42,784,000)	(43,207,000)	(43,207,000)	(43,207,000)	(43,207,000)	(+423,000)
Office of the Under Secretary for Food Safety	440,000	576,000	446,000	446,000	446,000	+6,000
Food Safety and Inspection Service	544,906,000	574,000,000	574,000,000	557,697,000	574,000,000	+29,094,000
Lab accreditation fees 2/	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	.....
Total, Production, Processing, and Marketing	3,170,583,000	3,252,323,000	3,156,986,000	3,239,037,000	3,257,527,000	+86,944,000
Farm Assistance Programs						
Office of the Under Secretary for Farm and Foreign Agricultural Services	549,000	572,000	572,000	572,000	572,000	+23,000
Farm Service Agency:						
Salaries and expenses	795,000,000	820,495,000	746,440,000	725,000,000	746,440,000	-48,560,000
(Transfer from export loans)	(589,000)	(623,000)	(589,000)	(589,000)	(589,000)	.....
(Transfer from P.L. 480)	(745,000)	(783,000)	(745,000)	(783,000)	(745,000)	.....
(Transfer from ACIF)	(208,446,000)	(209,485,000)	(208,446,000)	(208,446,000)	(208,446,000)	.....
Total, salaries and expenses	(1,004,780,000)	(1,031,386,000)	(956,220,000)	(934,818,000)	(956,220,000)	(-48,560,000)

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3603) — continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
State mediation grants	2,000,000	3,000,000	.....	2,000,000	2,000,000	.....
Dairy indemnity program	100,000	100,000	100,000	100,000	100,000	.....
Outreach for socially disadvantaged farmers and ranchers	1,000,000	3,000,000	1,000,000	1,000,000	1,000,000	.....
Total, Farm Service Agency	798,100,000	826,595,000	747,540,000	728,100,000	749,540,000	-48,560,000
Agricultural Credit Insurance Fund Program Account:						
Loan authorizations:						
Farm ownership loans:						
Direct	(60,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(-10,000,000)
Guaranteed	(550,000,000)	(650,000,000)	(550,000,000)	(550,000,000)	(550,000,000)	.....
Subtotal	(610,000,000)	(700,000,000)	(600,000,000)	(600,000,000)	(600,000,000)	(-10,000,000)
Operating loans:						
Direct	(550,000,000)	(445,071,000)	(445,071,000)	(445,071,000)	(445,071,000)	(-104,929,000)
Guaranteed unsubsidized	(1,700,000,000)	(1,750,000,000)	(1,700,000,000)	(1,700,000,000)	(1,700,000,000)	.....
Guaranteed subsidized	(200,000,000)	(250,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	.....
Subtotal	(2,450,000,000)	(2,445,071,000)	(2,345,071,000)	(2,345,071,000)	(2,345,071,000)	(-104,929,000)
Indian tribe land acquisition loans	(750,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(+250,000)
Emergency disaster loans	(100,000,000)	.....	(25,000,000)	(75,000,000)	(25,000,000)	(-75,000,000)
Boll weevil Loans	.....	.....	.....	(15,384,000)	(34,653,000)	(+34,653,000)
Credit sales of acquired property	.....	(50,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(+25,000,000)
Total, Loan authorizations	(3,160,750,000)	(3,196,071,000)	(2,996,071,000)	(3,061,455,000)	(3,030,724,000)	(-130,026,000)
Loan subsidies:						
Farm ownership:						
Direct	14,034,000	5,920,000	5,920,000	5,920,000	5,920,000	-8,114,000
Guaranteed	20,019,000	26,065,000	22,055,000	22,055,000	22,055,000	+2,036,000
Subtotal	34,053,000	31,985,000	27,975,000	27,975,000	27,975,000	-6,078,000
Farm operating:						
Direct	75,185,000	59,150,000	59,150,000	59,150,000	59,150,000	-16,035,000
Guaranteed unsubsidized	18,360,000	19,775,000	19,210,000	19,210,000	19,210,000	+850,000
Guaranteed subsidized	17,960,000	23,100,000	18,480,000	18,480,000	18,480,000	+520,000
Subtotal	111,505,000	102,025,000	96,840,000	96,840,000	96,840,000	-14,665,000
Indian tribe land acquisition	206,000	54,000	54,000	54,000	54,000	-152,000
Emergency disaster	32,080,000	.....	6,365,000	19,095,000	6,365,000	-25,715,000
Boll weevil loans subsidy	.....	.....	.....	2,000,000	499,000	+499,000
Credit sales of acquired property	.....	5,060,000	2,530,000	2,530,000	2,530,000	+2,530,000
Total, Loan subsidies	177,844,000	139,124,000	133,764,000	148,494,000	134,263,000	-43,581,000
ACIF expenses:						
Salaries and expenses	208,935,000	209,485,000	208,446,000	208,446,000	208,446,000	-489,000
Administrative expenses	12,606,000	12,606,000	12,600,000	12,600,000	12,600,000	-6,000
Total, ACIF expenses	221,541,000	222,091,000	221,046,000	221,046,000	221,046,000	-495,000
Total, Agricultural Credit Insurance Fund	399,385,000	361,215,000	354,810,000	369,540,000	355,309,000	-44,076,000
(Loan authorization)	(3,160,750,000)	(3,196,071,000)	(2,996,071,000)	(3,061,455,000)	(3,030,724,000)	(-130,026,000)
Office of Risk Management	.....	.....	62,198,000	70,000,000	64,000,000	+64,000,000
Total, Farm Assistance Programs	1,198,034,000	1,188,382,000	1,165,120,000	1,168,212,000	1,169,421,000	-28,613,000
Corporations						
Federal Crop Insurance Corporation:						
Federal crop insurance corporation fund	1,263,708,000	1,591,000,000	1,591,000,000	1,591,000,000	1,591,000,000	+327,292,000
Commodity Credit Corporation Fund:						
Reimbursement for net realized losses	10,400,000,000	1,500,000,000	1,500,000,000	1,500,000,000	1,500,000,000	-8,900,000,000
Hazardous waste (limitation on administrative expenses)	(5,000,000)	(15,750,000)	(5,000,000)	(5,000,000)	(5,000,000)	.....
Total, Corporations	11,663,708,000	3,091,000,000	3,091,000,000	3,091,000,000	3,091,000,000	-8,572,708,000
Total, title I, Agricultural Programs	16,032,325,000	7,531,705,000	7,413,106,000	7,498,249,000	7,517,948,000	-8,514,377,000
(By transfer)	(209,780,000)	(210,891,000)	(209,780,000)	(209,818,000)	(209,780,000)	.....
(Loan authorization)	(3,160,750,000)	(3,196,071,000)	(2,996,071,000)	(3,061,455,000)	(3,030,724,000)	(-130,026,000)
(Limitation on administrative expenses)	(106,245,000)	(117,969,000)	(107,219,000)	(107,219,000)	(107,219,000)	(+974,000)
TITLE II - CONSERVATION PROGRAMS						
Office of the Under Secretary for Natural Resources and Environment	677,000	693,000	693,000	693,000	693,000	+16,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3603) — continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
Natural Resources Conservation Service:						
Conservation operations	629,986,000	662,910,000	619,392,000	638,954,000	619,742,000	-10,244,000
Watershed surveys and planning	14,000,000	19,188,000	10,762,000	14,000,000	12,381,000	-1,619,000
Watershed and flood prevention operations	100,000,000	116,036,000	101,036,000	101,036,000	101,036,000	+1,036,000
Emergency appropriations (P.L. 104-134)	80,514,000					-80,514,000
Resource conservation and development	29,000,000	29,377,000	29,377,000	29,377,000	29,377,000	+377,000
Forestry incentives program	6,325,000	6,325,000	6,325,000	6,325,000	6,325,000	
Colorado River Basin salinity control program	2,681,000					-2,681,000
Wetlands reserve program	77,000,000	188,000,000				-77,000,000
National Natural Resources Conservation Service Foundation		500,000				
Total, Natural Resources Conservation Service	939,506,000	1,022,336,000	766,892,000	789,692,000	768,861,000	-170,645,000
Farm Service Agency:						
Agricultural conservation program	75,000,000					-75,000,000
Water quality incentives program	(11,000,000)	(15,000,000)				(-11,000,000)
Conservation reserve program	1,781,785,000	1,924,850,000				-1,781,785,000
Emergency appropriations (P.L. 104-134)	30,000,000					-30,000,000
Total, Farm Service Agency	1,886,785,000	1,924,850,000				-1,886,785,000
Total, title II, Conservation Programs	2,826,968,000	2,947,879,000	767,585,000	790,385,000	769,554,000	-2,057,414,000
TITLE III - RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS						
Office of the Under Secretary for Rural Development	568,000	588,000	588,000	588,000	588,000	+20,000
Rural Housing Service:						
Rural Housing Insurance Fund Program Account:						
Loan authorizations:						
Low-income housing (sec. 502)	(1,000,000,000)	(1,320,000,000)	(1,000,000,000)	(1,000,000,000)	(1,000,000,000)	
Unsubsidized guaranteed	(1,700,000,000)	(2,300,000,000)	(2,300,000,000)	(2,300,000,000)	(2,300,000,000)	(+600,000,000)
Housing repair (sec. 504)	(35,000,000)	(35,000,000)	(35,000,000)	(35,000,000)	(35,000,000)	
Farm labor (sec. 514)	(15,000,000)	(16,482,000)	(15,000,000)	(15,000,000)	(15,000,000)	
Rental housing (sec. 515)	(150,000,000)	(58,654,000)	(58,654,000)	(58,654,000)	(58,654,000)	(-91,346,000)
Site loans (sec. 524)	(600,000)	(600,000)	(600,000)	(600,000)	(600,000)	
Self-help housing land development fund	(603,000)	(600,000)	(600,000)	(600,000)	(600,000)	(-3,000)
Credit sales of acquired property		(75,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(+50,000,000)
Emergency appropriations (P.L. 104-134)	(38,960,000)					(-38,960,000)
Total, Loan authorizations	(2,940,163,000)	(3,806,336,000)	(3,459,854,000)	(3,459,854,000)	(3,459,854,000)	(+519,691,000)
Loan subsidies:						
Single family (sec. 502):						
Direct	145,833,000	109,560,000	83,000,000	83,000,000	83,000,000	-62,833,000
Unsubsidized guaranteed	2,890,000	6,210,000	6,210,000	6,210,000	6,210,000	+3,320,000
Housing repair (sec. 504)	14,193,000	11,081,000	11,081,000	11,081,000	11,081,000	-3,112,000
Farm labor (sec. 514)	8,629,000	7,565,000	6,885,000	6,885,000	6,885,000	-1,744,000
Rental housing (sec. 515):						
Direct	82,035,000	28,987,000	28,987,000	28,987,000	28,987,000	-53,048,000
Unsubsidized guaranteed	(1,000,000)		(1,000,000)	(1,000,000)	(1,000,000)	
Self-help housing land development fund	31,000	17,000	17,000	17,000	17,000	-14,000
Credit sales of acquired property		6,098,000	4,050,000	4,050,000	4,050,000	+4,050,000
Emergency appropriations (P.L. 104-134)	6,500,000					-6,500,000
Total, Loan subsidies	260,111,000	169,518,000	140,230,000	140,230,000	140,230,000	-119,881,000
RHIF administrative expenses	385,889,000	366,205,000	366,205,000	366,205,000	366,205,000	-19,684,000
Rental assistance program:						
(Sec. 521)	535,000,000	487,970,000	487,970,000	487,970,000	487,970,000	-47,030,000
(Sec. 502(c)(5)(D))	5,900,000	5,900,000	5,900,000	5,900,000	5,900,000	
Total, Rental assistance program	540,900,000	493,870,000	493,870,000	493,870,000	493,870,000	-47,030,000
Total, Rural Housing Insurance Fund	1,186,900,000	1,029,593,000	1,000,305,000	1,000,305,000	1,000,305,000	-186,595,000
(Loan authorization)	(2,940,163,000)	(3,806,336,000)	(3,459,854,000)	(3,459,854,000)	(3,459,854,000)	(+519,691,000)
Community Facility Loans Program Account:						
Loan authorizations:						
Direct	(200,000,000)					(-200,000,000)
Guaranteed	(75,000,000)					(-75,000,000)
Total, Loan authorizations	(275,000,000)					(-275,000,000)
Loan subsidies:						
Direct	34,880,000					-34,880,000
Guaranteed	3,555,000					-3,555,000
Total, Loan subsidies	38,435,000					-38,435,000
Administrative expenses	8,836,000					-8,836,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3603) — continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
Very low-income housing repair grants	24,900,000	24,900,000				-24,900,000
Emergency appropriations (P.L. 104-134)	1,100,000					-1,100,000
Rural housing for domestic farm labor	10,000,000	10,000,000				-10,000,000
Mutual and self-help housing grants	12,650,000	26,000,000	26,000,000	26,000,000	26,000,000	+13,350,000
Rural community fire protection grants	2,000,000					-2,000,000
Compensation for construction defects	495,000					-495,000
Rural housing preservation grants	11,000,000	11,000,000				-11,000,000
Rural housing assistance program 3/		136,435,000	73,190,000	136,435,000	130,433,000	+130,433,000
Subtotal, grants and payments	62,145,000	208,335,000	99,190,000	162,435,000	156,433,000	+94,288,000
RHS expenses:						
Administrative expenses	46,583,000	89,660,000	53,889,000	66,354,000	60,743,000	+14,160,000
(Transfer from RHIF)	(377,074,000)	(366,205,000)	(366,205,000)	(366,205,000)	(366,205,000)	(-10,869,000)
(Transfer from ACIF)	(171,000)					(-171,000)
(Transfer from CFLP)	(8,731,000)					(-8,731,000)
Total, RHS expenses	(432,559,000)	(455,865,000)	(420,094,000)	(432,559,000)	(426,948,000)	(-5,611,000)
Total, Rural Housing Service	1,342,899,000	1,327,588,000	1,153,384,000	1,229,094,000	1,217,481,000	-125,418,000
(Loan authorization)	(3,215,163,000)	(3,806,336,000)	(3,459,854,000)	(3,459,854,000)	(3,459,854,000)	(+244,691,000)
Rural Business-Cooperative Service:						
Rural Business and Industry Loans Program Account:						
Loan authorization: Guaranteed	(500,000,000)					(-500,000,000)
Loan subsidy: Guaranteed	6,437,000					-6,437,000
Administrative expenses	14,868,000					-14,868,000
Rural Development Loan Fund Program Account:						
(Loan authorization)	(37,544,000)	(80,000,000)	(40,000,000)	(37,544,000)	(37,544,000)	
Loan subsidy	22,395,000	36,928,000	18,400,000	17,270,000	17,270,000	-5,125,000
Administrative expenses	1,476,000					-1,476,000
Rural Economic Development Loans Program Account:						
Direct loans (limitation on obligations)	(12,865,000)	(14,000,000)	(12,865,000)	(12,865,000)	(12,865,000)	
Direct subsidy	3,729,000	3,095,000	2,830,000	2,830,000	2,830,000	-899,000
Administrative expenses	654,000	699,000	654,000	654,000	654,000	
Alternative Agricultural Research and Commercialization Revolving Fund	6,500,000	6,975,000	6,000,000	10,000,000	7,000,000	+500,000
Rural business enterprise grants	45,000,000					-45,000,000
Appropriate technology transfer for rural areas	2,300,000	1,300,000				-2,300,000
Rural business-cooperative assistance 3/		53,750,000	51,400,000	53,750,000	51,400,000	+51,400,000
RBCS expenses:						
Salaries and expenses	9,013,000	27,068,000	25,680,000	25,680,000	25,680,000	+16,667,000
(Transfer from RBILP)	(14,747,000)					(-14,747,000)
(Transfer from RDLFP)	(1,476,000)					(-1,476,000)
(Transfer from REDLP)	(654,000)	(699,000)	(654,000)	(654,000)	(654,000)	
Total, RBCS expenses	(25,890,000)	(27,767,000)	(26,334,000)	(26,334,000)	(26,334,000)	(+444,000)
Total, Rural Business-Cooperative Service	112,372,000	129,815,000	104,964,000	110,184,000	104,834,000	-7,538,000
(By transfer)	(16,877,000)	(699,000)	(654,000)	(654,000)	(654,000)	(-16,223,000)
(Loan authorization)	(537,544,000)	(80,000,000)	(40,000,000)	(37,544,000)	(37,544,000)	(-500,000,000)
Rural Utilities Service:						
Rural Electrification and Telecommunications Loans Program Account:						
Loan authorizations:						
Direct loans:						
Electric 5%	(90,000,000)	(125,000,000)	(125,000,000)	(125,000,000)	(125,000,000)	(+35,000,000)
Telephone 5%	(70,000,000)	(75,000,000)	(75,000,000)	(75,000,000)	(75,000,000)	(+5,000,000)
Subtotal	(160,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(200,000,000)	(+40,000,000)
Treasury rate: Telephone	(300,000,000)	(300,000,000)	(300,000,000)	(300,000,000)	(300,000,000)	
Muni-rate: Electric	(525,000,000)	(600,000,000)	(525,000,000)	(525,000,000)	(525,000,000)	
FFB loans:						
Electric, regular	(300,000,000)	(400,000,000)	(300,000,000)	(300,000,000)	(300,000,000)	
Telephone	(120,000,000)	(120,000,000)	(120,000,000)	(120,000,000)	(120,000,000)	
Subtotal	(420,000,000)	(520,000,000)	(420,000,000)	(420,000,000)	(420,000,000)	
Total, Loan authorizations	(1,405,000,000)	(1,620,000,000)	(1,445,000,000)	(1,445,000,000)	(1,445,000,000)	(+40,000,000)
Loan subsidies:						
Direct loans:						
Electric 5%	21,168,000	3,625,000	3,625,000	3,625,000	3,625,000	-17,543,000
Telephone 5%	13,958,000	1,193,000	1,193,000	1,193,000	1,193,000	-12,765,000
Subtotal	35,126,000	4,818,000	4,818,000	4,818,000	4,818,000	-30,308,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3603) — continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
Treasury rate: Telephone	60,000	60,000	60,000	60,000	60,000	.....
Muni-rate, electric	56,858,000	32,280,000	28,245,000	28,245,000	28,245,000	-28,613,000
FFB loans: Electric, regular	2,520,000	3,720,000	2,790,000	2,790,000	2,790,000	+270,000
Total, Loan subsidies	94,564,000	40,878,000	35,913,000	35,913,000	35,913,000	-58,651,000
RETLP administrative expenses	29,982,000	33,070,000	29,982,000	29,982,000	29,982,000	.....
Total, Rural Electrification and Telecommunications Loans Program Account	124,546,000	73,948,000	65,895,000	65,895,000	65,895,000	-58,651,000
(Loan authorization)	(1,405,000,000)	(1,620,000,000)	(1,445,000,000)	(1,445,000,000)	(1,445,000,000)	(+40,000,000)
Rural Telephone Bank Program Account:						
Direct loans (limitation on obligations)	(175,000,000)	(175,000,000)	(175,000,000)	(175,000,000)	(175,000,000)	.....
Direct loan subsidy	5,023,000	2,328,000	2,328,000	2,328,000	2,328,000	-2,695,000
RTB administrative expenses	3,541,000	3,500,000	3,500,000	3,500,000	3,500,000	-41,000
Distance learning and medical link grants and loans	7,500,000	20,261,000	7,500,000	10,000,000	9,000,000	+1,500,000
Solid waste management grants, rural water and waste disposal grants, and water and waste disposal facility loans (administrative expenses)	12,740,000	.....	.....	.....	.....	-12,740,000
Rural utilities assistance program 3/	487,868,000	661,560,000	496,868,000	656,742,000	566,935,000	+79,067,000
Emergency appropriations (P.L. 104-134)	11,000,000	.....	.....	.....	.....	-11,000,000
RUS expenses:						
Salaries and expenses	18,449,000	33,873,000	33,195,000	33,195,000	33,195,000	+14,746,000
Electric and telephone loans (by transfer)	(29,982,000)	(33,070,000)	(29,982,000)	(29,982,000)	(29,982,000)	.....
Rural telephone bank (by transfer)	(3,541,000)	(3,500,000)	(3,500,000)	(3,500,000)	(3,500,000)	(-41,000)
Agricultural Credit Insurance Fund Program Account (by transfer)	(318,000)	.....	.....	.....	.....	(-318,000)
Rural partnership (by transfer)	(12,623,000)	.....	.....	.....	.....	(-12,623,000)
Total, RUS expenses	(64,913,000)	(70,443,000)	(66,677,000)	(66,677,000)	(66,677,000)	(+1,764,000)
Total, Rural Utilities Service	670,667,000	795,470,000	609,286,000	771,660,000	680,853,000	+10,186,000
(By transfer)	(46,464,000)	(36,570,000)	(33,482,000)	(33,482,000)	(33,482,000)	(-12,982,000)
(Loan authorization)	(1,405,000,000)	(1,620,000,000)	(1,445,000,000)	(1,445,000,000)	(1,445,000,000)	(+40,000,000)
(Limitation on obligations)	(175,000,000)	(175,000,000)	(175,000,000)	(175,000,000)	(175,000,000)	.....
Total, title III, Rural Economic and Community Development Programs	2,126,506,000	2,253,461,000	1,868,222,000	2,111,526,000	2,003,756,000	-122,750,000
(By transfer)	(449,317,000)	(403,474,000)	(400,341,000)	(400,341,000)	(400,341,000)	(-48,976,000)
(Loan authorization)	(5,157,707,000)	(5,506,336,000)	(4,944,854,000)	(4,942,398,000)	(4,942,398,000)	(-215,309,000)
(Limitation on obligations)	(187,865,000)	(189,000,000)	(187,865,000)	(187,865,000)	(187,865,000)	.....
TITLE IV - DOMESTIC FOOD PROGRAMS						
Office of the Under Secretary for Food, Nutrition and Consumer Services	440,000	554,000	454,000	554,000	454,000	+14,000
Food and Consumer Service:						
Child nutrition programs	2,348,166,000	3,251,215,000	3,218,844,000	3,221,044,000	3,219,544,000	+871,378,000
Discretionary spending	.....	4,000,000	.....	.....	.....	.....
Transfer from section 32	5,597,858,000	5,413,453,000	5,433,753,000	5,433,753,000	5,433,753,000	-164,105,000
Total, Child nutrition programs	7,946,024,000	8,668,668,000	8,652,597,000	8,654,797,000	8,653,297,000	+707,273,000
Special supplemental nutrition program for women, infants, and children (WIC)	3,729,807,000	3,780,000,000	3,729,807,000	3,729,807,000	3,729,807,000	.....
Reserve	.....	100,000,000	.....	.....	.....	.....
(By transfer)	(4,000,000)	.....	.....	.....	.....	(-4,000,000)
Food stamp program:						
Expenses	25,954,828,000	26,353,555,000	26,341,029,000	26,347,029,000	26,344,029,000	+389,201,000
Reserve	500,000,000	2,461,200,000	100,000,000	1,000,000,000	100,000,000	-400,000,000
Nutrition assistance for Puerto Rico	1,143,000,000	1,174,000,000	1,174,000,000	1,174,000,000	1,174,000,000	+31,000,000
Total, Food stamp program	27,597,828,000	29,988,755,000	27,615,029,000	28,521,029,000	27,618,029,000	+20,201,000
Commodity assistance program	166,000,000	172,000,000	166,000,000	166,000,000	166,000,000	.....
Food donations programs for selected groups:						
Needy family program	65,000,000	65,000,000	65,000,000	1,250,000	1,250,000	-63,750,000
Elderly feeding program	150,000,000	150,000,000	140,000,000	140,000,000	140,000,000	-10,000,000
Total, Food donations programs	215,000,000	215,000,000	205,000,000	141,250,000	141,250,000	-73,750,000
Food program administration	107,769,000	110,982,000	104,487,000	107,769,000	106,128,000	-1,641,000
The Center for Nutrition Policy and Promotion	.....	4,470,000	.....	.....	.....	.....
Total, Food and Consumer Service	39,762,428,000	43,039,875,000	40,472,920,000	41,320,652,000	40,414,511,000	+652,083,000
Total, title IV, Domestic Food Programs	39,762,868,000	43,040,429,000	40,473,374,000	41,321,206,000	40,414,965,000	+652,097,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3603) — continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS						
Foreign Agricultural Service:						
Direct appropriation	115,802,000	132,875,000	124,208,000	134,295,000	131,295,000	+15,493,000
(Transfer from Commodity Credit Corporation)	(5,176,000)	.....	.....	.....	.....	(-5,176,000)
(Transfer from export loans)	(2,792,000)	(3,231,000)	(2,792,000)	(3,231,000)	(3,231,000)	(+439,000)
(Transfer from P.L. 480)	(1,005,000)	(1,035,000)	(1,005,000)	(1,035,000)	(1,035,000)	(+30,000)
Total, Program level	(124,775,000)	(137,141,000)	(128,005,000)	(138,561,000)	(135,561,000)	(+10,786,000)
Public Law 480 Program Account:						
Title I - Credit sales:						
Program level	(316,342,000)	(232,849,000)	(230,305,000)	(232,849,000)	(240,805,000)	(-75,537,000)
Direct loans	(291,342,000)	(218,944,000)	(216,400,000)	(218,944,000)	(226,900,000)	(-64,442,000)
Ocean freight differential	25,000,000	13,905,000	13,905,000	13,905,000	13,905,000	-11,095,000
Title II - Commodities for disposition abroad:						
Program level	(821,100,000)	(837,000,000)	(837,000,000)	(837,000,000)	(837,000,000)	(+15,900,000)
Appropriation	821,100,000	837,000,000	837,000,000	837,000,000	837,000,000	+15,900,000
Title III - Commodity grants:						
Program level	(50,000,000)	(40,000,000)	(29,500,000)	(40,000,000)	(29,500,000)	(-20,500,000)
Appropriation	50,000,000	40,000,000	29,500,000	40,000,000	29,500,000	-20,500,000
Loan subsidies	236,162,000	179,082,000	177,000,000	179,082,000	185,589,000	-50,573,000
Salaries and expenses:						
General Sales Manager	1,005,000	1,035,000	1,005,000	1,035,000	1,035,000	+30,000
Farm Service Agency	745,000	783,000	745,000	783,000	745,000	.....
Subtotal	1,750,000	1,818,000	1,750,000	1,818,000	1,780,000	+30,000
Total, Public Law 480:						
Program level	(1,187,442,000)	(1,109,849,000)	(1,096,805,000)	(1,109,849,000)	(1,107,305,000)	(-80,137,000)
Appropriation	1,134,012,000	1,071,805,000	1,059,155,000	1,071,805,000	1,067,774,000	-66,238,000
CCC Export Loans Program Account:						
Loan guarantees:						
Short-term export credit	(5,200,000,000)	(5,000,000,000)	(5,500,000,000)	(5,500,000,000)	(5,500,000,000)	(+300,000,000)
Intermediate-term export credit	(500,000,000)	(500,000,000)	.....	.....	.....	(-500,000,000)
Loan subsidy	374,347,000	390,000,000	390,000,000	390,000,000	390,000,000	+15,653,000
Salaries and expenses (Export Loans):						
General Sales Manager	2,792,000	3,231,000	2,792,000	3,231,000	3,231,000	+439,000
ASCS	589,000	623,000	589,000	589,000	589,000	.....
Total, CCC Export Loans Program Account	377,728,000	393,854,000	393,381,000	393,820,000	393,820,000	+16,092,000
Total, title V, Foreign Assistance and Related Programs	1,627,542,000	1,598,534,000	1,576,744,000	1,599,920,000	1,592,889,000	-34,653,000
(By transfer)	(8,973,000)	(4,266,000)	(3,797,000)	(4,266,000)	(4,266,000)	(-4,707,000)
TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION						
DEPARTMENT OF HEALTH AND HUMAN SERVICES						
Food and Drug Administration						
Salaries and expenses, direct appropriation	819,971,000	823,771,000	819,971,000	819,971,000	819,971,000	.....
Prescription drug user fee act	(84,723,000)	(87,528,000)	(87,528,000)	(87,528,000)	(87,528,000)	(+2,805,000)
Mammography clinics user fee	(13,000,000)	(13,403,000)	(13,403,000)	(13,403,000)	(13,403,000)	(+403,000)
Total, Program level	(917,694,000)	(924,702,000)	(920,902,000)	(920,902,000)	(920,902,000)	(+3,208,000)
Buildings and facilities	12,150,000	8,350,000	21,350,000	21,350,000	21,350,000	+9,200,000
Rental payments	46,294,000	46,294,000	46,294,000	46,294,000	46,294,000	.....
Total, Food and Drug Administration	878,415,000	878,415,000	887,615,000	887,615,000	887,615,000	+9,200,000
DEPARTMENT OF THE TREASURY						
Financial Management Service: Payments to the Farm Credit System Financial Assistance Corporation	15,453,000	10,290,000	10,290,000	10,290,000	10,290,000	-5,163,000
INDEPENDENT AGENCIES						
Commodity Futures Trading Commission	53,601,000	56,601,000	55,101,000	56,601,000	55,101,000	+1,500,000
Farm Credit Administration (limitation on administrative expenses)	.....	(37,478,000)	(37,478,000)	.....	(37,478,000)	(+37,478,000)
Total, title VI, Related Agencies and Food and Drug Administration	947,469,000	945,306,000	953,006,000	954,506,000	953,006,000	+5,537,000

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 1997 (H.R. 3603) — continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE VIII - SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS, FY 1996						
DEPARTMENT OF AGRICULTURE						
Farm Service Agency						
Agricultural Credit Insurance Fund Program Account:						
Loan subsidy: Emergency disaster loans (contingent emergency appropriation)	.....	.....	.....	25,000,000	32,244,000	+32,244,000
Loan authorization: Emergency disaster loans	.....	.....	.....	(85,208,000)	(110,000,000)	(+110,000,000)
DEPARTMENT OF THE TREASURY						
Bureau of Alcohol, Tobacco and Firearms:						
Salaries and expenses	.....	.....	.....	12,011,000	12,011,000	+12,011,000
Internal Revenue Service:						
Information systems (rescission)	.....	.....	.....	-16,500,000	-16,500,000	-16,500,000
Total, title VIII, Supplemental Appropriations and Rescissions, FY 1996 (net)	.....	.....	.....	20,511,000	27,755,000	+27,755,000
Scorekeeping adjustments	-235,780,000	127,050,000	-368,000,000	-396,511,000	-437,755,000	-201,975,000
Grand total:						
New budget (obligational) authority	63,087,898,000	58,444,364,000	52,684,037,000	53,899,792,000	52,842,118,000	-10,245,780,000
Fiscal year 1997	(63,087,898,000)	(58,444,364,000)	(52,684,037,000)	(53,879,281,000)	(52,814,363,000)	(-10,273,535,000)
Fiscal year 1996 (net)	.....	.....	.....	(20,511,000)	(27,755,000)	(+27,755,000)
Appropriations	.....	.....	.....	(12,011,000)	(12,011,000)	(+12,011,000)
Contingent emergency appropriation	.....	.....	.....	(25,000,000)	(32,244,000)	(+32,244,000)
Rescissions	.....	.....	.....	(-16,500,000)	(-16,500,000)	(-16,500,000)
(By transfer)	(672,070,000)	(618,631,000)	(613,918,000)	(614,425,000)	(614,387,000)	(-57,683,000)
(Loan authorization)	(14,018,457,000)	(14,202,407,000)	(13,440,925,000)	(13,589,061,000)	(13,583,122,000)	(-435,335,000)
(Limitation on administrative expenses)	(106,245,000)	(155,447,000)	(144,697,000)	(107,219,000)	(144,697,000)	(+38,452,000)
(Limitation on obligations	(187,865,000)	(189,000,000)	(187,865,000)	(187,865,000)	(187,865,000)	.....

1/ Such sums as available from AQI user fee account for FY 1996. In addition, $24,857,000 is anticipated from farm bill direct appropriations.
2/ In addition to appropriation.
3/ The Administration proposed funding for this account under the name "Rural performance partnership program".

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

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

Mr. Speaker, I would first like to salute the chairman of this committee, Mr. SKEEN, who has done an extraordinarily good job over the last 2 years under very difficult circumstances. As I have said before, this is the most bipartisan subcommittee in the House. I think that that is the case because of the leadership of Mr. SKEEN. I have enjoyed serving with him. It has been a tough job for him and the entire staff. He has done an excellent job in preparing this conference committee report.

We have responded to the need to reduce spending. We have done it. We have done it in a way that will not imperil food and fiber production across America. It will cause some discomfort, I am sure. The cutbacks will affect some people, but I think we have done our job in a responsible way.

Mr. Speaker, I yield 30 seconds to the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFFICANT. Mr. Speaker, I commend the gentleman. We will be missing him, certainly, in the next Congress but certainly hoping we will still be able to deal with him.

I would just like to put the committee on notice to be concerned about certain imports of products that are damaging American farmers. Mexican tomatoes coming in here at $2 being dumped, when it costs $6 for Florida farmers to produce them, Australian beef coming down through Canada. We are damaging and destroying many beef producers in our country.

I would just like to place the committee on notice to take a look at these issues. I believe that our agriculture policies are hurting many farmers at this point and we need more oversight.

Mr. POMEROY. Mr. Speaker, I rise to speak on the conference report for the fiscal year 1997 Agriculture Appropriations Act. In general this conference report represents a vast improvement from the bill that passed the House earlier this year. Among the most important improvements from the point-of-view of North Dakota was the elimination of the sugar price cap included in the House passed bill. This important improvement is a validation of the 7-year commitment to sugar producers made by Congress when it passed the new farm bill this spring. The conferees also restored $2 million in funding for State Agriculture Mediation Grant program which aids farmers in settling debt disputes. Finally the conferees agreed to increase funding for the grain inspection, packer and stockyards administration so it can implement recommendations from the recent Commission on Concentration in Agriculture. These are important victories for North Dakota producers and for farm families nationwide.

I am quite disappointed, however, by the conferees' decision to leave out a remedy for our Nation's barley producers which was included during Senate consideration of the bill. The Senate, during debate on the fiscal year 1997 appropriations bill, included language to move $20 million from payments in the years 1999–2002—$5 million each year—to fiscal year 1998 in order to make up for this year's shortfall. This represented a step toward fulfilling the promises made to barley producers earlier this year. The conferees, however, decided to eliminate this important and needed provision from the final conference report.

This fix was needed to live up to the promises made during the farm bill debate earlier this year. Barley producers were promised a transition payment of 46 cents per bushel under the production flexibility contracts. From November until April this estimate stood as the payment barley producers expected from participation in the new program. Many made financial and planting plans based on this figure.

Once the new farm bill was signed into law, however, barley producers discovered an error had been made in estimating the payments. Barley would now be eligible for a 32-cent payment, over a 30-percent decrease from the promised amount, and a much steeper decrease from the estimates promised to other commodities. Nationwide this decrease amounts to over $20 million in lost income to barley producers in 1997.

The decision by the conferees to reject the temporary fix adopted by the Senate only reaffirms the unfair treatment of barley farmers, and should not stand. I will continue to search for a way to correct his error that will leave many barley producers shortchanged under the new farm bill.

Mr. FAZIO of California. Mr. Speaker, I rise in support of H.R. 3603, the Agriculture appropriations bill for fiscal year 1997.

The appropriations process historically has been a process emphasizing bipartisanship, compromise, and camaraderie. No bill emphasizes those attributes more than this bill, and no team of Chair and ranking member puts those attributes on display better than the team of JOE SKEEN and DICK DURBIN for the past 3 years. It has been a pleasure to be associated with them and their bipartisan handiwork in this bill.

H.R. 3603 is not a perfect bill. The discretionary spending in this bill is $350 million below fiscal year 1996 and $1.1 billion less than President Clinton requested.

We really have to ask ourselves how long we expect to continue this trend and believe it somehow has no impact. Over a number of years, we have cut back our trade promotion efforts, our commitment to rural development, and our agricultural research and extension activities. The impact is being felt by our farmers, our rural communities, and our land-grant institutions. In addition, USDA is feeling the squeeze as it provides services to our farmers and farm communities, and as it carries out its important missions of animal and plant inspection and food safety.

These are worrisome long-term trends that I hope will be addressed in the years to come, but JOE SKEEN and DICK DURBIN have done a good job with this conference report under demanding circumstances.

Fortunately, cooler heads in the leadership prevailed, and we were able to achieve a more generous final allocation that increased the House bill by $158 million. The majority of this money was allocated to unmet needs of our rural communities—both rural housing loans, and water and sewer loans.

I was also pleased that the conferees included a House provisions, authored by our colleague MARCY KAPTUR, to require farmers actually to plant a crop to receive payments under the new farm bill. This was a commonsense provision, and it was revised to take into account disasters, conservation uses and other sensible exceptions, but it is an important affirmation of our intentions in the 1996 farm bill.

I have particular praise for several items of importance to California agriculture and to my district.

First, funds have been included for an important integrated pest management research facility at the University of California at Davis.

Recent passage of the pesticides and food safety bill after a long stalemate is a reflection that the use of agricultural pesticides and the effect on health are of the greatest concern to the American public. Minimizing the use of pesticides while continuing the crop yields that Americans expect which, in turn, produce such low cost food products must continue to be a priority.

It is imperative that we have the up-to-date facilities to develop effective methods to deal with pests, especially in California. California has been the Nation's top agricultural producer since 1948, and America depends upon the wide variety of agricultural commodities that are produced. Yet, in a State where a new pest is introduced every 60 days, we are particularly susceptible to pest infestation. This facility will support and accelerate research needed for environmentally compatible pest management strategies.

Second, the bill includes mandatory funds for the Market Access Program [MAP].

Agriculture exports, projected to exceed $50 billion again this year—up from $43.5 billion for fiscal year 1994—are vital to the United States. And there is probably no more important tool for export promotion than MAP, especially for California's specialty crop production.

Third, the conference agreement has put the additional allocation to good use with regard to research and extension activities and support for our land-grant institutions. Agricultural research will take on even greater importance in the years to come as farmers make the transition to a full market-oriented farm economy envisioned by the 1996 farm bill.

In that light, it is important that we sustain and hopefully increase our commitment to research through the agricultural research stations of the Agricultural Research Service, thought the formula funding for our land-grant institutions, and through the special grants and competitive grants in the Cooperative State Research Education and Extension Service. Only through such investments can we maintain the U.S. lead in agriculture and enable it to continue its significant and positive impact on our economy.

In summary, this is a good bill given our budgetary circumstances and given the many needs and many issues within the committee's jurisdiction. I commend Chairman JOE SKEEN and ranking member DICK DURBIN for their efforts in support of American agriculture, and I urge my colleagues to support the conference report on H.R. 3603, the Agriculture appropriations bill for fiscal year 1997.

Mr. WALSH. Mr. Speaker, I rise in support of H.R. 3603 and its accompanying conference report that provides funding for Agriculture, Rural Development, Food and Drug Administration and related agencies programs

for fiscal year 1997. I want to commend subcommittee chairman SKEEN and ranking member Mr. DURBIN for their leadership and fine work in crafting this difficult bill. I also would like to thank the subcommittee staff for their diligence and for the long hours they spent putting together this bill.

This bill provides $53.3 billion for Agricultural appropriations. This represents a reduction of $10.3 billion from last year's level. Discretionary spending in our bill has been reduced by $350 million, forcing our subcommittee to make some difficult choices. We have had to consolidate and reduce spending on a number of rural development and rural housing programs and spending in this bill is still woefully inadequate to meet the needs of those rural communities seeking water and sewer loans.

Fortunately, there are many positive areas in this bill that deserve special recognition. For one, we were finally successful in reforming the section 515 low-income housing program. This multifamily rural rental housing program assists elderly, disabled and low-income working families in securing affordable housing. In this bill we have extended the section 515 program for another year and have permitted funding to be used for construction of new affordable housing units. This program has been in need of reform for years and I am hopeful that these overdue changes will enable us to operate this program more efficiently so that we will be able to provide increased funding to the program in future years.

In this bill we have also significantly increased spending on nutrition and feeding programs. We have provided $8.7 billion for child nutrition programs such as the school lunch and school breakfast programs and $27.6 billion for food stamps. The important WIC program is funded at last year's level of $3.73 billion. With the large carryover balances in the WIC account, we are within reach of full funding for WIC, a goal that I believe its shared by all Members of Congress.

We have also provided the administration's full request of $574 million for the Food Safety and Inspection Service. Ensuring the safety of our Nation's food supply is one of the highest priorities in this bill. We are committed to providing the Food Safety and Inspection Service with the needed funding required to maintain the current inspection system while providing the needed investments required to implement the new hazard analysis and critical control point [HACCP] meat and poultry inspection system.

This bill also provides critical resources to the Natural Resources Conversation Service that will enable them to provide planning and technical assistance for watershed projects and to help farmers implement conservation compliance plans on highly erodible lands. We need to do a better job in controlling soil erosion and protecting environmentally sensitive crop lands. We do that in our bill by providing strong funding levels for conservation operations, the conservation reserve program, the wetlands reserve program and the newly created environmental quality incentives program [EQUIP].

One of my major regrets in this bill is the failure to include the Northern Forest Stewardship Act in the agriculture appropriations conference report. The Northern Forest Stewardship Act is bipartisan legislation that positively balances the environmental and economic future of resource-dependent communities in northern New England and New York. This bill represents a carefully, crafted compromise based on the recommendations of the northern forest land council. Foresters, conservationists, and recreationists have worked together to develop a plan of action that protects the scenic and wildlife resources of the region while preserving the economic timber base of the region and without infringing on the rights of landowners. We must protect and enhance the forest health, forest economies and community development of these northern forests for current and future generations. I strongly support this consensus approach to preserving our treasured natural resources.

The decision by the Agriculture Appropriation Subcommittee conferees to not include riders, or potentially controversial authorization language on our bill, led our subcommittee to reluctantly drop the Northern Forest Stewardship Act from the conference report. Nevertheless, I plan on continuing to work closely with my northeastern colleagues to find a way that expedites passage of the Northern Forest Stewardship Act in this Congress.

In spite of my reservations on a few specific provisions in the bill I believe that the bill overall is a good one. We have done the best we can with the resources available to us and I urge Members to support this bill and yield back the balance of my time.

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

Mr. SKEEN. Mr. Speaker, I want to express my appreciation for the remarks that were made by the ranking member and say that he set a good example for me and we followed through on exactly that kind of demeanor. I, too, want to say to him that he has been a delight to work with and is certainly a great gentleman in this body and we will see what happens after the election.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

Pursuant to clause 5 of rule I, further proceedings on the conference report will be postponed until after the vote on the legislative branch appropriations conference report.

CONFERENCE REPORT ON H.R. 3754, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. The pending business is the question of agreeing to the conference report on the bill, H.R. 3754.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to the provisions of clause 7 of rule XV, the yeas and nays are ordered.

The Chair will reduce to 5 minutes the time for the next electronic vote.

The vote was taken by electronic device, and there were—yeas 397, nays 22, not voting 14, as follows:

[Roll No. 386]

YEAS—397

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coburn
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
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
English
Ensign
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
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
Lincoln
Linder
Lipinski
Livingston
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Myers
Myrick
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
Rivers
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sawyer
Saxton
Schaefer
Schiff
Schumer
Scott
Seastrand
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wise
Wolf
Woolsey
Wynn
Yates
Zeliff
Zimmer

NAYS—22

Chenoweth
Coble
Coleman
Conyers
Cooley
Eshoo
Filner
Ganske
Green (TX)
Jacobs
Johnston
LoBiondo
Miller (CA)
Nadler
Roemer
Sanford
Scarborough
Schroeder
Sensenbrenner
Stearns
Stockman
Stump

NOT VOTING—14

Brownback
Chapman
Engel
Ford
Istook
McDade
Murtha
Peterson (FL)
Riggs
Towns
Waters
Wilson
Young (AK)
Young (FL)

□ 1102

Mrs. SCHROEDER, Ms. ESCHOO, and Messrs. SCARBOROUGH, GANSKE, and NADLER changed their vote from ''yea'' to ''nay.''

Ms. FURSE changed her vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RIGGS. Mr. Speaker, on rollcall No. 387, I was unable to be present due to personal business. Had I been present, I would have voted ''yea.''

CONFERENCE REPORT ON H.R. 3603, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore (Mr. LAHOOD). The pending business is the question of agreeing to the conference report on the bill, H.R. 3603.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to the provisions of clause 7, rule XV, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 379, nays 42, not voting 12, as follows:

[Roll No. 387]

YEAS—379

Abercrombie
Ackerman
Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chambliss
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cummings
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
English
Ensign
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
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
Lincoln
Linder
Lipinski
Livingston
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meek
Metcalf
Meyers
Mica
Millender-McDonald
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Rivers
Roberts
Roemer
Rogers
Ros-Lehtinen
Rose
Roth
Sabo
Sanders
Sawyer
Saxton
Schaefer
Schiff
Schroeder
Scott
Seastrand
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stenholm
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torres
Torricelli
Traficant
Upton
Velazquez
Vento
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Zeliff

NAYS—42

Andrews
Bass
Chabot
Conyers
Dellums
Doggett
Eshoo
Fattah
Foglietta
Frank (MA)
Franks (NJ)
Frelinghuysen
Hoke
Jacobs
Johnston
LoBiondo
Lofgren
Meehan
Menendez
Miller (CA)
Miller (FL)
Nadler
Owens
Payne (NJ)
Rohrabacher
Roukema
Roybal-Allard
Royce
Rush
Salmon
Sanford
Scarborough
Schumer
Sensenbrenner
Stark
Stearns
Stockman
Torkildsen
Volkmer
Williams
Yates
Zimmer

NOT VOTING—12

Brownback
Chapman
Engel
Ford
McDade
Murtha
Peterson (FL)
Riggs
Towns
Waters
Wilson
Young (FL)

□ 1112

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

House Resolution 496 was laid on the table.

PERSONAL EXPLANATION

Mr. RIGGS. Mr. Speaker, on rollcall No. 386, I was unable to be present due to personal business. Had I been present, I would have voted ''yea.''

PROVIDING FOR CONSIDERATION OF H.R. 123, ENGLISH LANGUAGE EMPOWERMENT ACT OF 1996

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 499 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 499

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 123) to amend title 4, United States Code, to declare English as the official language of the Government of the United States. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Economic and Educational Opportunities. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Economic and Educational Opportunities now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 3898. That amendment in the nature of a substitute shall be considered as read. Points of order against that amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived. No other amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be considered only in the order specified, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report are waived. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

☐ 1115

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

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

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

Mr. LINDER. Mr. Speaker, House Resolution 499 is a modified closed rule providing for consideration of H.R. 123, the English Language Empowerment Act of 1996. House Resolution 499 waives points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI, regarding 3 day availability of committee reports. The rule provides for 1 hour of debate equally divided between the chairman and ranking minority member of the Committee on Economic and Educational Opportunities.

The rule further makes in order, for the purpose of amendment, an amendment in the nature of a substitute consisting of the text of H.R. 3898. The rule waives points of order against the amendment in the nature of a substitute for failure to comply with clause 7 of rule 16, relating to germaneness.

The rule also provides for the consideration of the amendments printed in the Rules Committee report on the rule only in the order specified; if offered by the Member designated in the report; debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent; and which shall not be subject to amendment or a division of the question in the House or the Committee of the Whole.

House Resolution 499 waives all points of order against the amendments printed in the report. The rule also authorizes the Chair to postpone and cluster votes on amendments.

Finally, the resolution provides for a motion to recommit with or without instructions as is the right of the minority.

The rule for this bill is a fair one. House Resolution 499 allows for an hour of debate on a minority substitute, and specified time for a number of amendments which give those in opposition the opportunity to refine the bill. I believe the Rules Committee has been extraordinarily fair and prudent in that minority amendments outnumber majority amendments by a count of 4 to 1.

Mr. Speaker, the English Language Empowerment Act of 1996 is designed to empower a new generation of immigrants. This bill declares that English is the official language of the Federal Government, mandates that the Federal Government conduct its business in English, eliminates the Federal bilingual ballot requirement, and requires officials to conduct naturalization ceremonies in English.

This bill assures that we have a uniform government policy that does not undercut incentives to learn English and is consistent with established immigration policy that new citizens demonstrate an ability to read, write, and speak English. It is a modest bill which does not restrict, in any way, the use of foreign languages in homes, neighborhoods, churches, or private businesses.

The argument will be made that this bill will result in cost savings to the American taxpayer as a result of the termination of documents and services currently provided in different languages. I agree that it is unrealistic that the Government should accommodate the printing of government materials in countless languages, and some cost savings will be achieved. This debate, however, is about more than simply the cost in dollars. For the past three decades we have come to realize that well-meaning programs intended to help have actually evolved into programs that hinder the advancement of our citizens. In this case, costly bilingual policies have acted as a disincentive to some immigrants who have been encouraged to use their native languages rather than learn English.

The problem again is not that the Government has done too little—it is that the Government is doing too much. In this case, the Government's actions are inhibiting the social and economic advancement of new immigrants.

Throughout this Nation's history, we have opened our ports to immigrants from countries across the globe, and each generation of immigrants has understood the importance of learning to communicate in English. New immigrants continue to understand that the knowledge of a common language will propel them along the road to prosperity and will unite all immigrants with a common bond as Americans.

Unfortunately, this Government is impeding their integration into American society. This legislation will facilitate the opportunities for non-English speaking persons in this country, and I disagree with the argument that this bill would isolate them from society.

It is the failure to promote English as our common and unifying language that has hindered some Americans from building a solid future for their families and gaining access to the American dream.

During a meeting with a group of businessmen I asked a gentleman who had immigrated to the United States why his community has achieved such great educational and professional accomplishments in this country, and he proudly responded that there were two reasons for this success in the United States—intact families and the adoption of the English language.

It is becoming painfully clear that those who have not adopted the English language have had a much more difficult time achieving success in our schools, in our businesses, and in our society. For those who use English, we have seen a great rise in achievement.

Mr. Speaker, this is an equitable rule that permits opponents of the bill the opportunity to alter extensively the

original bill. I urge my colleagues to support the rule so that we may proceed with consideration of a bill that I believe will help to open the door to the American dream to more of our follow Americans.

Mr. Speaker, I include the following material from the Committee on Rules for the RECORD:

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

[As of July 31, 1996]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-Open [2]	46	44	81	59
Structured/Modified Closed [3]	49	47	39	28
Closed [4]	9	9	17	13
Total	104	100	137	100

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

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

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

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

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of July 31, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–199; A: 227–197 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242–190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236–194 A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241–173 A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231–194 A: 227–192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235–184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228–191 A: 235–185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237–190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241–181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216–210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220–200 (11/10/95).

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

[As of July 31, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220–185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 249–176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239–181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223–183 A: 228–184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands	PQ: 221–197 A: voice vote (5/15/96).
H. Res. 309 (12/18/95)	C	H. Con. Res. 122	Budget Res. W/President	PQ: 230–188 A: 229–189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive	A: voice vote (12/20/95).
H. Res. 323 (12/21/95)	C	H.R. 2677	Natl. Parks & Wildlife Refuge	Tabled (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2854	Farm Bill	PQ: 228–182 A: 244–168 (2/28/96).
H. Res. 368 (2/28/96)	O	H.R. 994	Small Business Growth	Tabled (4/17/96).
H. Res. 371 (3/6/96)	C	H.R. 3021	Debt Limit Increase	A: voice vote (3/7/96).
H. Res. 372 (3/6/96)	MC	H.R. 3019	Cont. Approps. FY 1996	PQ: voice vote A: 235–175 (3/7/96).
H. Res. 380 (3/12/96)	C	H.R. 2703	Effective Death Penalty	A: 251–157 (3/13/96).
H. Res. 384 (3/14/96)	MC	H.R. 2202	Immigration	PQ: 233–152 A: voice vote (3/19/96).
H. Res. 386 (3/20/96)	C	H.J. Res. 165	Further Cont. Approps	PQ: 234–187 A: 237–183 (3/21/96).
H. Res. 388 (3/21/96)	C	H.R. 125	Gun Crime Enforcement	A: 244–166 (3/22/96).
H. Res. 391 (3/27/96)	C	H.R. 3136	Contract w/America Advancement	PQ: 232–180 A: 232–177, (3/28/96).
H. Res. 392 (3/27/96)	MC	H.R. 3103	Health Coverage Affordability	PQ: 229–186 A: Voice Vote (3/29/96).
H. Res. 395 (3/29/96)	MC	H.J. Res. 159	Tax Limitation Const. Amdmt.	PQ: 232–168 A: 234–162 (4/15/96).
H. Res. 396 (3/29/96)	O	H.R. 842	Truth in Budgeting Act	A: voice vote (4/17/96).
H. Res. 409 (4/23/96)	O	H.R. 2715	Paperwork Elimination Act	A: voice vote (4/24/96).
H. Res. 410 (4/23/96)	O	H.R. 1675	Natl. Wildlife Refuge	A: voice vote (4/24/96).
H. Res. 411 (4/23/96)	C	H.J. Res. 175	Further Cont. Approps. FY 1996	A: voice vote (4/24/96).
H. Res. 418 (4/30/96)	O	H.R. 2641	U.S. Marshals Service	PQ: 219–203 A: voice vote (5/1/96).
H. Res. 419 (4/30/96)	O	H.R. 2149	Ocean Shipping Reform	A: 422–0 (5/1/96).
H. Res. 421 (5/2/96)	O	H.R. 2974	Crimes Against Children & Elderly	A: voice vote (5/7/96).
H. Res. 422 (5/2/96)	O	H.R. 3120	Witness & Jury Tampering	A: voice vote (5/7/96).
H. Res. 426 (5/7/96)	O	H.R. 2406	U.S. Housing Act of 1996	PQ: 218–208 A: voice vote (5/8/96).
H. Res. 427 (5/7/96)	O	H.R. 3322	Omnibus Civilian Science Auth	A: voice vote (5/9/96).
H. Res. 428 (5/7/96)	MC	H.R. 3286	Adoption Promotion & Stability	A: voice vote (5/9/96).
H. Res. 430 (5/9/96)	S	H.R. 3230	DoD Auth. FY 1997	A: 235–149 (5/10/96).
H. Res. 435 (5/15/96)	MC	H. Con. Res. 178	Con. Res. on the Budget, 1997	PQ: 227–196 A: voice vote (5/16/96).
H. Res. 436 (5/16/96)	C	H.R. 3415	Repeal 4.3 cent fuel tax	PQ: 221–181 A: voice vote (5/21/96).
H. Res. 437 (5/16/96)	MO	H.R. 3259	Intell. Auth. FY 1997	A: voice vote (5/21/96).
H. Res. 438 (5/16/96)	MC	H.R. 3144	Defend America Act	
H. Res. 440 (5/21/96)	MC	H.R. 3448	Small Bus. Job Protection	A: 219–211 (5/22/96).
	MC	H.R. 1227	Employee Commuting Flexibility	
H. Res. 442 (5/29/96)	O	H.R. 3517	Mil. Const. Approps. FY 1997	A: voice vote (5/30/96).
H. Res. 445 (5/30/96)	O	H.R. 3540	For. Ops. Approps. FY 1997	A: voice vote (6/5/96).
H. Res. 446 (6/5/96)	MC	H.R. 3562	WI Works Waiver Approval	A: 363–59 (6/6/96).
H. Res. 448 (6/6/96)	MC	H.R. 2754	Shipbuilding Trade Agreement	A: voice vote (6/12/96).
H. Res. 451 (6/10/96)	O	H.R. 3603	Agriculture Appropriations, FY 1997	A: voice vote (6/11/96).
H. Res. 453 (6/12/96)	O	H.R. 3610	Defense Appropriations, FY 1997	A: voice vote (6/13/96).
H. Res. 455 (6/18/96)	O	H.R. 3662	Interior Approps, FY 1997	A: voice vote (6/19/96).
H. Res. 456 (6/19/96)	O	H.R. 3666	VA/HUD Approps	A: 246–166 (6/25/96).
H. Res. 460 (6/25/96)	O	H.R. 3675	Transportation Approps	A: voice vote (6/26/96).
H. Res. 472 (7/9/96)	O	H.R. 3755	Labor/HHS Approps	PQ: 218–202 A: voice vote (7/10/96).
H. Res. 473 (7/9/96)	MC	H.R. 3754	Leg. Branch Approps	A: voice vote (7/10/96).
H. Res. 474 (7/10/96)	MC	H.R. 3396	Defense of Marriage Act	A: 290–133 (7/11/96).
H. Res. 475 (7/11/96)	O	H.R. 3756	Treasury/Postal Approps	A: voice vote (7/16/96).
H. Res. 479 (7/16/96)	O	H.R. 3814	Commerce, State Approps	A: voice vote (7/17/96).
H. Res. 481 (7/17/96)	MC	H.R. 3820	Campaign Finance Reform	PQ: 221–193 A: 270–140 (7/25/96).
H. Res. 482 (7/17/96)	MC	H.R. 3734	Personal Responsibility Act	A: 358–54 (7/18/96).
H. Res. 483 (7/18/96)	O	H.R. 3816	Energy/Water Approps	A: voice vote (7/24/96).
H. Res. 488 (7/24/96)	MO	H.R. 2391	Working Families	A: 228–175 (7/26/96).
H. Res. 489 (7/25/96)	MC	H.R. 2823	Dolphin Conservation Program	A: voice vote (7/31/96).
H. Res. 499 (7/31/96)	MC	H.R. 123	English Language Empowerment	

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

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

Mr. BEILENSON. Mr. Speaker, I thank the gentleman from Georgia [Mr. LINDER] for yielding me the customary half-hour of debate time, and I yield myself such time as I may consume.

Mr. Speaker, we strongly oppose this modified closed rule for the bill designating English as the official language of the Government of the United States and requiring that most official business be conducted only in English. We believe this is a bad rule for an equally bad piece of legislation.

We oppose this legislation in such strong terms for many reasons: It is unnecessary; it is without doubt unconstitutional; it will increase litigation by creating a new private right of legal action in Federal court; it is offensive, insulting and denigrating to millions of Americans; and it is divisive at a time that we need to unite our country and its citizens.

Mr. Speaker, we fail to understand the need for this legislation of such dubious value. According to the Census Bureau figures, English is spoken by over 97 percent of the American people. A recent General Accounting Office report tells us that less than .1 percent of all Federal documents are printed in foreign languages; thus, more than 99.9 percent are already printed in English.

The fact that English language classes across the country have long waiting lists attests to the fact that laws are not needed to encourage people to learn English.

What those who do not speak English will need is access to more educational programs that teach English, but this bill does nothing whatsoever to help meet that need. Mr. Speaker, the way to further the primacy of English is to put more resources into efforts to expand English proficiency and literacy, not to pass legislation of such questionable value as this.

We already know that English-only laws such as H.R. 123 are subject to serious constitutional challenge, an important point that the proponents appear to have overlooked.

In a 1923 case, the Supreme Court wrote that:

> The protection of the Constitution extends to all, to those who speak other languages as well as those born with English on the tongue. Perhaps it would be advantageous if all had ready understanding of our ordinary speech, but this cannot be coerced by methods which conflict with the Constitution.

The presumptive unconstitutionality of H.R. 123 was fortified more recently by a U.S. Circuit Court of Appeals ruling that Arizona's English-only mandate violates the first amendment and in ''unconstitutional in its entirety.'' No doubt that reasoning would apply as well to this Federal English-only legislation, which we believe clearly violates the first amendment guarantee of free speech.

As if all this were not bad enough, Mr. Speaker, the rule making this bill in order is unfair and limited beyond good reason. At the very least, if we must consider a bill as repugnant as this one, then we should have had, if not a completely open rule, at least one that is more open and much less restrictive than the rule we are now considering.

In recognition of the announcement by our chairman that only certain amendments would be made in order, the minority members of the Rules Committee chose 5 of the more than 20 amendments submitted by Democrats as our priorities. But only one of those

five was accepted and is made in order by this rule.

Inrerestingly the majority did see fit to allow three other amendments submitted by Democrats, none of which was on our priority list. We are somewhat puzzled by that decision, and suspect that they address issues the majority itself wanted to be taken up.

The Serrano amendment that is permitted under the rule was our first priority. It is a very thoughtful attempt to establish a language policy for the United States that does not infringe on indigenous languages and does not place undue burdens on one's ability to obtain services from the Federal Government because of limited English proficiency. Instead of imposing the divisive and restrictive policies in H.R. 123 that infringe on constitutional rights, the Serrano amendment encourage diversity and opportunity. We encourage our colleagues to support that amendment.

It is a key amendment. We are pleased that it is made in order. Unfortunately, four others that are just as essential to making the debate on the bill complete were not approved by the majority.

We feel strongly that we should have been allowed a vote on the amendment striking repeal of the bilingual election requirements of the Voting Rights Act. The bilingual provision that the rule incorporates into H.R. 123 is a major change in existing law and policy. Members deserve the opportunity to vote separately on such radical action. The rule is in essence protecting the repeal of a fundamental part of our voting rights law; it should not be allowed to go unchallenged.

If we truly want to encourage people to speak English, then English training for all who seek it should be available. However, the majority denied our request that an amendment for that purpose be made in order.

We were also denied the right to vote on striking another major provision in the bill, the section permitting any individual to sue in Federal court if they believe this legislation has been violated.

We do not believe there is a need for this new right to sue, especially when so much of our effort in this Congress have been to discourage the wave of litigation that seems to be sweeping over the country. This is a serious issue that Members will not have the opportunity to vote on under this restrictive rule.

We also asked earlier that the amendment of the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ] be made in order to provide that any agency can communicate orally or in writing in a language other than English if doing so will assist the agency in doing its work. This is clearly essential to protect the rights of so many of our citizens, yet our request to make the amendment in order was denied.

Mr. Speaker, we do not believe that allowing votes on only 4 of the over 20 Democratic amendments submitted is far or reasonable. We feel strongly that the four amendments I have just described, as well as several others offered by the gentleman from California [Mr. MARTINEZ] to exempt from the bill's provisions actions or documents from the IRS and the Social Security Administration should be part of this debate.

Clearly, if the majority is willing to make an amendment in order to allow Members of Congress to communicate orally and in writing in a language other that English, then the Martinez amendments giving the same rights to agencies that serve so many of our senior citizens should have been permitted as well.

The bill denies many of those citizens the right to understand clearly and completely some of the most basic functions of their Government, and the functions that affect them most personally and directly. We are especially disappointed that the majority was unwilling to give Members the opportunity to correct that serious failure in the bill.

In closing, Mr. Speaker, we repeat that we find it difficult to understand the reason for this legislation. The use of languages other than English to meet the needs of language minorities in this country does not pose a threat to English because it is already in fact, of course, recognized as the primary language of this country.

But language alone in not the basis for nationhood. Americans are united by principles enumerated by our Constitution and the Bill of Rights: freedom of speech, representative democracy, respect for due process, and equality of protection under the laws. The legislation this rule would make in order is contrary, we believe, to each of those principles.

Mr. Speaker, in closing, we strongly oppose this rule and the bill that it makes in order. We urge our colleagues to defeat the rule so at least some more amendments might be made in order. It is the only proper and fair action we can take.

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

□ 1130

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GOSS], my colleague on the Committee on Rules.

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

Mr. GOSS. Mr. Speaker, I thank my friend from Georgia for yielding and I rise in support of this rule. This is a subject that generates much emotion from all sides—and I applaud this rule for allowing those with opposing views a fair opportunity to be heard.

In my opinion, the uniqueness of America stems from the fact that, although we are a Nation of immigrants hailing from all parts of the world, we have guiding principles enshrined in our Constitution that focus on what we have in common, not what divides us. Throughout the history of this great melting pot, we have demonstrated to the world that it is possible to preserve individual liberties, to uphold the traditions of a vast array of cultural heritages and to still weave a fabric of society that is uniquely American.

But Mr. Speaker, things have changed in recent years. Our society seems less committed to the idea of a melting pot, less able to focus on the common threads within the fabric of our American society. And that is why we are considering this legislation—because we want to reinforce the English language as one of those threads.

English is, and has always been, the official voice of America. H.R. 123 reaffirms this principle by setting out that the Federal Government will conduct its official business in English—with reasonable exceptions to protect the public health and safety, promote trade and commerce, uphold national security, conduct language education and preserve the integrity of our criminal justice system. I would like to emphasize that this legislation does not preempt any State or local laws. This legislation eliminates the burdensome unfunded mandate of required bilingual ballots, which was originally established by the Voting Rights Act, and which I have long opposed. While the premise of increasing access to the electoral system was well-intentioned, the implementation has become an expensive burden. It has also created unanticipated consequences, including discrimination against English-deficient voters who do not happen to live in heavily concentrated minority areas. I have always believed that the Federal Government should neither require nor prohibit the use, by local communities, of local funds to communicate with their citizens in languages other than English. Repealing the bilingual ballot requirement is an important step in that regard.

Mr. Speaker, H.R. 123 underscores that English is our national language without unduly interfering with the ability of States and localities to deal with their own unique language needs. Reaffirmation of our common language is something a substantial majority of Americans have asked us to do—and I urge my colleagues to support this rule and this bill.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ].

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

ROMERO-BARCELÓ. Mr. Speaker, language is an intensely personal form of self-expression. We use it to articulate the full range of human thought and emotion. We use it to convey our thoughts on philosophy. We use it to convey our thoughts on theology and political ideals. We use it to convey sorrow, anger and forgiveness, and we use it to express love for one another.

I think that this bill does precisely the opposite. Instead of being an expression of love for all of the citizens in the Nation, it is the setting aside of those citizens that may not have the proficiency in a language that is a common language of our Nation that others have. It curtails their access and availability of services in the government and to exercise their rights and the fulfillment of their duties and obligations.

Mr. Speaker, I do not know if Members are aware of how many documents can be published, if necessary, in other languages, to inform the public. For instance, Social Security for elderly citizens. We have information about what Social Security is all about. Survivors' benefits. Social Security, what an individual needs to know when they get retirement survivors. Social Security benefits for children with disabilities. Social Security, if an individual is blind, how can we help.

All of these and many, many, many more reports and information are published in other languages when the recipient, when the citizen does not know English well enough. And we do have citizens that do not know English or speak it very little.

In Puerto Rico, we were made citizens in 1917 by law, and we were not asked for the language we spoke, nor have we been asked what language we speak when we are drafted to go in the armed services and service the Nation.

In the Korean war, for instance, we were No. 4 in deaths, even though we were number 25 in population. And how many of those soldiers that were defending the Nation died because maybe they did not understand the orders.

They say that this is done to promote efficiency in English. We do not promote by obligating; we promote by stimulating. We promote by providing opportunities for people to educate themselves, to learn the English. Nothing is being proposed here to stimulate or further encourage or even fund the teaching of English.

I oppose the approval of this rule.

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. ROTH], who has worked on this issue for many, many years.

Mr. ROTH. Mr. Speaker, I thank my friend from Georgia for yielding me this time, and I appreciate the fine and the fair rule that the Committee on Rules has brought to the floor.

I wish we had more time to debate the issue, but I know at this time that we have a good deal of pressing legislation issues before us.

This is an historic day. I frankly have told many people who have doubted this day would ever come to have faith, that the day would come when the American people's wishes were going to be heard. In every single survey that has been taken on whether English should be our official language, 90 to 97 percent of the people say, yes, English should be our official language, which basically means when we vote, when an individual works with the Federal Government, that we do it in the English language.

The people have spoken and the Congress has listened, and now we can say that Congress has as much common sense as the American people.

We are people from every corner of the globe. We represent every religion, every ethnic group, every Nation under the Sun, but we are one nation, we are one people. Why? Because we have a wonderful commonality, a common glue, called the English language.

Now, in some 80 nations around the world they have official languages; 63 nations have English as the official language, and other nations have various other languages, of course.

The gentleman who just spoke before me is from Puerto Rico. Some of the finest people in the world live in Puerto Rico. But in Puerto Rico they have Spanish as their official language, and rightly so. They should have that right. In Mexico, they have Spanish as their official language. And again, rightly so.

Now, in this country we are told by the National Clearinghouse for Bilingual Education that by the turn of the century, one out of seven Americans will look at English as a foreign language.

Now, Mr. Speaker, as has been said before, in America, we have always had the idea that we are the melting pot, that we are all the same. We do not believe in hyphenated Americans. We are all equal American.

America must continue to be the melting pot. A Nation like America cannot be made up of groups. American is made up of individuals. As Woodrow Wilson said, as long as you consider yourself a part of a group, you are still not assimilated into American society, because America, like other nations, is made up of individuals and not made up of groups.

So today, in this debate, we are discussing this issue from the perspective of over 200 years of American history, of our culture and the things we hold dear. We should look around us in this Chamber today. All of us can take part in this debate. Why? Because we have all adopted English as our language, and this bill will allow us to do that 25, 50, and 100 years from now. Without this bill, we could not do that.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. EDWARDS].

Mr. ROMERO-BARCELÓ. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS. I yield to the gentleman from Puerto Rico.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I wanted to say the previous speaker, who stated that Puerto Rico has Spanish as the official language; in Puerto Rico, both languages are official, Spanish and English. And there are no requirements that we cannot publish in any other languages any official documents. There is no prohibition.

Mr. EDWARDS. Mr. Speaker, reclaiming my time, I appreciate the gentleman's comments.

Mr. Speaker, I find it ironic that some of the very people that will speak out in behalf of this English-only bill today are the very people who just a few weeks ago voted to cut education programs that helped young American schoolchildren learn English, voted against Head Start programs, voted against adult education funding programs that helped adults even speak English, voted to cut funding for title I that help our low-income Spanish speaking children in Texas learn how to speak English.

To me, in any language, that rhetoric versus that action does not make sense.

It seems to me that the question today is not whether American citizens should be encouraged to learn English, because we all agree that is the language of our country. The question today is what is the best way to encourage and help our citizens become English proficient.

I would suggest English plus is a much better approach than English only. I would suggest that debating education funding would be a better way to spend our time today than debating English only.

The English-only bill before this House today is unnecessary, it is insulting, it is divisive, and it is discriminatory. It is unnecessary because I hardly believe the future of the American republic is at jeopardy because 3 percent of our population speak another language.

It is insulting to millions of Americans, whether intended or not, Americans whose cultures are a part of the fabric of our Nation. To Hispanic-Americans in my home State, this kind of bill brings back the terrible, painful memories when years ago little Hispanic schoolchildren were segregated on the playgrounds and ostracized because they spoke the language, Spanish, of their parents, their families, and their grandparents.

This bill is divisive because in a country of many cultures where we come together, it pits one group against another. Hispanic-Americans and others see this bill as an attack on their culture, upon their values, and, yes, even upon their families.

At a time when we need to bring Americans together by building bridges rather than building barriers between different peoples, this bill separates us and tears us apart.

This bill is discriminatory because it says to many of the elderly in America who have worked hard, supported their families, never been on welfare, and have paid taxes for 20 or 30 or 40 years that we want to make it more difficult for them to vote and to exercise their right as a citizen to participate in this democracy.

Mr. Speaker, for all of those reasons, this bill should not be passed into the law of this land.

Mr. LINDER. Mr. Speaker, I yield 5 minutes to the gentleman from Glens Falls, NY [Mr. SOLOMON], the chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong support of this legislation.

Mr. Speaker, today is a historic day, a day in which Congress focuses on those things which unite us as a country, and those which expand the horizons of opportunity for all of our citizens. The English Language Empowerment Act has nothing to do with fear, nothing to do with linguistic cleansing and nothing to do with targeting minority populations for political gain. My support of declaring the English language to be the official language of the Federal Government is based on two simple principles: unity and opportunity.

Mr. Speaker, from the very beginning our Nation has recognized that

> The prosperity of the people of America depended on their continuing firmly united, and the wishes, prayers, and efforts of our best and wisest citizens have been constantly directed to that object.

Now this observation was not made by me, these are the words of wisdom in the Federalist Papers by John Jay, our country's first Chief Justice of the Supreme Court.

John Jay went on to say:

> I have * * * often taken notice that Providence has been pleased to give this one connected country to one united people—a people descended from the same ancestors, speaking the same language * * * attached to the same principles of government, very similar in their manners and customs, and who by their joint counsels, arms, and efforts, fighting side by side throughout a long and bloody war, have nobly established their general liberty and independence.

Based on this premise for the past two centuries, we have forged a nation out of our different peoples by emphasizing our common beliefs, our common ideals, and perhaps most importantly, our common language. Our English language has permitted this country to live up to our national motto, ''e pluribus unum''—out of many, one. For most of our Nation's history, the English language has been the key to integrating new Americans as well as the glue that has held our people together. It is in this spirit that this bill has been devised to secure English's central place in our society by making it America's official language.

Now, this devotion to unity and to the English language is not founded upon any bedrock of racism, mean spiritedness or division. Rather it is premised on the belief that our strength in unit can best be preserved through the prevention of divisions along linguistic or cultural lines such as encountered by Canada with Quebec.

Now what do I mean by divisions along linguistic lines? These divisions are not between people, but between opportunities. Americans who do not know English, are segregated from those who do, separated from everything the United States and its precious Constitution stands for. A declaration of English as the official language is necessary to demonstrate that the Federal Government's goal is to desegregate these Americans.

Yesterday in the Rules Committee we heard hours of testimony from members with deeply held concerns with this bill.

Some were puzzled over what problem this bill was trying to solve; others claimed proponents of the bill were afraid that the English language was facing extinction in the United States. Well, let's be clear. This bill is intended to ensure that no American citizen, no matter what their cultural background, no matter whether they live in Puerto Rico, or Iowa, has to be trapped in a linguistic box, kept away from the tools of opportunity. This is the land of opportunity and the language of the land of opportunity is English. There should be no ambiguity about this fact. Current projections show that by the year 2050 more than 20 million people in this country will not be able to speak English well or at all.

That's 20 million people unable to even try to attain the American dream.

The usage and understanding of English is the key to economic and educational opportunity in America. Therefore we as the Federal Government must promote and enhance the ability of all Americans, no matter what their heritage, to read, speak, and understand this language of opportunity. According to a study done by Dr. Richard Vedder and Dr. Lowell Galloway of Ohio University it was found that if immigrant knowledge of English were raised to that of native-born Americans, their income levels would increase by $63 billion a year. It was also concluded that the current situation has trapped 1.5 million immigrants in poverty. The simple truth is that those who cannot function in our country's predominant language are less able to find jobs.

As a result, they are cheated of the opportunity for improvement and happiness that America promises to millions. This bill places the Federal Government in the affirmative position of saying this tragedy is not going to continue.

Furthermore, this bill has nothing to do with what languages we speak in our home, church or organization, or what foreign languages we may wish to learn. This establishes English as the official language of the government, not the private sector. Many of my good friends have expressed the hardships with which their families have sought to learn English while retaining their native tongue.

I applaud them for their efforts and I do not want them to stop doing this. In fact, Americans should strive to learn other languages as a way of expanding their understanding of the entire world. However, this should not be at the expense of our common tongue.

Winston Churchill once said ''the gift of a common language is a priceless inheritance.'' According to a USA Today poll taken in 1993, 97 percent of the American population agreed with Winston Churchill and supported making English the official language of Government. A more recent study found that 86 percent of Americans and 81 percent of immigrants want to make English the official language.

Now some of my colleagues have claimed that this bill preys upon linguistic minorities in this country, reminding us that Alexis de Tocqueville warned that the danger of democracy was that a majority could exercise tyranny over a minority. While I acknowledge that this is a serious concern, I would also remind my colleagues that before de Toqueville gave this warning he also stated that ''the tie of language is, perhaps the strongest and the most durable that can unite mankind.'' Promoting this tie of language is not an attack on minorities, nor is it an act of self-preservation but it is a ramp to expanded opportunity and freedom for all Americans.

Finally, Mr. Speaker, it must be understood why this bill goes farther than just declaring English to be the official language of government. Yes, it does repeal the bilingual ballot requirement, yes it does require the Federal Government to conduct its written business in English and yes it does require the INS to hold its naturalization ceremonies in English. Do you know why? It is because America is composed of people who have for centuries pulled themselves up by their bootstraps with courage and a vision to pursue the opportunity that America has to offer. All of us at one time or another were immigrants. Our forefathers came here for the same reasons immigrants now come ashore.

America is the land of opportunity and if the Government does not remove the impediments to assuring that these immigrants receive the keys to opportunity here, then I am afraid they will remain in what the New York Times called a bilingual prison. Bilingual ballots, and INS ceremonies and Government documents in other languages continue to uphold the untruth that you can live in America, you can have access to opportunity and you can achieve the American dream without being able to speak English. The Government can no longer mislead the citizenry.

Mr. Speaker, I will close with the observation that 23 States have established English as their official language, 80 countries only print government documents in one language, 323 different languages are currently spoken in the United States, a knowledge of English has been a requirement of U.S. citizenship since 1811, and the bill before us today is supported by the American Legion, the VFW, the Catholic War Veterans, the National Grange, the General Federation of Women's Clubs and many others.

This is a document of opportunity, a vision of unity and a compassionate measure. It deserves America's strongest support.

□ 1145

Mr. BEILENSON. Mr. Speaker, I yield 4 minutes to the distinguished gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Mr. Speaker, as a public servant and educator, and a mother, I think it would be a great disservice to our children to make English the official language of the land, not only because of the domestic and international ramifications that it would have, but more so for the future of our children. It is time that as Americans we understand what educators throughout the world already seem to know, that proficiency in many languages ultimately results in increased understanding of others, awareness of other cultures and traditions, and ultimately improvements in our Nation's prosperity and welfare. Today, as a nation, we stand together joined by English as our primary language, and we hold hands as a nation, where our acceptance of diversity has given us greatness.

Chief Supreme Court Justice Earl Warren once said, ''We are now at the point where we must decide whether we are to honor the concept of a plural society which gains strength through diversity, or whether we are to have bitter fragmentation that will result in perpetual tension and strife.''

As a Cuban-American who immigrated to this country in 1960, I was granted the honor of living here in the United States, a nation where differences, not similarities are the norm and, most of all, a nation where for over 200 years this plural society has been the standard and where speakers of different tongues and persons of diverse cultures, ethnic backgrounds and walks of life have come with one goal: To live, persevere, and succeed in the United States of America, the land of the free and the melting pot of the world.

With the onset of the 104th Congress, there have been proposals made by various of my colleagues that seek to make English the official language of the United States of America and to eliminate bilingual written and oral assistance for language minority voters. Persons who have immigrated in the past, who do so in the present, and who will continue to do so in the future, already understand that in order for them to be able to do well in this great Nation of liberty and freedom, where equality is the law of the land, they must learn English and no law is needed to stress this. Moreover not only do over 97 percent of Americans speak English, but newcomers to our great Nation are learning English faster than ever, thereby making English as the official language a moot point.

There are many benefits to having no official language in a country renowned for our diversity and home to communities where many different languages are heard. Among some of the benefits are those to public health and safety, a better and improved educational system for our children, the continuation of Government access to millions of taxpaying citizens and residents and the creation of a more cohesive American society.

Some would say that we are indeed a diverse nation, that we must provide for a common heritage through the use of the English language. Our heritage, however, is not so much English itself, but instead that regardless of race, color, creed, and our language preference, we have been given the honor of all being Americans.

The fact that we are all members of this great Nation and benefit from its Democratic ideals and liberties is a far more cohesive bond than any language could ever be.

From a more global perspective, it is obvious to all that America today is undoubtedly one of the world's top economic powers. In an everyday more globally interdependent world, where an astonishing four out of five jobs are created through exports, it is necessary that knowledge of other languages be encouraged in order to facilitate our business with the rest of the world and not force others to deal with us strictly in English. Establishing English as our official language would serve to undermine our competitiveness on a global scale.

As a Florida certified teacher and a former owner of a bilingual private school in south Florida, I know this bill will not facilitate the transition for children who have already come to the United States and do not have enough of a grasp of the language to understand challenging subject matters. ''English only'' legislation would only prove to be a disservice to these children instead of facilitating their learning abilities.

CONGRESSMAN MCDADE ACQUITTED

(By unanimous consent, Mr. SHUSTER was allowed to speak out of order for 1 minute.)

Mr. SHUSTER. Mr. Speaker, it is with a very happy tear in my eye that I announce the wire services are reporting that our colleague, the gentleman from Pennsylvania [Mr. MCDADE] has been acquitted of all charges.

Mr. MURTHA. Mr. Speaker, if the gentleman would yield, let me just add to what the gentleman from Pennsylvania [Mr. SHUSTER] said. JOE MCDADE has been under investigation for 6 years; under indictment for 2 years; he has been hurt emotionally, physically, and they were challenging the rights of the House during all this period of time.

Mr. Speaker, it really is a win for the House. The House sided with him in every appeal, and I think this is a strong message that goes out that the House of Representatives is a separate body. The jury understood that. We represent people.

Mr. Speaker, JOE MCDADE is one of the finest individuals that I have ever served with, and I have served with him for 23 years on two separate committees, and day by day we sat together. And so I am just delighted to see this, and as the dean of the Pennsylvania delegation, I join with the gentleman from Pennsylvania, Mr. SHUSTER, in our commendation and congratulations to JOE MCDADE, who is such a wonderful individual, and to his family who suffered so much during this period of time.

Mr. WELDON of Pennsylvania. Mr. Speaker, if the gentleman would yield, I thank the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from Pennsylvania [Mr. MURTHA] for the words that they spoke today. The two of these gentlemen, as the deans of our delegations respectively, Republican and Democrat, have been there for JOE as friends over the past several very difficult years.

Mr. Speaker, I just want to rise and say it is a tribute to this institution that so many Members of the House on a day-to-day basis asked about JOE MCDADE, asked about his health, about his well-being, about his family. And through a very difficult ordeal it was the Members of this institution, people like the gentleman from New York, Mr. RANGEL, who I understand went up and testified as a character witness for JOE MCDADE, that is a real testimony to the character of this institution.

So, Mr. Speaker, I applaud not just his verdict but the fact that all of us did not cut and run when JOE MCDADE had a charge levied against him. All of us who know JOE personally stood by his side through thick and thin, and all of us can share in that joy today, both Republicans and Democrats.

Mr. LINDER. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. KING].

Mr. KING. Mr. Speaker, I thank the gentleman from Georgia for yielding and before I begin my remarks, let me also join the House in congratulating the gentleman from Pennsylvania [Mr. MCDADE]. I am so delighted his long nightmare is over.

Mr. Speaker, I rise in support of the rule and in support of the underlying bill. For the first 180 years of our Nation, immigrants came to our shores knowing that they had to learn the English language to become part of the American mainstream. They maintained their own cultures, their own traditions, their own religion, their own beliefs, their own parades, their own festivals, but they were bound together by the English language.

Growing up in New York City in the 1940's and 1950's, I witnessed this firsthand. I saw the beautiful American mosaic of all the different cultures and belief, bound together with the glue of a common language. Unfortunately, in the past 45 years we have gotten away from that. We have bilingual education, bilingual voting, bilingual programs one on top of the other, which

results in dividing us as a Nation, dividing us by language.

Mr. Speaker, if we are to come together as a nation, if we are going to build bridges and reassert and reestablish that beautiful American mosaic, it is essential that this bill be adopted.

Mr. Speaker, I commend the gentleman from California [Mr. CUNNINGHAM] and the gentleman from Wisconsin [Mr. ROTH] for the work they have done over the years. I urge all Members to vote for the bill and vote for the rule.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. TORRES].

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

Mr. TORRES. Mr. Speaker, I rise in strong opposition to the rule here today and its misguided effort to legislate the very obvious: That this Nation already speaks English.

For anyone living in this country, engaging in commerce, seeking an education, or simply just traveling, English is the common language. On the WorldWide Web, English is the official de facto language. The majority of international commerce is conducted in English. Students from around the world vie for a U.S. education and a chance to learn English, and in places with high immigrant populations like my district in Los Angeles, the demand for learning English is so high that people must wait months and, yes, years to attend oversubscribed English classes.

In an age of increased global competition, we should be nurturing our Nation's most valued treasures, the wealth of cultural knowledge and foreign language skills. And today, some of my colleagues would prevent us from capitalizing on the wealth this Nation has accumulated.

Mr. Speaker, we cannot be afraid of language. Language is knowledge. Yes, my friends, we should encourage and I stress ''encourage,'' not legislate, that Americans learn and speak English. But a mandate of this sort that we are considering today could only be described as a veiled intolerance toward non-English-speaking Americans. It is unconstitutional. It is un-American.

Mr. Speaker, I urge my colleagues to take a look at the lawmakers outside of the beltway that have looked at the practical effects of this legislation. Both Governor Bush of Texas and Governor Whitman of New Jersey have spoken out against ''English only'' mandates. They realize that Americans are an asset and should not be shunned for their language deficiencies.

We are a nation blessed with many differences, and I ask all of my colleagues to look up at the ceiling and read the inscription up there, ''E pluribus unum,'' which means ''Out of many, one.'' We are one because our Constitution and its lasting democratic principles has done this for us.

Our Nation should look to the world with pride for our Nation's differences and we should capitalize on that, and so I urge my colleagues to heed my call for tolerance and work toward the goal of enhancing English as the common language. We should not be mandating it. It is divisive. It is dividing us. It is not the glue that brings us together. The glue that holds America together is the democracy that we practice. It is the tolerance, it is the diversity that we enjoy.

□ 1200

This kind of legislation is unnecessary and is divisive. I urge a ''no'' vote on the rule.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I say to the gentleman from California, out of many, one. On this side we believe that one means language, too, which is English.

I would like to quote for him and others the late Senator Hayakawa, who said, ''America is an open society, more open than any other in the world. People of every race, of every color, of every culture are welcomed here to create a new life for themselves and their families. And what do these people who enter into the American mainstream have in common? English, our shared common language.''

For that reason, I rise in strong support of the rule. This Nation of course is a melting pot, finding its strength in our citizens' unique diversity. However, we all share a common unifying bond, our English language. Mastering a nation's original native language is critical to succeeding in a society because it provides one with the opportunity to excel. This is not to say that the study of foreign languages should be discouraged. Quite the contrary, being fluent in a second or third language opens, more often than not, doors to new opportunities and experiences. But if the English language is not the top priority, the doors in our own Nation will remain closed to some, and they will be left behind. When one discourages another from learning English, they ensure that the non-English-speaking individual is denied their chance at attaining the great American dream.

In a time when college graduates still have difficulty finding employment, what is left for those individuals who cannot communicate proficiently in English? While we continue to cherish the very cultures and heritage of the people that comprise this Nation, we need to have one language that unites and defines us as Americans if we are to ensure our continued success.

Mr. Speaker, we need to communicate in one official language and that is English. That is why I urge support of the rule.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. ROYBAL-ALLARD].

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in strong opposition to the rule and the bill. Historically Americans have struggled to build a democratic society in which all citizens have equal access and opportunity. To ensure that every citizen was informed, our forefathers printed Government documents in German, French, and other languages. In 1975, the Nixon-Ford administration recognized the importance of an informed electorate and successfully led the fight for bilingual ballots to help eliminate discrimination in the electoral process.

Given our country's great history, it is a disgrace that we have this divisive and unnecessary bill before us, divisive in that it denies American citizens who are not yet proficient in English the right to access Government information in their native language, unnecessary in that 95 percent of U.S. residents already speak English.

The bill's premise is also flawed. The common thread binding Americans is not only a common language but the quest for democracy, freedom, and justice for all.

This bill breaks all strands of that common thread by dividing American citizens and unraveling civil rights in the name of national unity.

Let us uphold the tradition of respect for the fabric of diversity that makes this country great. Let us defeat the rule and this bill.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], chairman of the Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Speaker, I rise in strong support of H.R. 123, the English Language Empowerment Act of 1996.

This bill declares English to be the official language of the Government of the United States. It will require the Federal Government to conduct its official business in English including all citizenship naturalization ceremonies. The American people, including new citizens, have long championed the notion of making English our official language. To date, 22 States—including my home State of Louisiana—have already declared English their official language. It is time to make English the Nation's official language.

The bill also amends the Voting Rights Act to end Federal mandates for bilingual ballots. This will put an end to the unfunded mandate of requiring States to print ballots in different languages. Since 1975, States with certain populations of language minorities are required to print ballots in the native language of the minority. Currently, 375 voting districts in 21 States are now required by Federal law to provide voting ballots and election material in foreign languages—6 languages alone were on the ballot in the last mayoral election in Los Angeles. While there are some who believe this is worthy and necessary, the measure is dividing our Nation along ethnic lines. In addition, it is also unduly burdening the States and opening the system to potential fraud.

The issue of voter fraud disturbs me greatly. I fear bilingual ballots only help those who resolve to steal elections. According to the 1990

Census, California has 4.4 million non-citizens, Florida has 949 thousand non-citizens. Texas has over a million non-citizens, and New York has 1.5 million non-citizens. In 1982, a Chicago grand jury reported that ''* * * many aliens register to vote so they can obtain documents identifying them as U.S. citizens * * * These aliens used their voter's card to obtain myriad benefits, from Social Security to jobs with the Defense Department.'' Unfortunately, many of these same individuals also vote. With the ballots printed in their native languages, its easy for crooks to convince these individuals—many of whom are unaccustomed to U.S. election laws—that it is okay for them to vote.

We are an English speaking Nation. Most citizens understand this and, in fact, support this reality. Since 1906, all U.S. citizens are required by law to be able to comprehend English. And, since 1950, all U.S. citizens must demonstrate an understanding of English, including an ability to read, write and speak words in ordinary English usage. However, there are currently 323 languages spoken in the United States—115 languages alone spoken in the New York City Schools. Forty million Americans will be nonEnglish language proficient by the year 2000. To keep America one Nation, one people we must have one common language.

Opponents of making English our official language claim that certain ethnic groups do not understand English and therefore must be accommodated. Well, since the 1960's, the Federal Government has been spending millions of taxpayer dollars on programs that teach English to nonEnglish speaking individuals. In addition, the Federal Government mandates that States and local governments also spend taxpayer money to teach English to nonEnglish speaking individuals. In 1995 alone, the Federal Government spent over $200 million on such programs. And, when you include State and local mandated spending for such programs, the amount skyrockets to $8 billion.

Well, Mr. Speaker, something is obviously not working. It is becoming more and more evident that teaching children in their native, foreign language hinders their ability to learn English. Printing ballots in foreign languages does the same. Let's not perpetuate an already bad problem by officially recognizing languages other than English.

Mr. LIVINGSTON. Mr. Speaker, I rise in favor of the rule and in support of the bill and would point to some of the change in my pockets, which the saying is on some of our currency, e pluribus unum, out of many comes one.

The fact of the matter is that America is built on many cultural societies who have come together in unity and in an attempt to build one great Nation. Whether it ultimately ended up as English speaking or Spanish speaking is a matter of history. We are an English speaking Nation. It does not mean that people of Spanish heritage cannot treasure their heritage or speak Spanish at home. Likewise, Haitians or Iranians or Iraqis or people of any culture in this great country of ours can respect their cultures at home and in their communities and can speak in bilingual fashion. But to say that we will become a Nation of many official languages is to run a risk that no longer will we be unified as a Nation.

In fact, Canada in recent years has experienced exactly that problem. they started recognizing French as an official language, as part of one major segment of the country. Now we see that Canada is on the verge of breakup, of disruption, within a matter of 5 to 10 years may not be a single nation, may be a segment of several different nations.

I would not want to see that happen to the United States. We went through one great Civil War. We do not need to go through any more. This country has fought, has spilled blood to provide for a single Nation. We will remain that way if we speak one official language. I urge adoption of the rule and passage of the bill.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentlewomen from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Speaker, I rise in strong opposition to the rule and to the bill. There is pending before the U.S. Supreme Court a contest on a constitutional provision added by referendum to the State of Arizona Constitution which falls along similar lines. The lower Federal court in the State of Arizona, as well as the U.S. Ninth Circuit Court of Appeals in looking at the provision that had been put into the Constitution, both unanimously held that the provision which called for English only, requiring all public employees to communicate with constituents only in English constituted a violation of the first amendment and that it was a denial of free speech.

It is on this basis that I rise in opposition to the rule and to the bill. This legislation, though it is called an enhancement policy, in essence translates a feeling in this country about the importance of English, into a prohibition against the Government and its employees in the exercise of their duties to communicate in other than in English.

When we took office we took an oath to uphold the Constitution.

This, I believe, Mr. Speaker, to be the fundamental obligation of this body. Through the Committee on Rules and through our deliberations in our committees, the Constitution should be our guide and we should not enact, support, legislate in any way that deprives fundamental liberties in this country. Sure, every parent wants their child to succeed, to be prosperous. And the only proven way in this country to do that is to be proficient in English. So, the obligation of this Congress and of this Nation is to encourage it.

Yes, I think we all believe that English is the common language of this country and in order to succeed here in trade and commerce, in all of our professions, we ought to be proficient in English. But this bill goes for beyond that. It does not enhance our democracy. It restricts it. It confines the duties of this Government to only those people who speak English.

In fact, there is a section in this bill that says every other law that has been passed by the Congress from the beginning of this Nation to the present time which may require communication in languages other than in English only is hereby repealed.

This Nation has been for open Government, for equal access, to take everybody who is here legally in this country and to accord them equal protection of the laws. This legislation does not do this. I hope that the Congress will not pass a law which is so divisive. The goal of this country is to unite behind the principles of democracy and not to go contrary to the Constitution.

MODIFICATION OF AMENDMENT NO. 1 IN HOUSE REPORT 104–734 TO H.R. 123, ENGLISH LANGUAGE EMPOWERMENT ACT OF 1996

Mr. LINDER. Mr. Speaker, I ask unanimous consent that amendment No. 1 printed in the report on the rule may be offered in the following modified form:

At the beginning of the amendment, insert:

Page 1, line 4, insert before ''English'' the words ''Bill Emerson''.

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

There was no objection.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. WELDON].

(Mr. WELDON of Florida asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Florida. Mr. Speaker, I rise in support of H.R. 123. Our country has a historic tradition of receiving immigrants from all around the world. H.R. 123 builds on that tradition and binds us together through the use of English as a common language.

Over the past 20 years the Federal Government has increased the number of languages in which it publishes documents and conducts official duties.

This has led to a de facto multilanguage policy which is very expensive for the taxpayer.

H.R. 123 declares English to be the official language of the United States Government and serves to unit us even more as a Nation.

All of us would agree that knowing English is a key to success in the United States.

A 1994 study of Southeast Asian refugees in Texas showed that those who knew English earned more than 20 times the annual income of those who did not speak English.

Knowing English will open a broad range of opportunities that would otherwise be unattainable.

This bill fosters and encourages everyone to learn English.

Encouraging immigrants to learn English is the compassionate thing to do and this bill does that.

Mr. Speaker, one of the biggest reasons why I am rising in support of this bill is because it is what my mother would want me to do. She passed away in 1991, but she was born to Italian

American immigrants and spoke Italian as her first language.

She always taught me that this move towards multilingualism in the United States was bad and divisive. On my way over here I was speaking to another Member who told me his high school now conducts official proceedings in two different languages. I think that is wrong. I think the language that binds us together is English, and my mother was right. I encourage everyone to support the rule and to support the bill.

Mr. Speaker. As a cosponsor of H.R. 123, The English Language Empowerment Act, I rise in strong support of this bill. We are proud of our Nation's ability to assimilate people from around the world into one cohesive society. The purpose of H.R. 123 is to build upon our Nation's historic tradition as a melting pot of diverse cultures from around the world, and to bind us together through the use of English as a common language. This bill establishes a much needed uniform Government language policy, promotes assimilation, saves taxpayers money, and empowers immigrants to realize the American Dream for themselves.

This bill is needed because currently the Federal Government does not have a uniform national language policy on publishing documents or conducting its business. Whether documents are published in a foreign language depends in large part upon which particular Federal statute is involved. In addition, over the past 20 years the Federal Government has increased the official duties it performs in other languages resulting in a very costly de facto multi-language policy. This bill corrects this piecemeal approach by establishing English as the official language of the United States Government and requires the Government to conduct all its official business in English.

H.R. 123 will not only establish a uniform national language policy for the Government, but it will promote assimilation of immigrants, rather than isolation and separation. The current policy fails to encourage recent immigrants to learn English. The failure to encourage immigrants to earn English may be the easy thing to do, but it is not the compassionate thing to do. The compassionate thing to do is to encourage immigrants to learn English. A firm grasp of the English language is a key to succeeding in America.

Learning English not only helps immigrants assimilate, it is the key to having the opportunity to realize the American Dream. Studies show that people who learn English earn more for their families, and confirm that the ability to speak English can make the difference between a low-wage job and a high-wage managerial, professional, or technical job. In 1994, the Texas Office of Immigration and Refugee Affairs publicized a study of Southeast Asian refugees in Texas. The study showed that individuals proficient in English earned more than 20 times the annual income of those who did not speak English. H.R. 123 empowers each new generation of immigrants the opportunity to realize the American dream.

Nothing in this bill would in any way limit the ability to individuals to speak their native tongue. This bill simply limits official Government business to the English language.

Not only does this bill benefit the immigrant, it also benefits the taxpayer. There are hundreds of languages spoken in the United States. According to the GAO, The Federal Government already prints many documents in foreign languages including Spanish, Portuguese, French, Chinese, German, Italian, Russian, and others. For American taxpayers the question is where does the printing of these documents in foreign languages stop? This bill ensures that all Americans can count on one language for Government action, polices, documents and proceedings.

In conclusion, I support H.R. 123 because it helps recent immigrants by opening up to them a land of opportunity. It will stop the trend towards the separation and isolation. It will encourage assimilation. In supporting this bill I stand with 86 percent of Americans and 81 percent of immigrants who want to make English the official language of the United States.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, I rise in opposition to the rule and to the legislation for a multiplicity of reasons.

One is that I saw a friend of mine recently, and this bill is making us the laughing stock of the world. He said, you Americans are going to speak English? I said, We do. But you are going to make it the official language? It is. This just puts it a line on a piece of paper.

My district begins with Hispanics, what we call Anglos, Czech, Slovak, German, Polish, little Hungarian. That is the makeup of my district in south Texas.

All of them speak English. All of us speak English in one form or another. But this is mean spirited, I do not care how we camouflage it. It is aiming at someone. It is aiming at a group in California or some other place. We do not want this. We do not want any more immigrants. We are going to shut it out.

What are we going to do to the Statue of Liberty? I guess erase what it says on there.

This is a problem that we have. This is mean spirited. It is camouflage. It is trying to stop people from doing something.

English is the language of this country. That is what we speak. That is what we do. Everyone does that. My congressional district, we are teaching the kids. But do you want to stop something? Why do the big companies spend millions of dollars in Spanish on the billboards? To sell their product, to sell their product.

□ 1215

Mr. Speaker, saying that the Government of the United States has to function solely in English is ridiculous, it is absurd.

Now let me tell my colleagues something. President Reagan stood in front of the wall in Berlin and says, ''Mr. Gorbachev, tear down this wall.'' Had bailing wire and bricks and mortar; it was torn down.

We are going to rebuild the Berlin Wall around the United States of America. Not going to be bricks and mortar; it is going to be something called ''English only.'' We are going to build a wall around us, and my colleagues will live to regret the day.

Mr. LINDER. Mr. Speaker, I yield 1½ minutes to our colleague, the gentleman from Ohio [Mr. TRAFICANT].

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

Mr. TRAFICANT. Mr. Speaker, America is a nation of immigrants. Some came with knapsacks on their shoulders, some came in chains and leg irons.

But one thing America is not. America is not a nation of separation. All our citizens are Americans. The common denominator is our language. Our language is English. The glue that binds generation after generation is both our Constitution and our English language.

Supporting programs that teach English, in my opinion, is not enough. Congress must insure that America does not become a nation of separate communities, separate tongues.

So, Mr. Speaker, I say it is time to stop the politics of fear, politics of hate, politics of division. It is one America, one people, one community, one Nation under God I might add, and to best achieve those goals, ideals, and rights I believe is one official language.

If someone else can make a better case for another language, I will listen.

Mr. Speaker, I support this rule, and I support this bill and urge the Congress to do so as well for the sake of unity.

Mr. LINDER. Mr. Speaker, I yield 1 minute to my colleague, the gentleman from California [Mr. MCKEON].

Mr. MCKEON. Mr. Speaker, I rise in strong support of H.R. 123, the English Language Empowerment Act. H.R. 123 provides encouragement for immigrants to learn English.

Today, when many immigrants reach our shores, they settle in neighborhoods largely inhabited by people who speak their native language. This is understandable, as it is much easier and more comfortable to associate with people of the same culture speaking a familiar language. However, to gain the full benefits of coming to this great land, it is imperative to learn the English language. Learning English is necessary in order for immigrants to build a better future for themselves and their families.

Many of the bill's opponents claim that H.R. 123 will isolate our recent immigrants from the rest of society. When in fact, it accomplishes the exact opposite—it brings us together as a nation united under one common language.

Again, I urge my colleagues to support H.R. 123.

Mr. LINDER. Mr. Speaker, I yield 1 minute to our colleague, the gentlewoman from California [Mrs. SEASTRAND].

Mrs. SEASTRAND. Mr. Speaker, I rise in very strong support of this legislation.

Few Members here today on both sides of this debate would argue the fact that the United States is a country of immigrants, each of whom, through both their differences and similarities, have contributed a great deal to the fabric of our society. As the granddaughter of Polish immigrants, I can attest to this fact.

But the debate we are having today is not about our differences, it is about our similarities. I am proud of my heritage—as are the many ethnic groups that make up the enormous cultural diversity of this Nation. My grandparents and parents spoke Polish at home when I was growing up and I do not believe anyone here today will argue against the practice of communicating in a language other than English. But they understood that mastering the English language was the key to opportunity, success, and prosperity in the United States.

It simply makes sense to make English the official language of the United States, and vast amounts of Americans agree. In 1986, 73 percent of California voters overwhelmingly supported an amendment to the Constitution to establish English as the official language of California. So because of that, I would ask that we strongly support this legislation.

Mr. BEILENSON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Arizona [Mr. PASTOR].

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

Mr. PASTOR. Mr. Speaker, all morning we have been told that the reason we are having this bill is because people are divided and English being official would bring us together.

But this bill only does one thing. It prohibits a Federal public official from corresponding in a written form to his or her constituents. That is all it does.

And, Mr. Speaker, the basic problem with this bill is that it is unconstitutional. The Ninth Circuit of the United States has found that such a bill is unconstitutional for two reasons: In many cases sometimes a public official has to correspond in a language other than English because it is essential for communication; and to have an effective government, Mr. Speaker, sometimes we have to communicate in a language other than English.

This is all that the bill does. It is unconstitutional and I would ask Members to vote ''no.''

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, that is not all this bill does. Only one-tenth of 1 percent of all Federal documents go out under current law. But law is more than just law, it is symbology.

How many of my colleagues watched Kerri Strug in the Olympics win a gold medal? When seeing that American flag come down, I bet many of my colleagues had tears in their eyes. That was powerful. That was power. That empowered not only Kerri Strug and the gold winners, but the American people.

How many of my colleagues have ever witnessed or participated in a swearing-in ceremony? I have, many of them; and I want to tell my colleagues when they stand up and they hold up their hand, that is powerful and it is strong and it empowers those immigrants and the rest of the American citizens. That is important. It is not just law, it is empowerment of our children.

Mr. Speaker, I look at over and over, there are 320 languages, over a thousand dialects, and the reason for the bill, this is the Bill Emerson bill, that there is an increasing number of American citizens that do not understand, write, or communicate orally with the English language, and we are saying that in the thirties and the forties and the fifties there was a different attitude, that when one came they learned English, and over a period of time that number is reduced, and we want to empower our children.

We are not building a wall, we are tearing down a wall, because if I was mean-spirited, I would say: Stay where you are. Don't learn the English language. Stay wherever you want in your little communities and not have a portion of the American dream.

But no, Mr. Speaker, we are not doing that.

Governor Clinton in Arkansas signed a bill just like this one. Eighty nations in the world have signed their own language is a common language.

Mr. LINDER. Mr. Speaker, I yield 1½ minutes to my colleague, the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Speaker, can my colleagues see the absurdity of this Congress and this Nation having a debate such as this:

(Here, Member spoke in French.)

That is French in my own attempt. In Italian we could say:

(Here, Member spoke in Italian.)

And I will try it in Japanese, Mr. Speaker:

(Here, Member spoke in Japanese.)

The interpretation is one language is important for our country.

Now we can sit here and say and tell our children that it is not important to have one, but it is absolutely absurd. Nations need a common language.

My uncle was a Hungarian immigrant. He spoke eight different languages. He was run out of Hungary by Nazi Germany. But he did not come to America to say, ''You need to start speaking Hungarian.'' He said, ''I'm going to start speaking English.'' He kept his Hungarian. And my cousin Clare, who was born in Spain, knew some Hungarian, today she knows Spanish. My sister Jean knows Italian. I minored in French. My colleagues would not believe it by the way my pronunciation was just then.

But the point is we have to have a common language in our country. This is not mean-spirited, this is not malicious. It is absurd for people who cannot come up with an intellectual argument to come back to that same old line: mean-spiritedness. This is common sense. So, Mr. Speaker, as we would say in Japan:

(Here, Member spoke in Japanese.)

In French:

(Here, Member spoke in French.)

In Italian:

(Here, Member spoke in Italian.)

Down home we say, ''We'll see you all later.''

Mr. BEILENSON. Mr. Speaker, I yield such time as she may consume 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 oppose the rule because it makes Americans not Americans. It is a bad rule and a bad bill.

Mr. BEILENSON. Mr. Speaker, I yield the balance of our time to the gentleman from Texas, Mr. GENE GREEN.

The SPEAKER pro tempore (Mr. NETHERCUTT). The gentleman from Texas is recognized for 2¾ minutes.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to the bill and the rule. I consider the bill a dangerous bill, and unlike my colleague from Georgia, English is our common language. I admit, in Texas we speak a little different English from maybe in Georgia and New England, but we still speak English, and some Members in the House on both sides say that we do not.

The reason for the opposition to this bill is that my colleagues talk about the bill, saying it is a common language. That is not what the bill says. If my colleagues brought a bill to the floor today that said English is a common language, they would not have any opposition to it because we would all agree with that.

What this bill does, though, is separate it, prohibit the use of other languages, and even this rule that we have today is limiting our freedom to debate on this bill. A lot of amendments Members submitted to try and make this bill better and not so onerous were not allowed in the Committee on Rules because of the modified closed rules we are having, and once again we have a rule that we do not get to debate the full bill itself.

English is our official language. My opposition said 99 percent of the documents that are printed are printed in English. This is a solution in search of a problem, Mr. Speaker. Our language classes for English in my district and everywhere in the country are overflowing. There is a waiting list now. They cannot advertise English language classes in Houston because they cannot fill them, and yet these are the same folks that cut education funding

for adult education. So do not come up and shed crocodile tears about how people ought to learn English when they cut adult education to people who want to learn English.

This bill should be amended to recognize that English is our common language because that is what their debate is about, but it is not. This rule divides us and this bill divides us as Americans, because we share more than our language. We share our love of freedom and our willingness to fight for that freedom, no matter what our language is. And I thought that was aptly mentioned earlier by my colleague from Puerto Rico.

□ 1230

This bill divides our country, because we are united in more ways than language. Again, I will share with my colleague from California, he says ''Nothing typifies this more than the Olympic spirit,'' the unity we see, not just from around the world, but from the United States team in Georgia.

We are going into the 20th century, and here this is a bill that I can imagine would have been debated last century. We are going into the 20th century, to try to make sure we can compete in the world and compete everywhere, and yet we are going to punish someone in my office who writes a letter back to someone in German?

I know there is an amendment to correct the bill, but it came out of committee, to punish Members of Congress for contacting, in response to people who write our office, whether it be in Spanish, Czech, German, or Vietnamese. They are going to clean it up, but this bill should have been worked on even more, because it is a bad bill and it is a bad rule.

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

Mr. Speaker, in closing let me just say this is a modest attempt to do what the people of this country have wanted for some time in overwhelming numbers, to establish English as the first and official language of this country.

For over 200 years, the glue that held the fabric of this society together was a common language. Thirty years ago, we began to change that. We began to deal with people in different languages. That isolated them. This bill is going to bring them back together. The isolation that was created by putting people in pockets of communities that spoke a different language kept them apart and out of the American dream. This is a modest effort to change that. I urge support for the rule.

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

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to proceed in order under the rule to accommodate the gentleman.

The SPEAKER pro tempore (Mr. NETHERCUTT). Could the gentleman clarify his request?

Mr. CUNNINGHAM. Mr. Speaker, this is for the purpose of unanimous consent, to change the language on one of the amendments, like we did with Mr. Emerson.

Mr. BECERRA. Reserving the right to object, Mr. Speaker, I am not sure which amendment the gentleman is talking about.

Mr. CUNNINGHAM. Mr. Speaker, it is their side's amendment. I am trying to accommodate the gentleman, not us.

Mr. BECERRA. Again, Mr. Speaker, if we could find out what the change would be before we decide.

Mr. CUNNINGHAM. It is right there before the gentleman.

Mr. BECERRA. Mr. Speaker, under my reservation of objection, if I may ask the gentleman a question, if the gentleman is just providing some definition to ''Native American,'' is that the purpose of the gentleman's amendment?

Mr. LINDER. Reserving the right to object, Mr. Speaker, I think it is appropriate that we see what is precisely being tried before we decide whether or not to object.

Mr. CUNNINGHAM. Mr. Speaker, I withdraw my unanimous-consent request.

The SPEAKER pro tempore. The gentleman from California [Mr. CUNNINGHAM] withdraws his unanimous-consent request.

Without objection, the previous question is ordered on the resolution.

There was no objection.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 236, nays 178, not voting 19, as follows:

[Roll No. 388]

YEAS—236

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

NAYS—178

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Blumenauer
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Cardin
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Costello
Coyne
Cummings
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hilliard
Hinchey
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Lazio
Levin
Lewis (GA)
Lincoln
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Murtha
Nadler
Neal
Obey
Olver
Ortiz

Orton	Sabo	Thornton
Owens	Sanders	Thurman
Pallone	Sawyer	Torres
Pastor	Schiff	Torricelli
Payne (NJ)	Schroeder	Velazquez
Pelosi	Scott	Vento
Pomeroy	Serrano	Visclosky
Poshard	Skaggs	Volkmer
Rahall	Skeen	Ward
Rangel	Slaughter	Waters
Reed	Spratt	Watt (NC)
Richardson	Stenholm	Waxman
Rivers	Stokes	Williams
Roemer	Studds	Wilson
Ros-Lehtinen	Stupak	Wise
Rose	Tanner	Woolsey
Roybal-Allard	Tejeda	Wynn
Rush	Thompson	Yates

NOT VOTING—19

Brownback	Hoke	Schumer
Chapman	Kasich	Skelton
Conyers	McCollum	Stark
Cox	McDade	Towns
Ford	Oberstar	Young (FL)
Goss	Peterson (FL)	
Hayes	Rogers	

□ 1252

Ms. JACKSON-LEE of Texas changed her vote from ''yea'' to ''nay.''

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. GOSS. Mr. Speaker, on rollcall No. 388, I was detained by other official business elsewhere in the Capitol. Had I been present, I would have voted ''yes.''

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 3103, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 104–738) on the resolution (H. Res. 502) waiving points of order against the conference report to accompany the bill (H.R. 3103) to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage, to simplify the administration of health insurance, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 3448, SMALL BUSINESS JOB PROTECTION ACT OF 1996

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 104–739) on the resolution (H. Res. 503) waiving points of order against the conference report to accompany the bill (H.R. 3448) to provide tax relief for small businesses, to protect jobs, to create opportunities, to increase the take home pay of workers, to amend the Portal-to-Portal Act of 1947 relating to the payment of wages to employees who use employer owned vehicles, and to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rate and to prevent job loss by providing flexibility to employers complying with minimum wage and overtime requirements under that act, which was referred to the House Calendar and ordered to be printed.

ENGLISH LANGUAGE EMPOWERMENT ACT OF 1996

The SPEAKER pro tempore (Mr. NETHERCUTT). Pursuant to House Resolution 499 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 123.

□ 1257

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 123) to amend title 4, United States Code, to declare English as the official language of the Government of the United States, with Mr. HANSEN in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from California [Mr. CUNNINGHAM] and the gentleman from Missouri [Mr. CLAY] each will control 30 minutes.

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

Mr. CUNNINGHAM. Mr. Chairman, I yield 15 minutes to the gentleman from Florida [Mr. CANADY], and I ask unanimous consent that he be permitted to control that time.

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

There was no objection.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GOODLING], chairman of the Committee on Economic and Educational Opportunities.

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

Mr. GOODLING. Mr. Chairman, during the discussion on the rule, I am afraid the American people may have gotten confused as to what legislation is before us, because much of what was said has nothing to do with the bill that came from our committee. Today we are voting on H.R. 123, which is a bill introduced by the late Bill Emerson, former distinguished Member of the body and a friend of many.

Mr. Chairman, there are many things in the bill that some people think went too far. There are others that people think did not go far enough. I think it is probably striking about the right balance. I say that because this bill declares English the official language of the Government, not of the private businesses, not of churches, not of homes, not of neighborhoods; just the Government. Furthermore, it then makes exceptions to the English requirement for the protection of public health and safety, national security, international relations, the teaching of language, the rights of victims of crime, certain instances of civil litigation and others.

We have also included rules of construction to help clarify the intent of the bill. So we have made a number of changes to the original version of H.R. 123 which addresses the concerns for many Members. After all, it is the English language that unites us, a Nation of many different immigrants as one Nation.

Over and over again we see that it is the English language which empowers each new generation of immigrants to access the American dream. Declaring English the official language of Government is the commonsense thing to do. We now have according to the Census Bureau, over 320 different languages. The Federal Government already prints materials in Spanish, Portuguese, French, Chinese, German, Italian, Russian, Korean, Ukrainian, Cambodian, and others; and the taxpayers says, where does it stop?

President Clinton himself, as Governor of Arkansas, signed legislation making English the official language of the State of Arkansas, and about half of the States have enacted the same kind of legislation. Again I remind all, this legislation is English as the official language of Government, not homes, not churches, not neighborhoods, not the private sector.

Mr. Chairman, I include for the RECORD the following letter from the gentleman from Ohio [Mr. SAWYER] concerning his not appearing at the committee markup on the final vote:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 25, 1996.

Chairman WILLIAM GOODLING,
Committee on Economic and Educational Opportunities, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN GOODLING: Due to a speaking engagement with constituents, I was unable to be present for the final vote on reporting the Cunningham Substitute to H.R. 123 out of the Committee on Economic and Educational Opportunities.

I would like to note for the record that if I had been present, I would have voted, ''nay.''

Sincerely,

THOMAS C. SAWYER,
Member of Congress.

□ 1300

Mr. CLAY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I agree that learning English should be a priority goal for all persons residing in the United States. In fact, there is extremely high demand for English language classes. Immigrants themselves recognize that in

order to better their own lot, and that of their families, learning English is imperative. New arrivals to our shores flood English as a second language classes. In Washington, DC, 5,000 immigrants were turned away from English classes in the 1994 school year. In New York City, schools have had to resort to a lottery to determine enrollment. In Los Angeles, more than 40,000 applicants remain on waiting lists for English classes. In my view, we should expand Federal support for English as the second language and for bilingual education programs.

My Republican colleagues characterize this bill as commonsense legislation. But it is neither common sense nor common decency to mandate exclusive use of English while utterly failing to address the practical need for adequate English-language preparation.

This bill is not a mere declaration of English as the official language of the United States. It is hopelessly vague, ambiguous, unnecessary, unconstitutional legislation, searching for a solution to a nonproblem.

With so little time remaining on the legislative calendar, the Republican majority has chosen to engage in an issue so potentially divisive. Instead of empowering people in the use of English by ensuring adequate funds for English as a second language classes, this bill attempts to protect the English language as though it were under some bizarre attack by other languages.

This bill will obstruct such basic Government functions as tax collection, disaster preparation, water and resource conservation, and execution of civil and criminal laws and regulations. What logical public policy could this bill possibly support?

This fall, the United States Supreme Court will hear oral argument regarding the constitutionality of an article in the Arizona Constitution which declares English the official language of the State and which mandates that all government business, with few exceptions, be conducted only in English. In light of that, consideration of this legislation is premature.

As a matter of national policy, we should support both expanded opportunity to learn English and multilingualism. For that reason, I wholeheartedly embrace the Serrano substitute which views the diversity of our Nation, its people, its languages, and its cultures, as something to celebrate, not something to fear and resist. The Serrano substitute recognizes the benefits of multilingualism in protecting us in war, furthering our ability to communicate with the nations of the world, and enhancing our competitiveness in the global marketplace.

I urge my colleagues to reject H.R. 3898 and to support the Serrano English-Plus substitute.

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

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, quite frankly, this debate is totally perplexing to me. It makes me wonder, are we speaking here in English to each other or are we talking in foreign tongues? I do not understand it.

We are a nation of immigrants. As I look around this Chamber, I see the great melting pot personified by many of the Members in this House, and I am no exception.

Of course my married name is ROUKEMA, and my husband, in fact, is the only member of his family who was not born in Holland. They came here and were assimilated. My family name is Scafati. We were Italian-American immigrants, my grandparents on both sides, and their decision was to come to America and be integrated into society as soon as possible. As a result, my grandparents and my parents learned English ASAP. It was important for them.

The example of my parents and grandparents was clear, clear to me then and clear to me now. They knew instinctively that English proficiency was absolutely essential to their success, not because they were not proud of their heritage but because they knew mastering the language was important to them and that they should do it as quickly as possible.

They knew that proficiency would help their family, their neighborhood, and their whole community. Yes, they knew that English proficiency was good for the overall well-being of society and for the tradition, the more than 100 years tradition of the melting pot that united all of us in our hopes and ideals as a nation. I must stress this.

Now we must take this definitive step today to avoid that our Nation should be so divided into many ethnic enclaves. I see that as a great threat to our national unity.

This legislation is not meant to penalize or to hold segments of our population back. Mr. Chairman, we are here to encourage people arriving on our shores to be upwardly mobile and achieve economically and socially in this new society.

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in 1965, Congress enacted the Voting Rights Act to combat discrimination against African-Americans who were being unconstitutionally denied the right to vote. It was not until 1975 that Congress added a requirement mandating that certain jurisdictions provide voting materials in languages other than English. The underlying premise for this expansion of the law was that it was somehow discriminatory to conduct an election in the English language.

Bilingual ballots were a means to remedy this alleged discrimination. However, when the use of bilingual ballots was last mandated in 1992, after 17 years of use, no statistical evidence was produced to show that bilingual ballots had increased vote participation by language minorities in any covered jurisdiction.

On April 18, 1996, the Subcommittee on the Constitution held a hearing on what is now title II of the bill before the House. A number of distinguished witnesses testified that our society is becoming fragmented into linguistic ghettos, and federally mandated bilingual ballots only encourage such fragmentation. These witnesses testified that through the use of bilingual ballots, American citizens can exercise the most public of rights while remaining apart from public life.

Moreover, because of the arbitrary and mechanical formula of the bilingual ballots mandate, there are many covered jurisdictions who are required to print foreign language ballots which are never requested or used. These election materials are simply thrown in the trash after each election, but they must be printed due to the Federal mandate. In certain jurisdictions the requirements of the law are extremely burdensome. Los Angeles County is required under this Federal mandate to conduct elections in six languages—in Chinese, Japanese, Vietnamese, Tagalog, Spanish, and English. In the November 1994 general election, Los Angeles County spent over $21 for each requested foreign language ballot.

The Congressional Budget Office estimates that repealing the Federal bilingual ballot mandate will result in savings of $5 to $10 million annually for covered State and local governments. The mandate is expensive, ineffective, and wasteful.

Mr. Chairman, rather than enhancing participation in our political system, the bilingual ballots requirement denies the essential connection between meaningful participation in our national political discourse and knowledge of the English language. Title II of H.R. 123 removes from the Voting Rights Act the practice of providing federally mandated bilingual ballots, a practice which denies the common bond of language that unites us as a people.

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

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. KILDEE].

Mr. KILDEE. Mr. Chairman, I rise in opposition to H.R. 3898.

Mr. Chairman, I have always worked, both as a teacher and as a legislator, to promote the use of English in this country. The law of necessity, of survival, the law of economic success are enough to motivate people to learn English. We must provide the opportunity to achieve proficiency in English.

We need but look at the bill to see that its provisions do not even come

close to its intentions: that English is the official language of this country and that its citizens should speak English. It does nothing to reverse the results of 2 years of frontal attacks on the bilingual education program which helps children learn English, and does nothing to strengthen the adult education program which helps adults learn English.

In the States and cities which are most heavily impacted by immigrants, new entrants can languish for years on waiting lists to enter English language programs. In Los Angeles there are 40,000 applicants for English language classes. In Washington, DC, the Nation's Capital and the place in which this debate is taking place, 5,000 immigrants were turned away from English classes in 1 year alone.

Do my colleagues think these new Americans have in any way demonstrated an unwillingness to learn the language of their new country? No, of course not, but they will be punished anyway.

Mr. Chairman, I am pleased that the bill before us today does correct a problem which the gentleman from California [Mr. CUNNINGHAM] said he would correct with respect to the Americans With Disabilities Act. This bill before us today provides an exemption for children served under this program. There are, in fact, 10 exemptions to this bill. To me, the fact that we have this many exemptions in the bill reveals that there is a problem with the bill.

Mr. Chairman, I urge my colleagues to reject this unnecessary legislation. It will not wear well. It does not serve our country well. Let us provide the means for people to learn English in this country.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina [Mr. GRAHAM].

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

Mr. Chairman, let us try to answer the why question. Why are we doing this? We are asking that English be the official language of government. I think it is important for the folks listening to understand what we are trying to do and what we are not doing.

We are trying to make sure that this Government conducts the language of its business in English, because that is the one unifying thing about America, is that that is the formula for success in America, a good work ethic and a command and knowledge of the language.

We are not asking people to give up their culture, we are not asking people to stop teaching languages, we are not asking people to interact only in English. We are asking the Federal Government to do its business in English. And one of the reasons we are asking for that to be done is there is a growing trend in this country to accommodate 320 different languages in terms of the Federal Government conducting its business.

In one case, the IRS produced 500,000 10W40 forms in Spanish and got 700 replies back at $157 per form, and this program is growing. I think it is time to stop that.

We are trying to set policy that is good for the Nation, and the policy we are trying to set is simply this: That the Federal Government is going to conduct its business in the unifying language of America because that is good policy.

The formula for success has been and always will be a command and knowledge of the language and a good work ethic, and the policies we should be setting in this country should bring out the best in Americans.

Where do we stop with 320 languages to accommodate? I think it is not unreasonable to ask the Federal Government to conduct its business in the unifying language of this Nation, and to do otherwise is impractical.

There are many exceptions in the bill that are commonsense based. Some people ask about phrases on money. We have an exception for art and phrases that are commonly used in other languages. We have a health and safety exception for the EPA to notify a community about a dangerous situation with drinking water.

The exceptions are sound, this is a good bill, and there is a good reason we are doing this. I ask for Members' support.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER].

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

Mr. SENSENBRENNER. Mr. Chairman, I rise in support of H.R. 123, which declares English to be the official language of the Government of the United States.

□ 1315

The Government of the United States. And simply stated, that means when one does business with the Government of the United States, one does it in the English language.

We have heard a lot about the fact that English is a unifying force which has brought millions of immigrants over the years together in this country, and I think that is a true statement, but I also think it is important for us to look to the north and to Belgium to see how bilingualism and multilingualism has been a dividing force in those countries. And it has. Neither in Canada nor in Belgium over literally centuries has there been a formula devised to bring unity to those countries that have been divided, not along religious or ethnic lines but along language lines.

But irrespective of whether this bill is adopted, English is the language of commerce. If someone comes from a non-English speaking country to the United States, in order for them to achieve the American dream they have to be functional in English, and there is no better way to help them become functional in English than to say that when doing business with the Government of the United States, it be done in the English language.

So what we are doing here I think is helping people who come from other countries where English is not the language to become part of America. To achieve the American dream. To achieve their own individual human potential. And this is one small step in allowing them to do so.

Mr. Chairman, I submit the following for the RECORD.

I rise in strong of H.R. 123, the English Language Empowerment Act of 1996. I believe it is essential to have English as the official language of our National Government, for the English language is the tie that binds the millions of immigrants who come to America from divergent backgrounds. We should, and do, encourage immigrants to maintain and share their traditions, customs, and religions, but the use of English is essential for immigrants and their children to participate fully in American society and achieve the American dream.

Importantly, title II of this bill repeals the Federal mandate requiring certain communities to provide bilingual ballots. This directive of the Voting Rights Act is unnecessary and costly. The Voting Rights Act of 1965 was originally intended to put a stop to racial barriers to voting in the South, such as literacy tests. English-only ballots are simply not the equivalent, or even comparable, to the racially abused literacy tests of the South.

Applicants for American citizenship, with some limited exceptions, have been required to demonstrate proficiency in English since 1906. Since only citizens may vote, the rationale for mandatory multilingual voting services is perplexing. One of the reasons we require immigrants to learn English before they naturalize is that a person who cannot understand English will not be able to participate in the political community in any but the most limited capacity. Bilingual ballots are not an effective means of increasing full political participation, for they are used by citizens who are obviously not proficient in English, and those who are not proficient in English, in most cases, cannot follow a political campaign, talk with candidates, or petition their representatives.

I believe it is necessary to clarify what repealing the bilingual ballot requirement does not do. This bill does not affect laws outlawing voter discrimination. It does not propose a literacy test. It does not preclude anyone from voting, even if they do not know English.

There are effective alternatives to federally mandated bilingual ballots, especially where complicated ballot initiatives are involved. Foreign language newspapers have the free speech right to publish sample ballots translated from English, and voters can take these sample ballots into the voting booth. Under this bill, a political party or interest group is perfectly free to issue multilingual voting materials. States can choose to allow voters to bring a friend or relative in the booth with them, absentee ballots can be filled out at home with assistance, and ethnic organizations can provide bilingual sample ballots and

voter information pamphlets. Furthermore, although this bill eliminates the unfunded mandate on the States, States are still free to supply ballots in foreign languages, if that is what the voters demand.

According to a recent survey, more than 80 percent of Americans, including immigrants, support making English the official language of the United States. I urge my colleagues to heed the call of the American people and vote in favor of this bill.

Mr. CLAY. Mr. Chairman, I yield 1 minute to the gentleman from Maryland [Mr. HOYER].

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

Mr. HOYER. Mr. Chairman, I rise in opposition to this legislation. For over a decade I have chaired the Helsinki Commission. That commission is dedicated to the principles set forth in the Helsinki Final Act that we will treat diversity in all our nations with respect and integrity.

The fact of the matter is we passed a resolution on this floor unanimously regarding Kosova in which we urged and asked the Serbians to make sure that in Kosova they would be taught in the language that they knew, not Serbian, that they knew. So that on the one hand we urge nations of the world to be respecters of differences while in our own Nation we retreat from that principle. We ought not to do that.

The language of America is English. Indeed, my friends, the language of the world is fast becoming English. The tide is not against English or America; the tide is for us. We do not need to act in fear or in chauvinism or in jingoism. Reject this legislation.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas [Mr. HUTCHINSON], who drafted this same bill in Arkansas, which Governor Clinton then signed.

Mr. HUTCHINSON. Mr. Chairman, I thank the gentleman for yielding, and I rise in strong support of this bill which makes English the official language of the U.S. Government.

Mr. Chairman, I believe it is our values and our ideals that ultimately bind us together as a nation. But it is the English language which serves as the means by which we can communicate these values to those around us. Our common language, English, is that which unites us.

Eight-six percent of all Americans support establishing English as the official language of the U.S. Government. In fact, in a recent survey, telephone survey, taken in a section of my district in northwest Arkansas, it was found that 97 percent of those polled approved of declaring English as the official language of our Government.

I think the numbers speak for themselves, Mr. Chairman. Nearly half the States in our country have established official English laws, including my home State of Arkansas.

In 1987, as a second term legislator in the Arkansas General Assembly, I cosponsored this legislation which we have before us, signed by then-Governor Bill Clinton, now President Clinton, making English the official language of the State of Arkansas. Governor Clinton signed that law. I hope he will sign this bill as well.

My legislative director's grandparents were immigrants from Norway. They came over on a boat. They learned English. They taught their children English. They assimilated in our culture and they lived the American dream. They still revere their Norwegian heritage. They still cherish that tradition, but they knew that English was part of becoming Americans.

Mr. Chairman, I think this bill is very reasonable. It takes a reasonable approach; it makes good sense. We can honor the diverse backgrounds that are present in our society while at the same time emphasize the common bond that we have in the English language. I urge an aye vote on this bill.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. GOODLATTE].

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

Mr. GOODLATTE. Mr. Chairman, I rise is strong support of H.R. 123, and I commend my colleagues for bringing this legislation forward. This was pushed for many years by our recently departed colleague, Bill Emerson. Bill would be exceedingly proud today to see us moving forward on this legislation.

Today, 79 nations have an official language. Government documents in France, Germany, Japan, and Austria are printed only in one language. So what happens in those countries that have gone the opposite direction promoting multilingualism? We do not have to look very far to find that.

The comment of the chairman of the Royal Commission on Canada's Future about the multilingual policy of Canada stated that it was an anthology of terrors causing Balkanization. Very appropriate, considering the gentleman's comments about what is going on in the former Yugoslavia; ghetto mentalities; the destabilization of Quebec; reverse intolerance by immigrants for Canadian institutions; and the devaluation of the very idea of a common nationality.

Are we heading in that direction in the United States? Consider this: 40 million Americans will be non-English language proficient by the year 2000; 375 voting districts in 21 States are now required by the Federal Government to provide voting ballots and election materials in foreign languages; 115 languages are spoken in the New York City schools; driver's license exams are offered in 31 languages in California.

Six languages were on the ballot in the last mayoral election in Los Angeles. Opponents have accused this bill of being mean-spirited. Nothing could be further from the truth. We want to raise immigrants up and help them get ahead. This is the way to help.

Mr. CLAY. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. PELOSI].

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

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding, and I rise in strong opposition to this cynical attempt to drive a wedge into our society.

Mr. Chairman, I rise in strong opposition to the legislation before us today.

This bill is another battle in the war against children in this Congress. Eliminating bilingual education could increase dropout rates and hurt the ability of immigrant children to adapt successfully in this country. A quality education is the key to a better way of life. People come to this country in search of that better way of life.

We can only benefit by providing opportunities for all people to become productive members of our society, especially young children with bright futures ahead of them. Everyone in this Nation wants the same things—security and opportunities for themselves and their children. This legislation is unnecessary, discriminatory, and would deny opportunities to everyone who is perceived to be different.

This is an appropriate time to remember that our Nation was settled by those who spoke languages other than English. Their proud heritages are reflected in those who inhabit this beautiful and diverse country.

The majority feels that a national language policy will fix what they deem to be a problem with our common language. Yet, according to the 1990 Census, English is spoken by 97 percent of the U.S. population. English as a second language classes are so popular that in Los Angeles instruction is available 24 hours a day. Waiting lists for ESL classes are overflowing with thousands of people. Language minorities fully understand and appreciate that it is imperative to learn English to succeed in this country and make determined efforts to do so.

Yesterday this House voted to deny benefits and opportunities to legal immigrants. Today we are voting on this legislation to deny access to Government to language minorities. If this legislation passes, we make a mockery of our proud designation as a nation of immigrants.

If this legislation passes, the message will ring loud and clear that this House does not value the richness or diversity of life experiences that are woven into the colorful fabric of our Nation. We cannot mandate narrowmindedness and discrimination. That is already in evidence in this country. So is the desire for language minorities to speak English. We don't need to mandate that either.

If, as its proponents maintain, the purpose of this legislation is to give more language minorities a better chance to learn the English language, let's do something about it by increasing funding for bilingual education and ESL classes. This is nothing but xenophobic political posturing and I urge my colleagues to vote against this distinctly un-American legislation.

Mr. CLAY. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BECERRA].

Mr. BECERRA. Mr. Chairman, I thank the gentleman for yielding.

If my colleagues are somewhat confused in this debate, I can understand why. Everyone both for and against this bill is saying English is the language of this country, and it is. And it always will be. And as the gentleman from Maryland [Mr. HOYER] said, it probably soon will become the language of the world.

So why are we here debating a bill and why are there people opposed to it? Because what we want and what we wish and what we intend must be very clear in what we write. And unfortunately, what is written, it is not what people are saying.

Mr. Chairman, what is written is completely opposite of what people are saying. There is nothing in this bill that will help teach those who wish to learn English the language. There is nothing in this bill that will promote those who are wishing to learn English the language. What this bill will do is strangle those who are taking classes trying to learn, and that is why those of us who are standing here saying English is the language of America will be strangled, those people will be strangled from ever having the chance to truly learn the language well.

This is not a bill to send a message. This is a bill that will strangle those trying to learn English.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1½ minutes to the great gentleman from Texas, Mr. SAM JOHNSON.

(Mr. SAM JOHNSON of Texas asked and was given permission to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Chairman, the gentleman from California [Mr. BECERRA] is in error. We are trying to get language as the official language of our Government. This English Empowerment Act states English is the official language of the U.S. Government and requires English be used in Government actions, documents, and policies.

Despite some of the rhetoric we are hearing today, it is not a radical idea. In fact, more than 80 percent of all Americans support English as the official language. It is about time we acknowledged that one of the most important things we can do to help individuals succeed in America is to encourage them to learn our common language.

A recent study of Asian refugees by the State of Texas shows that those individuals who attained proficiency in English earn over 20 times the annual income of those who do not speak English. Learning English will enable immigrants to do what they came here to do: achieve the American dream.

We must reverse the failed policies of the 1960's and 1970's. America is a diverse Nation; however, we must bind the strength that comes from America's diversity with our common language. Let us stop dividing Americans and do something to bring them together.

Vote for the English Empowerment Act to do this now.

Mr. CANADY of Florida. Mr. Chairman I yield 1½ minutes to the gentleman from Georgia [Mr. BARR].

Mr. BARR of Georgia. Mr. Chairman, in reviewing my file on the English language bill, I came across a letter dated November 10, 1994, 2 days after the elections of 1994 in which I was elected to represent the people of the seventh district to the United States, and this letter, a ''Dear Colleague,'' is written by Bill Emerson from the great State of Missouri.

He wrote me even long before I had been sworn into the Congress about a dream of his, a dream that 1 day he would witness, with the support of people he hoped like myself as a new Member of Congress and so many other of his colleagues, that our country, our Congress would take a step forward of unity, brotherhood, and common goodwill, and that is to enact his language of government act.

Mr. Chairman, there was not a divisive or mean-spirited bone in Bill Emerson's body. And he believed so strongly in this dream that the very first letter that I, and probably every other newly elected Member received within 2 days after we were elected to the Congress, was a very positive, warm letter from him asking us to sign on to this legislation.

I immediately called his office. Signed on, and became the first original cosponsor of this legislation. And I am honored today here, Mr. Chairman, to stand up and say, let us make Bill Emerson's dream a reality, and pass this important legislation.

Mr. CLAY. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. OWENS].

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

Mr. OWENS. Mr. Chairman, a U.S. Government English-only policy would, at best, be counterproductive, isolationist, and simpleminded; at worse an English-only policy is an elitist, bigoted, and racist policy. English plus, the amendment to be offered later by the gentleman from New York [Mr. SERRANO], is the way we should go.

Yes, English is the official language of the country. We do not have to proclaim that. But English plus is the way we should go if we want to go into the 21st century with the advantage that we need for international trade purposes. This bill originates from the people who brought us GATT and who brought us NAFTA, who emphasized international trade. Why would these same people want to go backward and deemphasize bilingualism? Why not salute the people who speak additional languages? Why not have every American try to become bilingual?

Let us go in the opposite direction for purposes of trade, for purposes of commerce, for purposes of international tourism.

□ 1330

There are a billion Chinese in the world. We certainly should appreciate every Chinese-American; we should see them as an asset to help teach us Chinese. There are Slavic people who are now in the middle class traveling to this country as tourists. We should be learning the Slavic languages and any Slavic-speaking Americans, Russian, Yugoslavian, Hungarian; all of those people should be seen as assets in the country, assets. Let them teach us the language so that we are better able to be able to deal with those people who come over here as tourists to spend their money and to make our economy go. For the sake of the prosperity of the country, for the national security of the country we need bilingual citizens.

We need English plus, not English only.

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

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

Mr. CLAY. Mr. Chairman, I yield 30 seconds to the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Chairman, why, why, why? I listen to my good friend, the gentleman from California [Mr. CUNNINGHAM]. I agree with him. I listen to the gentleman from Pennsylvania [Mr. GOODLING]. I agree with him. Mr. GOODLING said this does not mean anything, only the Government, the Government, the Government. We have to teach, we have to educate people. If this does not do anything, what it will do is you can pound your chest and say, we put one line in the law that says that English is the language of our Government. Fine. Go pound your chest, but the world will laugh at us. Why? Why? Why?

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Chairman, this bill that we are considering is entitled, ''This act may be cited as the English Language Empowerment Act.'' I see nothing in this bill that empowers anybody in terms of becoming better acquainted with English or more proficient. There is not a penny being spent for education to promote English. We look at the education budget and it is being cut. What this bill really is doing is to confine, to restrict the programs and opportunities for people who are not proficient in English from participating in all of the fullness and richness of this society. It really degrades the whole notion of our open society, accessible to everybody legally within its borders.

The moment we say something cannot be printed in anything else other than English, we are punishing that small sector of our society who are not a threat to our democracy. Less than 5 percent of our people in the census said they were not proficient in English. They are not a threat at all. Yet we are seeking to deny access to the Government by refusing to allow Government agencies from printing documents explaining how to get into programs, how

to apply for business loans, how to really make themselves much more a part, an integral part, of this society.

If we want to empower all these individuals in our community, regardless of what their ethnic origin is or where they came from, it seems to me that we have to find ways in which to embrace them, not to leave them out. This bill excludes opportunity contained in all the bills that we have passed; it says they are repealed. If we said anything previously about opening up government and creating access for people who are not proficient in English, those are repealed. There is a repealer paragraph in this bill.

Mr. Chairman, this is not an empowerment. It is denial.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from the Commonwealth of Puerto Rico [Mr. ROMERO-BARCELÓ].

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Chairman, I rise against the bill.

English is universally acknowledged as the common language of the United States. It is the language of opportunity. It is the language of banking and business, the language of the courts and the primary language of instruction in the schools throughout the Nation.

Now, what is the purpose of this bill? We hear the proponents say that there is not any prejudice involved in this proposal, that this is not a mean-spirited bill, that it is going to open opportunities and empower those that cannot speak English.

I would like to ask, how do we empower someone by requiring that he speak in English when he cannot, by requiring that the documents that are sent by the Federal Government to him must be printed in English even though he cannot understand them? Why can the Government not open doors, as they have been opened until now, to service its citizens as best it can and not be raising barriers of misunderstanding and creating difficulties in the service to the citizens?

Language is supposed to be used for communication, not to be raised as a barrier, to prejudice, as a barrier to impede other people from achieving their rights and fulfilling their obligations. If one cannot receive proper information about what their obligations are and because they do not understand the language, how can they then be required to fulfill the obligations?

This is empowering? It would be like saying that people who cannot read and write, let us then pass a law that in order to vote they have to be able to read and write and that way we are empowering the illiterates in America. Is that a sound argument? Is that sound reasoning? How do we empower anyone by requiring?

By stimulating, we empower people; by fostering, we empower people, by giving them the means by which to achieve what we want to empower them with, not by raising barriers of misunderstanding. How do we think that the people who speak a different language feel about it?

I oppose this bill, Mr. Chairman. I think this is a bill that would raise difficulties where there are none existing at this moment.

Mr. CANADY of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. LIPINSKI].

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

Mr. LIPINSKI. Mr. Chairman, I rise in strong support of this legislation.

Mr. Chairman, I rise today in support of H.R. 123, the English as the Common Language of Government Act. This bill declares English to be the official language of the U.S. Government, and requires the Federal Government to conduct its official business in English. The measure also requires that all naturalization ceremonies be conducted entirely in English.

There is nothing radical or racist about declaring English the official language of the United States. By providing a means to communicate across ethnic and racial lines, a common language unites people and eliminates misunderstanding, segregation, distrust, and discord. English is our single shared language. It is the one language that crosses all ethnic, racial, and religious backgrounds and allows diverse Americans to share their multicultural backgrounds.

Declaring English as the official language will provide an incentive for immigrants to learn English. Throughout our history, new Americans were proud to learn to speak, read and write English. They knew that English was the key to assimilating to their new country. English was necessary to take advantage of all the opportunities that America had to offer.

Yet, today there are more than 32 million Americans who are not proficient in English. In many cities, immigrants can live, work, and play without ever knowing a word of English. The Federal Government caters to these immigrants by providing programs and services in their native tongue, discouraging them from learning English. According to the General Accounting Office, the Federal Government, between 1990 and 1994, printed more than 250 official documents in other languages. Even swearing-in ceremonies for naturalized American citizens have taken place in other languages.

Making English official will let immigrants know that they have no right to receive public services in any other language. Most Federal Government business—documents, meetings, records, legislation, and ceremonies—will be in English. This is a tremendous incentive for new citizens to learn English so that they may participate fully in American society.

H.R. 123 does not prohibit languages other than English to be used in nongovernmental settings. It simply states that English is the language in which all official U.S. Government business will be conducted. Official English does not infringe on individual rights, nor does it prevent immigrants from preserving their cultures and languages in their personal lives. It does, however, encourage immigrants to learn English in order to fully participate in Government.

I encourage all my colleagues to support this nonpartisan, overwhelmingly popular piece of legislation. As Members of Congress, we have an obligation to ensure that non-English speaking citizens have an incentive to learn English so they can prosper and fully partake of all the economic, social, and political opportunities that exist in this great country.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. Mr. Chairman, my maternal grandparents were Romanian immigrants. They came to this country at the turn of the century. My grandfather learned to speak English from his two daughters, my mother and my aunt, whom he sent to college in Cleveland, Florastone Mather College and Kent State University. My mother went on to the University of Pennsylvania Law School, and my aunt went on to Kent State and got a master's degree in education.

I am sorry that my grandfather could not live long enough to see his grandson, the grandson of a Romanian immigrant, become a Member of the U.S. Congress. But I do know that he believed very strongly, as did my grandmother, that English was a unifying force, as the language, as the expression of what brings us together as a people, that emphasizes our likeness, our commonality. It is, in fact, the essence of what makes us, allows us to become the melting pot, that while continuing to celebrate his ethnicity, his Romanian-ness, if you will, and always having great respect for that, there was another love that he had. That was a love for this Nation.

It was the kind of love and patriotic fervor that only I have seen in immigrants, that only seems to be a part of the heart of people who come here to give to this Nation and build it and be constructive and make it something great, because they want to be a part of what it means to be American without forgetting where they came from.

Part of what it means to be American is to speak a common language, the common language of English. That is what this bill is about in terms of making clear that our official language of government is English.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. SAWYER].

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

Mr. SAWYER. Mr. Chairman, I rise in support of some of the things that we have heard recently from the other side in this debate. It is true that no element of human experience defines our common humanity more deeply than language and no element in our culture more fully and deeply defines that culture than our language.

English is spoken more broadly throughout the world than any other language. It is composed of elements gathered from the languages of the globe and, for these reasons and others, it is arguably the richest spoken language anywhere on Earth. We should

be proud of that richness and encourage it.

It appeals to our pride, to our simple patriotism. But in the end it also plays on some of our worst fears. There is, unfortunately, abroad in the world a drift toward insularity and, in some corners of North America and Asia and Europe, a rush to isolation, a xenophobia that is grounded in fear and hatred.

It harkens to a time some 60 years ago when one of the world's great orators played on simple patriotism among his countrymen to heighten the fears and hatred of a few with appeals that were couched in phrases like one land, one language, one leader. That is dangerous.0

I do not impute that motive to anybody on this floor. But English is the official language of our Nation. Tens of thousands wait in line to elevate their mastery of English. We will be offering an amendment later today that will provide the tools to make language instruction available to all who hunger for it and thereby to take concrete, positive steps to bring about the unity that everyone on this floor argues for today.

I oppose the bill but hope that we can support English plus as a workable, practical alternative to the bill that is before us now.

Mr. Chairman, I rise today in strong opposition to H.R. 123 because I do not believe that we need to make English the official language of government. The simple fact is that English already is our unifying national language. And when we recognize that only 0.06 percent of government documents are printed in languages other than English, the lack of any need for this legislation seems clear.

I agree that learning English should be a priority for all persons residing in the United States. But in an increasingly global economy, literacy in a number of languages is a clear advantage—and, in some cases, a necessity. The more literate an individual is, the better equipped he or she is to adapt to the rapid pace of economic change.

Immigrants realize that learning English is essential to their own economic success. That is why English classes are running 24 hours a day in many parts of the country and thousands of people are currently on waiting lists. But that does not mean that real literacy in other languages is not also an important skill.

H.R. 123 purports to encourage the mastery of English. However, it does nothing to provide the necessary resources for adequate English language instruction. Without a strategy for increasing English literacy, the real impact of this bill may be only to discourage literacy in any language and to chill participation in civic life by those who are not proficient in English. That would be truly unfortunate.

In short, Mr. Chairman, I believe this English only legislation is unnecessary, counterproductive, and may serve to divide—not unite—the Nation. I urge my colleagues to vote "no."

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. BLUMENAUER].

Mr. BLUMENAUER. Mr. Chairman, I rise in opposition to House Resolution 123. This legislation is at best misguided; at worst, mean spirited, and does not reflect the America I know nor the community that I serve.

If we wanted to simply declare the obvious and designate English as the official language, it would not be difficult. We could do it without controversy. It would be easy to provide necessary guidelines, if we feel some of the current legislation dealing with bilingual requirements need tightening up. But the trail of exceptions in this bill are an admission to the flaw that it is inappropriate to deny the tools to deal with citizens in the best way to help meet their needs.

Monday this House unanimously declared that it is the sense of Congress that the government of Serbia should ensure the rights of its Albanian minority to be educated in their native language rather than in Serbian. Far more native born Americans of Mexican ancestry live in the former Mexican provinces of Texas and California than the 2 million Albanians which this Congress expressed their concern that they would be able to be educated in their native language. With this bill, we are saying that what is fair and just for the minority people of Serbia is just too good for the non-English-speaking minorities of the United States.

The proponents of this English only legislation, Mr. Chairman, ought to acknowledge that we either believe that people have a right to be educated in their native language or we do not, either we provide English instruction to non-English speakers or we do not. Let us drop the hypocrisy, the doublespeak and acknowledge in plain English that at best this bill makes the business of government harder. At worst, it panders to prejudice.

Mr. CUNNINGHAM. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. LEWIS].

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

Mr. LEWIS of California. Mr. Chairman, one of my great frustrations is that over the years I have felt that those of us who live in southern California indeed should learn and read and write and speak Spanish. Unfortunately, we have not accomplished that.

Nonetheless, it was 40 years ago that I first got to know a gentleman who knows more about language than anybody I know in public affairs. A professor by the name of S.I. Hayakawa, an expert in general semantics talked of the importance of language as a unifier of people. Years later the then Senator 'Sam' Hayakawa sponsored legislation similar to that before us today.

The first Member of the House to bring this matter to my attention, our friend Bill Emerson, gave the highest priority to English serving to unify us by its designation as the country's official language. I urge you to support H.R. 123, and as you do so, keep in memory our colleague and friend, Bill Emerson.

□ 1345

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MARTINEZ].

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

Mr. MARTINEZ. Mr. Chairman, I rise in opposition to this bill, not that I am in opposition to English being the official language. I support English being the English language. If my colleagues did that poll and called my house and asked me or any of mine if they supported English as the official language, I would say yes, so I would be a part of that percentage that they include in being in support of English as the official language. But I do not support this bill. This bill to me is simply another way that we as leaders of the country are polarizing the people of this country.

Now I hear the other side saying that this is uniting the people. How can we arrive at the conclusion that this is uniting people; this is doing nothing more than dividing people. We as leaders have the responsibility to unite people.

I can remember great crises in the past where the people came together. World War II is the greatest example. People of different colors and different ethnic backgrounds, and different religions stood shoulder, to shoulder, to fight an enemy because we were attacked, and they were proud of it, and they were proud of their compatriots in war.

But today, this way we are going, we are dividing these very same people against each other, and this bill I would not call the promotion of English as the official language. I would call it the promotion of polarizing America. That is what I would call it.

Let me tell my colleagues something. I have been here probably more generations than anybody on that side, and I speak English. My children do not speak Spanish. I speak in Spanish very badly; I learned after I got to Congress. My ancestors, my parents, they spoke English, and they spoke English well; but they also spoke Spanish, and their parents before them.

What does it take to make those people understand that the people in the United States want to speak English? We do. Ninety-five percent of the people speak English, and of that 95, 25 percent speak in another language. Does that make them lesser Americans, that they do not believe that English is an official language?

Look, I get up and say I am an American, I love America, I promote English. I support English as an official language, but I do not need this bill. Let us stop this foolishness and get rid of this bill.

Mr. CANADY of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska [Mr. BARRETT].

(Mr. BARRETT of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Chairman, as a cosponsor of H.R. 123, I strongly support the bill.

Mr. Chairman, I rise today in strong support of H.R. 123. As a cosponsor of this bill and a member of the Opportunities Committee, I believe establishing English as a common language of Government will not only strengthen our nationalism but will stave off the multilingual wedge being driven into the heart of our Nation.

Since 1920, Mr. Chairman, Nebraska's State constitution has held firm in maintaining English as the State's official language. And, just as saying the Pledge of Allegiance is largely symbolic, so is the sense of pride among us for having a national language.

Mr. Chairman, for 400 years immigrants from all across the globe have come to America. We come together as one Nation, with one language, for one people, under God. The English language has strengthened and sustained us in years past, as it will do so in the years to come. I urge adoption of H.R. 123.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Chairman, I thank the gentleman for yielding this time to me.

It is precisely because my parents, Greek immigrants, could not speak English when they first came to these shores that I support the legislation in front of us. They would leave no stone unturned to try to learn English on their own and could not wait for the day that they could become naturalized citizens and to be proficient in the English language sufficiently enough to merit the granting of the citizenship which they so prized for the remainder of their lives.

But that is not the main reason that I support the bill. Their pride in English and their pride in being American citizens was enhanced by the fact that they knew the English language and could help their children become educated, not only in the English language, which is their adopted language, but also never to forget the Greek language

I am enriched by what they did while they did everything in their hearts and minds they could to learn English.

I say to my friend from California, an old friend, Louis Vasquez, and his friend William Lopez and another friend of Spanish descent, and I formed the Spanish-American Society in my district, and they were happy to put together an organization whose sole function would be, not sole function, but one of the functions would be to teach their fellow Latinos the English language. When the charter came from the government of Pennsylvania granting them the official status of the Spanish-American Society which I provided for them as a new lawyer in town, they did not ask that that charter be in Spanish. They were proud that I read it in English. They displayed it and put it on the wall in the English form that it came because they wanted to be a part of the Government of the United States and Pennsylvania which printed its documents in English. They did not demand or require or even beg or request in any way that that charter also had with it a translation hanging next to it.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas, Mr. GENE GREEN.

Mr. GENE GREEN of Texas. Mr. Chairman, I thank my colleague for allowing me to speak.

I rise in opposition to the bill, but I support English as our common language. But our colleagues are trying to divide Americans on language basis, and I say to my colleague from Pennsylvania that no one asked to have that translation of that charter. In the State of Texas even with our Hispanic heritage our charters from our Secretary of State come only in English.

Some time ago, USA Today reported that the English-only effort is a phony solution in search of a problem. There is no more adequate statement that I have heard on any other thing in this issue. According to the findings in this bill, English is a common thread that binds individuals from different backgrounds.

In short, English is what makes us Americans. We have more in common than our language, and, Lord knows, we all speak English in a different way. Americans share a common set of values, those of democracy, freedom, and opportunity, and that can be said in English as well as lots of other languages.

Our fellow Americans who are not fluent in English are no less patriotic than my colleagues or me. In fact in some cases, particularly Hispanic heritage, we can go and talk about individuals who have literally laid down their lives for our country.

Contrary to what the sponsors of the bill claim, English is not being threatened. If one files a document in court, the public records are in English. If they get a charter from Pennsylvania, like my colleague said, it is in English. English is the language that is used today in Congress and all our official activities of our Government.

Then why are we debating this bill? Only to divide us as Americans. We are not divided because of our language, Mr. Chairman. We are divided today because of those of us who may not speak English as our first language. My ancestor did not speak English as a first language, they spoke German. But they also learned English, but we also lament that in our ancestry we lost the ability to speak German.

I hesitate to say anyone coming to America, they are going to learn English, but I do not want them to say, ''Don't learn your heritage''; and that is what this bill is saying. This bill is trying to divide us, Mr. Chairman, based on language, and we do not need to be divided any more in this country.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, I rise in opposition to this misleading English-only bill. Everyone knows English is indeed our official language. According to the 1990 census, 97 percent of all people in this country speak English well.

Immigrants do not resist learning English. Most immigrants are proud to learn English and proud to speak English. This bill is but another divisive, mean-spirited initiative that does nothing to improve the ability of all of us in this diverse society to live and work together.

How dare any law deny an elected official the right to communicate with their constituents in any language other than English? How can a country that reaches out to cities in other countries all over the world in the great sister city movement of this country look its sister cities from countries like Mexico, Spain, France, Italy, Germany, Japan, Russia, and Africa, and many more, and say, ''We love you like a sister, we respect your culture, we appreciate your diversity, and we invite you to come to the United States.'' And yet say to them, ''But when you come to America, don't bring your language with you.''

Forty-three percent of my constituents are Latino. We respond to all of our constituents. We respond to them however we need to respond to them, orally or in writing, and we do it in Spanish. We do that, and guess what? I do not intend to ever stop doing that. I do not care what law is passed.

The supporters of this bill claim to want everyone to learn to speak English. Yet they support the defunding of bilingual education while millions of immigrants are on waiting lists to learn Spanish.

This bill deserves to be defeated in every language. I ask my colleagues for a ''no'' vote.

Mr. CANADY of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. PORTER], the sponsor of H.R. 351.

Mr. PORTER. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, we are a diverse nation. We should celebrate and be proud of our diversity. But to be a nation we must have one common language with which we can communicate with one another. That common language is American English.

Immigrants have come to our shores for over 200 years, and each group has learned the central language, and has integrated themselves into our society. As our Nation has grown by their numbers, it has been enriched by each of them. In order to have economic and social mobility in this country, we know that we must speak and write the central language. To the extent that we encourage people who enter our society not to learn American English, we consign them basically to a life without that opportunity.

Mr. Chairman, in 1975 through misguided sensibilities, we mandated in

certain circumstances ballots that would have to be printed in a language other than American English. A nation must conduct its public discourse in a central language, and through history our central language happens to be American English. It could have been American Spanish or American French.

The most basic public function that we have in this country is the conduct of our elections. To be eligible to vote in our elections, one must be a citizen. In order to be a citizen one must be able to speak and write American English, our central language. We can speak, read, or use any other language we wish; but when we conduct our official business, we ought to and must conduct it in that central language.

This bill repeals the Federal mandate for ballots in languages other than American English. This may not be good politics, but it is good policy. While we can encourage the diversity that makes us strong, we must come together under one language and speak that language so that we can communicate with one another. And that one language that each citizen is required to know in order to vote must be the only language of our public discourse and our most basic public act, voting.

I commend the gentleman from California and the gentleman from Florida for their leadership in bringing this legislation forward. I believe it addresses a serious problem where our society is dividing ourselves according to languages. We must bring ourselves together under one language, American English, and I would encourage all Members to support the legislation.

Mr. CLAY. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. JACKSON].

(Mr. JACKSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. JACKSON of Illinois. Mr. Chairman, I rise in opposition to this unconstitutional bill being proposed by the previous speaker, the chairman of the Human Rights Caucus.

Mr. Chairman, please tell me what this bill is about? I believe that this bill is about denying and restricting freedom of speech as well as the right to vote. This bill violates the first amendment and the spirit of the Voting Rights Act which was written to overcome discrimination.

In this body, we vote to protect free speech for just about everyone and everything: It's OK to have pornography on the Internet; it's not OK for colleges to censor student newspapers; it's OK for newspapers to lie about us. We guarantee rappers the right to free speech, but we do not want to guarantee the right to free speech in another language.

Mr. Chairman, one-half of the world's population is Asian. One-fourth of the world is Chinese. One-fourth is African, and one-eighth is Nigerian. Americans make up only 4 percent to 6 percent of the world's population.

Until today, Congress has acted to expand trade with our neighbors to the south, east, north, and west. Now, we are turning our backs on 96 percent of the world; most of which is nonwhite, nonchristian, didn't have anything to do with the *Mayflower,* and has no paranoia about the English language losing its place in the world.

Mr. Chairman, segregationists have always fought against equal rights. Even the record of this Congress shows how difficult it has been to expand basic rights: A member of the other body, who will be running for reelection at the age of one hundred, set a record for the longest filibuster in history when he opposed the Civil Rights Act of 1964—every Member of this body must recognize that the civil rights act outlawed poll taxes which prevented poor Americans from voting because they could not afford the tax needed to register.

So far this Congress is known for similar egregious actions, a senior Member of this body honored a former Member of the House who was a champion of segregation, the late Howard Smith of Virginia. today, unless this bill is defeated, we will be denying people the opportunity to understand the ballots before them. It causes me no little confusion, Mr. Chairman, that the sponsor of the bill repealing bilingual ballots is the chairman of the Congressional Human Rights Caucus. I ask this body that when we look at countries around the world which have persecuted their minorities, when we tell the Serbs to respect the rights of ethnic Albanians, how foolish is it that we are attempting to pass legislation such as this?

Mr. Chairman, every Member of this body should stand for liberty, equal protection, and free speech. I urge my colleagues to oppose this bill. This bill will represent the first time that Congress has narrowed the Voting Rights Act.

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. I thank the gentleman for yielding this time to me.

This bill has an important, I think, both political and policy question. I do not want to diminish those importances, but I do think the bill is disingenuous despite its importance. I do not accuse any of my colleagues of that, but I think the bringing of the bill to the floor at this time is, as the American people understand it, motherhood, apple pie, the flag; those are great election year issues.

I have been here 18 years, and some Members of Congress bring those issues to the floor just before election. I think that is why this newest motherhood type issue, the traditional wonderful English language, is now being brought to the floor in this form.

Of course, a common language encourages unity. People on both sides of the aisle agree with that. There is no argument about that. Of course, a common language promotes efficiency in our vital system, private system and economy. There is no debate about that. Of course, immigrants should learn to speak the English language. That is why 97 percent of the people in this country can speak English or are on a waiting list learning to speak English.

□ 1400

So what does this bill achieve? The listening public needs to understand that this bill does not affect spoken language whatsoever. If you do not speak English, that is fine. With English as the official language, we do not stop you from speaking any other language in this country, because even an arrogant Congressman would understand you cannot stop people on the street or in their homes from speaking the languages they will.

What does the bill do? It says the Federal Government may only print its official documents and information in English; that is, most of it in English. It even has some exceptions to that. Then what does it achieve? After all, only .06 percent of documents and information are now printed in other than English. So what does it achieve? Motherhood, apple pie, and English.

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

Ms. DELAURO. Mr. Chairman, I rise today in strong opposition to this legislation. The Republican leadership wants to use this offensive measure as its latest wedge issue to divide the American people. English is the official language of this Nation. Newcomers to our great country struggle day in and day out to learn our language and to become full members of our society.

I want to share with the Members something about the personal struggle of an immigrant, my father, who knew something about this issue. Ted DeLauro, an Italian immigrant, came to this great nation from Italy at the age of 13. He came eagerly, in pursuant of the American dream, a good education, and economic prosperity.

Tragically, my father had to give up part of that dream, an opportunity for an education. He left school in the 7th grade simply because he could not speak English. In class he confused the word ''janitor'' with the Italian word ''genitori,'' which means family. He defined the word ''janitor'' as meaning parents. His teachers and his fellow students ridiculed him and made him feel alone. He was so humiliated that he never went back to school. That event touched him, it touched my family deeply, and it changed our lives.

English is the official language of the United States. New residents of our country want desperately to speak the language and to assimilate. If we are truly interested in codifying the importance of English, we should increase resources for bilingual education in our schools, reach out to residence who are struggling to learn the language, and ironically, this majority leadership, that claims to want to enshrine English as the language of all our residents, has cut bilingual education for thousands of students trying, like my father did, to fit in and to contribute to American life. It is shameful.

My father's story should never be repeated. Children should never have to quit school because they cannot understand the language. This people's House should reject this attempt to divide our country. Vote against this bill.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentlewoman from Nevada [Mrs. VUCANOVICH], chair of the Subcommittee on Military Construction of the Committee on Appropriations.

Mrs. VUCANOVICH. Mr. Chairman, I rise in support of H.R. 123, the English Language Empowerment Act of 1996. The Federal Government has an obligation to ensure that non-English speaking citizens get a chance to learn English so they can prosper and fully partake of all the economic, social, and political opportunities that exist in this great country. The English language empowers each generation of immigrants to access the American dream. Studies have shown that people who learn English earn more for their families, are better able to move about and interact in society, and can more easily build a solid future for themselves and their children.

H.R. 123 is a good bill, it requires that all citizenship naturalization ceremonies be conducted entirely in English. This bill states that the enactment of this legislation shall not preempt any law of any State. It would not restrict the use of foreign languages in homes, neighborhoods, churches, or private businesses—only the Government sector. I urge my colleagues to vote ''yes'' on this legislation to designate English as our Nation's official language, and unite our Nation of many immigrants to be one.

Mr. DIXON. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas [Mr. THORNTON]

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

Mr. Chairman, I rise in opposition to this legislation, which comes with a nice title, a ringing kind of phrase that our sentiments might want to endorse. But our discourse is not limited to ''English''. We use concepts expressed by words like ''libèrté'' French; ''equality'' from the French ''egalité''; ''justice,'' from the Latin. Our language is enriched by the addition of words and phrases from other languages.

We should be talking today about how to improve and accent American values. We should not be trying to make restrictions on how people talk. People in Arkansas may speak more clearly sometimes than people in other parts of our country, and we may use words that would not be in a lexicon. There should be no effort to limit our ability to express ourselves fully and completely.

I am pleased that the President of the United States has indicated that, if passed, he will veto this bill.

Mr. CUNNINGHAM. Mr. Chairman, I yield such time as she may consume to the gentleman from Connecticut [Mrs. JOHNSON].

(Mrs. JOHNSON of Connecticut asked and was given permission to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. I rise in support of the bill, Mr. Chairman, but will urge that its specific problems be addressed in conference.

Mr. Chairman, I rise today to acknowledge the difficult task faced by Chairman GOODLING and the members of the Economic and Educational Opportunities Committee in the drafting of this bill. Since 1981, Congress has attempted, with my support, to establish English as the official language of the Government of the United States. The United States is unique for many reasons, including its commendable cultural and ethnic diversity. But while we welcome all the diverse populations that decide to make America their home, we must also bring all Americans together by uniting under our most important common denominator—the English language.

For this reason, I support the provisions in this bill which would require the Federal Government to conduct its official business in English and produce most official documents in English. We must provide some relief from the burdens and costs associated with the additional printing now required of the Federal Government.

However, I am concerned that the committee has not made clear exactly which Federal documents would be affected by this bill. While only 265 of the approximately 400,000 Federal documents currently printed are printed in multiple languages, agencies must have clearer guidelines as to which documents would fall under this bill and which documents would be exempted. I am pleased that, under this bill, all documents dealing with public health and safety could still be printed in multiple languages. But where, for example, would documents issued by HUD fall? Would those not fluent in English still be able to receive information on housing discrimination? Or receive information on workplace discrimination from the EEOC? These are the issues I would like to see made clear in conference committee. We must take a careful look at which documents would be impacted by this bill.

In addition, I am troubled by the provisions which would repeal the Federal requirement for bilingual ballots. The Voting Rights Act was amended in 1975 to include these ballots and for good reason. Since the founding of our Nation, many Americans have been deprived of their inalienable right to participate in the democratic process by negating, either legally or illegally, their right to vote. We have seen States make voting difficult for certain populations by implementing poll taxes, literacy tests, and by designing complex balloting procedures. Bilingual ballots guarantee that no American citizen is denied the fundamental right to vote because of a lack of fluency in English.

It was only 4 years ago that Congress reauthorized bilingual ballots for the next 15 years. I supported that reauthorization back then and do not support any attempt to repeal that mandate prematurely.

However, I support the overall goals of this bill. We must be sure all of our citizens can understand our public discourse and enjoy the benefits of a common language. In order to meet this goal, though, we must strengthen our bilingual education programs and work to reduce the long English class waiting lists that our legal immigrants and newest citizens are faced with as they try to assimilate into this country. If we want well-informed citizens participating in the political process, we must make it easier for them to share our language. This is how we increase fluency—not by denying citizens their full political rights.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BILBRAY].

Mr. BILBRAY. Mr. Chairman, I stand in strong support of this legislation. I would just say to my colleagues, come to San Diego and see the stacks of bilingual ballots.

Mr. Chairman, last month there was a lady in my county named Mrs. Velazquez who was sworn in as a new citizen. I do not know what her position is on this, but I know what her position was on being sworn in as a citizen. She wanted to be sworn in as an American who speaks English. She did it as English, so that she could be mainstreamed. The fact is, the common language of English is the place where we can meet, the mainstream.

I know no reason morally that we can say we want to divide and make sure people do not meet in the mainstream. But, Mr. Chairman, we should remember the fact that when immigrants want to be mainstreamed, they choose the English, and we should do everything we can to encourage that. There are those that would want to encourage to divide.

In the past, the people of California have been brave enough to pass an initiative to say English should be our common language. Mr. Chairman, let us be brave enough to do the same, as California did a long time ago.

Mr. DIXON. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey [Mr. ANDREWS].

The CHAIRMAN. The gentleman from New Jersey [Mr. ANDREWS] is recognized for 2 minutes.

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

Mr. ANDREWS. Mr. Chairman, today there are 40 million Americans with no health insurance. There are millions of Americans who will go to bed tonight with a knot in their stomach about whether they get a layoff notice tomorrow at their jobs. There are rivers that need to be cleaned, highways that need to be built, seniors who need health care in their homes, and what are we doing this afternoon? We are passing a law that says it is illegal for the Federal Government to print a document in a language other than English. If I have ever seen a solution in search of a problem, this is it.

I know, Mr. Chairman, what this is really about. It is about millions of Americans who are sick to their stomach and worried to death that they are going to lose what they have worked for their whole life. What is the solution? It is to beat up on and demonize people who do not look like we do or talk like we do.

Mr. Chairman, if we want to do something to address the real problem of

those very real people, then give paid leave to people so they can leave work and take care of their children, stop corporations from raiding the pension funds of their employees, provide health benefits for every working American in this country, fund bilingual education, so people can read and write the English language, and put our constituents back to work.

This is a shameless and shameful attempt to take the real anxieties of real people and direct them at people who are not like some of the rest of us. We are better than this bill. We should have aspirations better than this. Should, God forbid, it become law, I urge my colleagues from the Republican and Democratic party, from urban, rural, and suburban districts, be better than what is behind this bill. Vote no, and let us get to work on the real problems of the American people.

Mr. CUNNINGHAM. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from California [Mr. CUNNINGHAM] is recognized for 3 minutes.

Mr. CUNNINGHAM. Mr. Chairman, the last speaker said that we intend to beat up, demoralize. My colleagues on the other side, we have gone through this legislation, and I have sat down with them. They know there is no intent or nothing in this bill that would do that. This is an honest attempt to combine and empower the American people, and especially those that have limited English skills to help them.

Mr. Bill Emerson, the late Bill Emerson, has 200 cosponsors on this bill, 200 cosponsors. They are not mean. They are not after anybody's hide. But they believe that we can help the American people. Bill Emerson did not have a mean bone in his body. I would say that instead of divide, in one of the hearings a gentlelady from India said that when the British were there, that there were over 300 and some languages in India and more than that in the dialects, and they actually adopted a foreign language, English, as their common language when the British were there, and it tied that country together. When the British pulled out, and even today, those different groups are segregated and India is gridlocked because they do not have a common language.

My wife teaches Spanish. Both my daughters are fluent in Spanish. I want to send them, if I can afford it, to Spain or Mexico City. I want them to immerse, because I do believe that the future of this country involves trade, it involves that we learn a lot of different languages.

The gentleman said that we cut the program for education. No, what we cut is the Federal Government. We send the block grants down to the States and allow actually more money, and take away the Federal rules and regulations from the education process. Governors have told us they can do a better job.

I look across the Nation, and there are 320 languages in this country and a thousand dialects. We encourage those folks to learn, and I want Spanish-speaking or Chinese-speaking, I want them to speak those languages at home. This bill does not prohibit that. What the bill does, it says that the official language of the government, of the Federal Government, shall be in English. That empowers people, just like the example that I used that for our swearing-ins.

The bill says that when a person is sworn in as a citizen to this country, to the United States of America, that that be done in English. To me that is a powerful, that is a very powerful symbol. That is not mean-spirited. that means to empower those individuals.

In my own district, many people do not speak English. They are not empowered. I ask support for this bill.

Ms. VELAZQUEZ. Mr. Chairman, I rise today, amazed by how far some will go to unravel our country. H.R. 123 should be called the Linguistic and Voting Deprivation Act, not the English Language Empowerment Act. Instead of providing language minorities with the opportunities to learn English, this legislation will cost our Nation one of our most valuable resources—our diversity. I urge all of you to support English Plus.

Earlier in the year this House took opportunities away from our limited-English children by cutting funding for bilingual education. Today with the passage of this legislation, we are making the chance for a better life nearly impossible.

As a Representative with one of the highest immigrant and language minority populations in the country, I know the difficulties that language minorities face day in and day out. H.R. 123 will have the effect of further isolating my constituents who speak primarily Chinese or Spanish. To make matters worse, without bilingual ballots, these constituents will be completely unempowered.

As elected officials, our job is to make democracy work by reaching out and serving all our constituents—not just those who speak English only. Language minorities are some of our society's most vulnerable members. They are especially in need of assurance that their civil liberties will be protected.

My colleagues, H.R. 123 will not bring us together, it will only serve to divide this country. Vote ''yes'' for English Plus.

Mr. MARTINI. Mr. Chairman, I rise today to express my strong support for H.R. 123, legislation that would establish English as the official language of the United States. I believe that English should be the official language of the Federal Government with rules, decisions and laws for the record conveyed in English. As a cosponsor of several English First bills, I would like to commend Representative CUNNINGHAM and the leadership for bringing this important legislation to the floor.

The United States has long been a nation of immigrants. The fact that our country is a collection of different nationalities necessitates some sort of unifying factor in order to provide a national identify. A common language provides that unifying factor. By establishing English as the official language of the United States, it creates a bond that transcends ethnicity. It enables members of a multicultural society such as ours to more easily identify with each other.

It is important to note that this bill requires only the Federal Government to conduct its official business in English. The bill does not forbid the teaching of foreign languages in schools or every day citizens from speaking foreign languages in their homes, place of business or on a walk in a public park. In addition, the bill exempts public health, national security and civil rights actions. This legislation also repeals the Federal requirement mandating certain localities to provide bilingual ballots. However, if H.R. 123 becomes law State and local governments could still conduct bilingual or multilingual elections if they choose to do so. Furthermore, communities would also be permitted to utilize alternative more cost effective methods in an effort to ensure that no American citizen is denied his or her right to vote.

Unfortunately, in an era of political correctness, some people accuse this legislation of being inherently discriminatory. A deeper inspection of the issue reveals that there is no truth to this assertion.

Mr. Speaker, not long ago this body addressed the subject of immigration reform. The establishment of English as the official language of the United States would aid, not hinder, new immigrants in the assimilation process. Emphasizing the use of a common language will enable new immigrants to become more comfortable more quickly with the eclectic American culture. This simple observation denies the naive notion that an official language is based on discrimination.

Declaring English as the official language of the Government of the United States would be both economically and socially beneficially. I urge my colleagues to join me in declaring English as the official language of the United States.

Mr. TORKILDSEN. Mr. Chairman, I rise today in strong support of English as the Official Language of Government Act of 1996.

The English language is one of America's great equalizers. Studies show that immigrants who learn English are better able to build a life for themselves and their families. They typically enjoy greater successes in both their professional and personal lives. In fact, when my grandfather came to America from Norway at the age of 16, he learned English because it was the best way for him and his family to live the American dream.

Diversity is one of our Nation's greatest strengths. The unique cultures, customs, and beliefs that every immigrant brings to our country add to the richness of America. However, without a common thread to bind our society together, America risks losing its sense of unity.

Some will argue that this bill creates social divisions. This is simply not true. H.R. 123 does not prohibit anyone from speaking any language they choose. It simply says that the official language of the U.S. Government is English and that most official business will be conducted in English.

Opponents also argue that the bill infringes on the personal freedoms and rights of all Americans, and ties the hands of law enforcement and other Government agencies to ensure their protection. However, the bill provides specific exemptions for the protection of public safety and law enforcement.

We have seen in Canada what can happen when there is no common language. We cannot allow the United States to become balkanized with ethnic tensions that will only divide our country.

No matter what part of the world we or our ancestors come from, we all came to America for the same reason. We are here in search of the freedoms and opportunities that make our country great. We are here in search of a better life for themselves and their families. In short, we are here because we want to be Americans. The English language is part of the fabric that keeps us together.

Mr. Chairman, I urge my colleagues to join me in support of this common-sense legislation. I yield back the balance of my time.

Mr. BONILLA. Mr. Chairman, I rise in opposition to this bill. The fact is, English is America's language in fact, we don't need legislation to make a fact law.

No one understands the importance of mastering English more than I do. Growing up in a Spanish-speaking neighborhood in south San Antonio, I was lucky enough to have parents who stressed the importance of being fluent in English. My parents understood that English was essential to get work and succeed. My parents' example clearly demonstrated that learning English was essential to first succeed in school, and later in our jobs.

We don't need another Washington mandate, another law with bureaucrats to enforce it to tell us what we all know to be true fact. English is the common language of all Americans, passing or rejecting this legislation will not change this fact. I think it important to get beyond the impassioned rhetoric of this debate and address the facts of this bill, what this bill does and does not do.

This bill basically does two things. One, it restricts the use of other languages by the Federal Government with so many exceptions that it is unclear what in fact would change. At this time less than 1 percent of Federal documents are printed in other languages. Two, it ends the Federal requirement for bilingual ballots. This will have no impact on Texas as our State's electoral code provides for these ballots.

Now let's cover what this bill does not do. It does not promote usage of English. It will not affect commercial and personal communications. It will not increase English usage. It will not serve to bring us together. While I understand that many of my colleagues have good intentions in supporting this bill, millions of Americans do not see this as a well-meaning affirmation of national unity, but rather as a challenge to their Americanism. Until we eliminate this mistrust we should concentrate on promoting English usage rather than passing legislation.

English is America's common language. We do not need a law to prove this. Instead of making symbolic gestures to legislate language, we should take real concrete action to encourage every American to learn English.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to express my support for the Serrano English plus substitute, which expresses the sense of Congress that the U.S. Government should pursue policies that promote English as the common language of the United States while recognizing the importance of multilingualism and working to expand educational opportunities and information resources.

The Serrano substitute would encourage all residents of this country to become fully proficient in English while also encouraging the development of skills in languages other than English—recognizing that multilingualism is vital to American interests.

The Serrano substitute would ensure that the Government continues to provide services in languages other than English as needed to facilitate access to essential functions of Government, promote public health and safety, ensure due process, promote equal educational opportunity, and protect fundamental rights.

Mr. Speaker, this is an issue which impacts not only the men, women, and children affected by such legislation but our Nation as a whole. Our Nation has remained strong and united because, while we do not always agree, we share a common set of democratic ideals and values. Commitment to freedom, equality, tolerance and opportunity—not language—is what holds us together.

Legislation which would establish English as a national language runs counter to our Nation's history and would create a new and unprecedented role for the Federal Government. The Founders of this country recognized the danger of restricting its citizens' freedom of expression. Language, like religion, is an intensely personal form of self-expression which must not be subject to governmental regulation.

Language-minorities do not need to be coerced by the Federal Government to learn English: they already are. According to the Census, over 95 percent of Americans speak English. And current generations of language minorities are learning English faster then previous generations. In Los Angeles, demand for English classes is so great that some schools are open 24 hours a day, and thousands are placed on waiting lists. Also as we should not discriminate against those who speak a single language—English, we should not discriminate against our citizens who are trying to learn English.

Diversity in people and languages is not a national threat, but an advantage. In today's Information Age, we have the ability to connect with individuals across the globe. The movement of people across countries and continents has intensified. Our businesses, too, have increasingly moved into the broader world marketplace where the most influential language is that of the customer. Therefore, the 32 million Americans who speak languages in addition to English are at a competitive advantage.

I urge my colleagues to support the Serrano substitute and resist this attempt to divide our citizenry. Thank you.

Mr. RICHARDSON. Mr. Chairman, the English Language Empowerment Act of 1996, is a bill we do not need. Everybody in American realizes that English is the language of the land. At a time when we are trying to deregulate government, why are we adding more laws to our books?

This bill would not only prohibit the Federal Government from conducting its official business in a written language other than English, but it would repeal a Federal law requiring bilingual ballots for many non-English speaking voters. As a consequence, it will jeopardize the effectiveness of our government and deprive thousands of people of their right to participate in the political process.

In my district alone, one out of every five of my constituents is Native American, and they will be directly affected by this bill. This bill, as proposed, does nothing to protect the already endangered languages of Native Americans and Native Alaskans. Let's be clear, this is a bad bill—but if it has to be considered, I will support Congressman Cunningham's amendment which exempt native American languages. We cannot limit the ability of native Americans to actively participate in the political process.

We should not only allow but also encourage people to speak languages other than English. It is good for our economy and for the advancement of our people. Congressman Cunningham's amendment would improve this bill by protecting native American languages, and therefore, as bad as the overall bill is, we should vote for this amendment.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise in opposition to this bill H.R. 123, to express my concerns about what effect this legislation will have on America, today and in the future.

I am concerned that promoting English as the official Government language in this particular way will result in situations where Americans not yet completely proficient in English will be disadvantaged when it comes to seeking and receiving vital assistance from Government—be it exercising their right to vote, receiving the fullest education possible, health issues, particularly emergency situations—or any other social services.

My strong preference is to look at this issue from another angle. There is no question that English is a language of opportunity and that it is practical to carry out as much government business as possible in this language. In practice this is the case already—the GAO reported recently that between 1990–1994 Federal agencies, other than Defense and State, published 265 documents in languages other than English—less than 1 percent of all the government documents reviewed by the GAO. In reality, about 97 percent of U.S. residents above the age of 4 speak English well or very well. It is the 3 or 4 percent of our population that needs assistance when communicating in English that I am concerned about. Rather than passing legislation which promotes the use of English in a way that can be perceived as exclusive, culturally insensitive and which may result in further marginalization of minorities. I agree with others who have suggested we should instead focus on encouraging all Americans to become proficient in English—through making English language programmers fully accessible to all. It is not socially responsible to pass legislation such as H.R. 123 and expect those who cannot communicate in English—often not because they lack the will to try but because they are simply not enough programmes to go around—to cope without any means of communication with Government, which is after all there to serve the people. I strongly urge my colleagues to focus instead on strengthening our capacity to provide the means for new immigrants and those struggling to learn English to do so.

My second specific concern related to this legislation is an uneasy sensation I have that there are darker political undertones to the desire to promote the use of English only. The legislation is worded in such a way that it appears to be promoting English very much at the expense of other languages. The legislation does not recognize sufficiently the important of multiculturalism in the history of this country, and the strength multilingualism

brings to our country today and its place in the emerging global marketplace.

I bring to this debate a unique perspective in that I represent a district where the languages of every day transaction are English and Samoan. Bilingualism is a strength in my constituency and I cannot support legislation that does not adequately recognize this.

Finally, I would like to note that moves afoot in this Congress to declare English as the official language of the United States have attracted the attention of the international community. I refer particularly to a resolution passed by the fourth Polynesian language forum, held in New Zealand in August last year which was supported by government representatives of 13 governments of Polynesia including New Zealand, Cook Islands, French Polynesia, Easter island, Western Samoa, Fiji, and Tonga. The resolution specifically stated its incredulity that the United States, otherwise a world leader in the field of human rights, should even consider legislation such as this. The resolution also reminds us that the international community recognizes the rights of indigenous people to have their languages used officially in government. In addition to the points I have made above in relation to the effect of this legislation on all minority groups in the U.S. this Congress would be wise to reflect upon its obligations to protect the languages and cultures of Native American peoples. We should not forget that the international community is watching, and judging us by our actions.

Mr. MILLER of California. Mr. Chairman, I would like to speak in favor of Mr. CUNNINGHAM's amendment to H.R. 123 that would exempt Native American languages from the provisions of this bill. The Native American exemption, which applies to languages spoken by the more than 557 American Indian and Alaska Native tribes in this Nation, is important for several reasons.

First, we have a fiduciary duty, a binding trust responsibility, to protect and preserve Indian cultures. An integral part of their culture is the ability to speak their own languages, many of which are disappearing or have even been lost. The tribes are making a concerted effort to revitalize their languages, and I believe that without this exemption, passage of this bill would frustrate those efforts.

Second, although the bill contains an exemption for teaching on languages, this does not cover cases where courses or classes other than language, such as history or math, are taught in Native American languages.

Third, the bill as presently drafted appears to leave out cases where elderly Indians, many of whom speak solely in their own tongue, need an interpreter or a Federal employee who speaks a native language in order to get medicine or health care from the reservation clinic, to get food stamp assistance, to get Medicare assistance, or help from the local BIA officers. These are important services and we need to be sure that they remain as readily available to the Indian elderly in the future as they are today.

Finally, we must take all reasonable steps to ensure that Indians are not denied or limited by this bill in their ability to exercise the right to vote. This amendment would ensure that ballots and voting instructions in Native languages and interpreters are available to assist Indians who do not speak English proficiently.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to express my opposition to H.R. 123, which would establish English as the official language of the Federal Government.

Legislation which would establish English as a national language runs counter to our Nation's history and would create a new and unprecedented role for the Federal Government. The Founders of this country recognized the danger of restricting its citizens' freedom of expression. Language, like religion, is an intensely personal form of self-expression which must not be subject to governmental regulation.

Language minorities do not need to be coerced by the Federal Government to learn English: they already are. According to the census, over 95 percent of Americans speak English. And current generations of language minorities are learning English faster than previous generations. In Los Angeles, demand for English classes is so great that some schools are open 24 hours a day, and thousands are placed on waiting lists.

What the sponsors of this and other English only legislation do not seem to understand is that diversity in people and languages is not a national threat, but an advantage. In today's information age, we have the ability to connect with individuals across the globe. The movement of people across countries and continents has intensified. Our businesses, too, have increasingly moved into the broader world marketplace where the most influential language is that of the customer. Therefore, the 32 million Americans who speak languages in addition to English are at a competitive advantage.

This legislation also repeals section 203 of the Voting Rights Act establishing bilingual ballots, which would have a devastating impact on the rights of language minorities to participate fully in the democratic process. The right to vote is one of our most cherished and fundamental rights. It is guaranteed to all U.S. citizens by the 15th amendment to the Constitution and the Supreme Court has long held that the right to vote implies the right to cast an informed and effective vote. To that end, the Court has articulated that constitutional protection extends to all, to those who speak other languages as well as those both with English on the tongue.

In 1975, Congress enacted language assistance provisions to the Voting Rights Act, recognizing that large numbers of U.S. citizens who primarily spoke languages other than English had been effectively excluded from participation in our electoral process. Congressional hearings brought forth evidence that these citizens were denied equal opportunities by State and local governments, resulting in disabilities and continuing illiteracy in the English language.

Repealing these provisions—as Title 2 of this legislation would do—and denying American citizens access to bilingual ballots for Federal elections would effectively disenfranchise a large population of U.S. citizens. In fact, as the number of bilingual U.S. citizens continues to grow the need for bilingual ballots is even greater. Many of these citizens have only recently had the opportunity to engage meaningfully in participatory democracy. Bilingual ballots not only increase the number of registered voters, but permit voters to participate on an informed basis. They not only allow voters who need language assistance to be able to read to know who is running for office, but also to understand more complex voting issues such as constitutional amendments.

Language assistance is not costly. In depth studies show that the cost was either nominal or caused no additional costs. A GAO report indicates that of the 295 responding jurisdictions, the average cost of providing written assistance was 7.6 percent of the total election expenditures, and an estimated 18 States incurred no additional costs in providing assistance. Oral language assistance is even less burdensome, with costs ranging from 2.9 percent to no additional cost.

Mr. Speaker, our Nation has remained strong and united because, while we do not always agree, we share a common set of democratic ideals and values. Commitment to freedom, equality, tolerance and opportunity—not language—is what holds us together. I hope that my colleagues will resist this attempt to divide our citizenry and oppose this bill, however I rise to support the Serrano amendment which affirms English as our common language.

Mrs. KENNELLY. Mr. Chairman, I rise in opposition to this legislation and in support of the Serrano amendment. I believe that English is part of our heritage and history, and that it should remain the common language of the United States. Today, 96 percent of Americans speak English, and I would like to see this grow. I support efforts to encourage and help new immigrants to learn our language.

But H.R. 123 proposes to shut non-English speakers out of so many aspects of life in our society. I am particularly disturbed by its attempt to repeal the multilingual ballot. Minority language assistance has opened up the democratic process to all citizens, and it has increased voter participation among immigrants. Repeal of this provision of the Voting Rights Act only serves to restrict the democratic process and turn this into a nation of exclusion rather than a nation of inclusion.

As has been said many times, America is a nation of immigrants. Diversity of heritage, culture, and language is a source of our strength. The Serrano amendment would permit us to build on this strength, and I urge my colleagues to support it and oppose H.R. 123.

Mr. COX of California. Mr. Chairman, the immigrant experience is central to our national character. It epitomizes the intergenerational improvement inherent in the American Dream. Americans by choice add to the cultural and ethnic diversity we have always celebrated. It is America's unique national trait that from such diversity springs unparalleled unity and strength of purpose.

For nearly four centuries, natives of other lands have come to America to build a better future. But unlike their predecessors, today's immigrants are met with Government policies allegedly concerned with the preservation of their ethnic separateness. Chief among these misguided policies is the mandate of a multilingual government. By discouraging immigrants and their children from using the English language, this policy has erected a linguistic barrier that keeps many immigrants from becoming full participants in the society they have chosen to join. Whatever its putative intentions, a policy of governmental insistence on a multitude of official languages works insidiously to harm the very people it was meant to help.

The use of English is indispensable to immigrants and their children who wish to participate fully in American society and realize the

American Dream. As we seek to promote the rich and varied traditions new Americans bring, we must simultaneously work to ensure that all of us share some basis for common understanding. Securing both these important goals requires overcoming the divisive influence of linguistic separatism. English should be and remain the official language of our National Government.

English, our common language, provides a shared foundation which has allowed people from every corner of the world to come together to build the American Nation. Without it, we might never have achieved the cohesion that permits Irish-American and African-American, Asian-American and Hispanic-American, to live in peace and prosperity together as in no other nation on earth.

The experience of two other immigrant nations—Canada and Israel—offers us clear lessons on just how powerful a force language can be in either uniting or dividing a people. These are lessons we cannot fail to heed.

Canada, our neighbor to the north, bears much in common with the United States. Our settlement, founding, and national growth share the same time and place in world history. Our peoples emigrated from the same native lands. But unlike America, Canada has struggled with the divisive issue of language since its earliest days. Though the British won control over French Canada more than a decade before the American Declaration of Independence, they failed then to conquer the destructive force of linguistic separation. The French and English settled throughout North America, but the lesions of language that live on in Canada are healed in our country. Today, centuries after the French settlement of Quebec, the French language serves as a reason for the Québécois refusal to become integrated into a Canadian nation. The continued existence of Canada as we know it is very much in doubt.

Canada chose to make both English and French its official languages. It has striven for decades to foster unity through official multilingualism. The evidence is clear: that experiment is a horrid failure. Linguistic differences have not promoted national harmony, but rather have dramatically increased Canada's cultural and communal divisions. Twice in recent years, Québécois have demanded and won the right to vote on whether they should separate from Canada. And when they did so most recently, in October 1995, only the barest majority—50.6 percent of Quebec voters—managed to save the country from the kind of disintegration that we ourselves avoided in the Civil War. A third vote could be held as soon as next year. Multilingualism has become a dagger pointed at the heart and soul of the Canadian nation.

The largest immigrant-absorbing nation on earth, in percentage terms, is Israel. Millions of emigres from around the world, speaking as many tongues as Babel, have been welcomed there. Israel's founding fathers, in contrast to Canada, have long recognized the centrality of language to their quest to reestablish a Jewish state in their historical homeland.

The Jews who have returned to the Holy Land shared a common history and religion, but they brought with them enough different native languages to threaten all hope of a cohesive nation. While Yiddish, the German-Jewish dialect spoken by East European Jews, at least overcame that group's experience with Russian, Polish, or Hungarian, Yiddish was as alien to the Arabic and French-speaking Jews of the Middle East as was Spanish. And Spanish was just one of the many other languages brought to Israel by immigrants from Spain and Latin America.

Israel has shown the world that the key to uniting a polyglot people is to establish a language of mutual understanding. Unlike America, where our British colonizers left us with an English language that is preponderant throughout the world, Israel had no obvious choice from among the languages of its varied citizenry. So its founders revived a tongue whose heritage they all shared, but which none of them spoke. Hebrew—the language of the Old Testament which had survived as the medium of prayer and religious study, but which had virtually disappeared from secular use—became once again the vernacular of Israel.

Israel did, and continues to do, much more than simply declare Hebrew to be the country's common language. The Israelis put in place an infrastructure to ensure that each and every immigrant will be able to speak this common tongue to his or her new countrymen, and thus become quickly integrated into Israeli society. New arrivals, whatever their age, are strongly encouraged to take an ulpan, the intensive Hebrew-language course typically taught by the immersion method. As soon as possible after their arrival, immigrant children are placed in regular Hebrew-speaking classrooms, and given extra Hebrew-language instruction to help them catch up with their classmates. Those arriving to take degrees at Israel's universities must prove their Hebrew proficiency before graduation, even if their degrees are in subjects—such as French, Russian, or English—that may be taught in their mother tongues.

Just as in America, those immigrants who arrive later in life inevitably remain more comfortable with their mother tongue. And just as in America, the culture and society of Israel is hospitable to such people: The Israeli press includes newspapers published in German, Russian, French, Yiddish, and many other foreign languages. Although none of these foreign languages is the official language of Israel, their use is welcomed in a free society. But Israel's insistence on Hebrew as the national language insures that the children of immigrants quickly become Hebrew speakers first, and speakers of their parents' language second. Although a parent might wish for her children to speak English as well as an American, this does not come at the expense of embracing Israel's language and customs. Immigrants need not abandon their ties to the country of their birth. But if they truly wish to become part of the country of their choice, the linguistic bonds to their new country soon strengthen.

Because Canadians have been unable to overcome the linguistic differences that separate them into distinct Anglophone and Francophone communities, they may not long remain as members of a single nation—despite the essential homogeneity of their population. By stressing a single, unifying language, Israel has built a strong, cohesive society—despite the amazingly diverse composition of its people.

The lesson for America should be clear. Fortunately, the United States already has a common language. We do not need to overcome centuries of linguistic separation, or to find a national tongue to bring our diverse population together. English is our common language, which has enabled us to become and remain the United States of America. We need only ensure that we do not lose it by neglect or inaction.

Many people do not realize that, while English is our common language, government at all levels is actively undermining its unifying function. All of the benefits our Nation reaps from our linguistic harmony will be lost if ill-advised government policies continue to forment linguistic separatism.

Today, American taxes are being spent so that people who cannot understand or communicate in English can nonetheless receive ballots to vote in Filipino, Vietnamese, or Chinese. Federal Government job announcements frequently invite applications from people with limited English skills. Immigrants have even been sworn in as new citizens at a U.S. Government ceremony conducted almost entirely in Spanish. And bilingual education, which purports to aim at bringing students into full participation in our society, has instead condemned them to what the New York Times calls a ''bilingual prison.''

Under these doctrinaire and disruptive bilingual policies, in too many U.S. schools children who wish to learn English are given only a few minutes of English instruction each day. Ignoring the time-tested wisdom that practice makes perfect, children are taught all day long in the foreign language they already speak, rather than in English. And children who should be moved quickly into mainstream classes are kept in language separation for 7 or more years.

Immigrant parents who have expressed serious concerns about this practice have no recourse. Despite parental fears that bilingual programs do not bring their children fully into the fold of American society, nothing is done to help their kids. That's why dozens of Latino parents at the Ninth Street School in Los Angeles recently pulled their children out of school to protest the education bureaucracy's refusal to teach their children in English.

Bilingual education programs often require teaching children in their native language and discourage the learning of English. These programs are a shameful example of the damage to our society caused by official multilingualism. They are wasteful, discriminatory, and too often produce children who are illiterate in any language. Yet they are perpetuated by a requirement that 75 percent of Federal bilingual education grant money be used for instruction in a child's native language rather than finding the most effective means to assist the transition to English. Instead of helping immigrants and their children achieve the American dream, these policies are condemning generations to isolation—cut off from the boundless opportunity our country offers to those who share the common bond of speaking and writing the same language, and being understood by their fellow citizens.

A 1995 study by Ohio University economists Richard Vedder and Lowell Galloway finds that a lack of English skills has trapped almost 1.5 million immigrants in poverty. And the Department of Labor has found that while 98 percent of Asian males who are fluent in English participate in the labor force, fully one-quarter of Asian males who lack English fluency are jobless. The simple truth is that those who

cannot function in our country's predominant language are less able to find jobs. As a result, they are cheated of the opportunity for improvement and happiness that America promises to millions.

Even when non-English speakers are able to find jobs, they can expect to earn a fraction of what others earn. In 1989, immigrant men who lacked English skills earned $233 a week on average, according to the Bureau of Labor Statistics. Those who spoke other languages but were proficient in English earned $449, and those who spoke primarily English earned an average of $584 a week. A 1995 study by the Latino Institute has confirmed that the ability to speak English can make the difference between a low-wage job and a high-wage managerial, professional, or technical job.

These facts paint an unmistakable picture. Immigrant communities themselves recognize what must be done: According to the U.S. Department of Education, 42 percent of new enrollees in adult education are signed up for classes in English as a foreign language. Almost all of those enrollees—97 percent of them—were born outside the United States.

The drive for self-improvement these students demonstrate reflects an understanding of what America itself must not take for granted: that language is the foundation on which all human interaction rests. In America, where the principal language of interaction is English, its use and active promotion through Government policy can pave the way for unprecedented opportunity and national prosperity. But just as a common language opens the door to communication, so too the lack of it erects a barrier not easily overcome. If the common bond of a national language is neglected and denigrated long enough, experience teaches that the Nation itself will ultimately suffer. Such an important key to realizing the American dream ought not be kept from those who come to the United States.

As we continue to welcome new Americans to our shores, we must ensure that misguided national policies do not undermine the important role of a common language of national understanding. English as the official language of our Government encourages its use by all Americans, so as to secure brighter opportunities and a better future for us all.

Mr. VENTO. Mr. Chairman, I rise today to oppose this legislation, H.R. 123. This measure would establish English as the official language of the United States, an unnecessary move that would only serve to polarize our communities and segregate those for whom English proficiency may not be so easily attained. This underlying measure is a solution in search of a problem, which is more likely to disrupt and deny the rights of U.S. citizens than to enhance the rights of Americans.

This measure is unnecessary. In America, English is already our common language, and making it official will do nothing to increase its use. Custom and practice of our language will not be enhanced by such cumbersome forced feeding. Even in Government, this holds true. For example, the General Accounting Office has reported that 99.94 percent of U.S. Government documents are printed in English only. While I communicate mostly in English to my constituents in the Fourth District of Minnesota, I do occasionally send correspondence in other languages. The original legislation would prevent my office, or any congressional office, from sending non-English correspondence to our constituents. These citizens deserve equal representation and access to their Federal Government, and denying Congress the ability to communicate with them limits their rights and privileges under the law. An amendment to be offered will address this problem, which this House will adopt, but what about the Department and Agencies employees who this measure ties into knots so people are denied help and service.

While restricting the ability of the U.S. Government to adequately communicate with certain Americans, this bill ironically does nothing to provide opportunities to those with limited English proficiency in order to help them learn our language. In fact, the fiscal year 1997 Labor, Health and Human Services, Education appropriations bill recently passed by the House cuts bilingual and immigrant education programs by 11 percent. This funding reduction, if taken together with this bill, would pull the rug out from under the majority of immigrants who are diligently attempting to learn English and further aggravate and polarize existing language barriers in this country.

The main public school system in my district, St. Paul Public Schools, is already struggling to provide this English language instruction to its limited English proficiency [LEP] students, the majority of who are Southeast Asian. The school district has over 6,500 LEP students and only 150 LEP teachers. This limits the number LEP instruction hours per student and increases student-teacher ratios to 60 to 1 in most classrooms. These budget strains will only become greater in the future as the student population with limited English proficiency grows, and it is, by any measure, the fastest growing population of students in the St. Paul Public School System. Clearly, more resources are needed in these areas and in educating adults who are new arrivals to the United States. This opportunity must be presented to these citizens, not the punitive denial of access to their Federal Government.

No one is suggesting that learning English is unimportant in the effort to live, work, learn, and earn in the United States. We must remember, however, that our Nation is comprised of people from many diverse cultural backgrounds. Legal mandates denying them access to some Government documents and other materials in their native language could prove to be detrimental to the rights of these citizens who are not fully proficient in English. The Federal Government should not be in the business of creating new barriers to integration within our society in this manner.

America's unity comes for hard work, dedication, and pride in our Nation and its citizens, not only from a common language. Historically, a high percentage of U.S. citizens once spoke poor or no English, but with patience and good will, these European immigrants were accommodated. How, this measure exacts a punitive action against those who today face English language barriers. What is this Congress afraid of? Have the people's representatives no confidence in our culture, institutions, or customs that we must set in law in essence a punishment for fellow citizens who need help in other languages such as Spanish or Hmong? This would simply alienate new citizens from their government, and segregation and isolation is surely not the goal we seek. Quite the contrary we seek tolerance and cooperation. Rather, we should integrate and honor our differences and recognize a person's need and right to be assured that their basic rights are protected. We will do more harm than good by imposing requirements that disenfranchise the rights of citizens under the banner of a common English language. If we are to continue to be a nation which accepts diversity and cultural difference, we must defeat this legislation which imposes great risk to the core American values and promise of our society and our great nation the United States of America.

Mr. POMEROY. Mr. Chairman, I rise in opposition to the English Language Empowerment Act.

I cosponsored this bill under the mistaken assumption it was for the purpose of designating English as the official language of this country.

I now understand the bill goes far beyond this purpose and would attempt to impose a clearly unconstitutional proscription on the ways in which the Federal Government communicates with its taxpayers. I further object to the provision which has been added to this bill to repeal the requirement of the Voting Rights Act for bilingual ballots in certain areas. As President Ronald Reagan said, the bilingual ballot requirement, ''proves our unbending commitment to voting rights.''

Since coming to Congress, I have consistently worked to include more Americans in the electoral process. This bill discourages participation for many Americans, and I find that unacceptable.

In summary, I believe this bill does not effectively promote English as the official language, but has an unacceptable punitive impact on those in the process of gaining proficiency in our common language.

Ms. MCKINNEY. Mr. Chairman, Este proyecto de ley es una desgracia y no es necesario. How rude can the Republican leadership be? At a time when America is hosting the world in Atlanta, here we are trying to silence other languages in some kind of perverted, xenophobic frenzy.

Why not ban New York Accent English, or ban Southern English? Who are we to tell the American people—a free and diverse people—which language is the only language for dignity and respect? Are we so insecure about our heritage that we have to lash out at other languages?

And what about the native American languages that were here long before English? Or the Americans who speak cajun?

Mr. Speaker, this bill is just one more example of the hot button politics that dominates this Congress since the Republicans took over. I just wonder who we'll be told to hate next week.

Mr. CONYERS. Mr. Chairman, although the focus of the debate surrounding this legislation has been on the use of foreign languages by immigrants, in reality, the core of the issue concerning minority language provisions of the Voting Rights Act is the constitutional and civil rights of American citizens—both native born as well as naturalized—whose first language is not English. The minority language assistance provisions of the Voting Rights Act have been signed into law and supported by President Ford, Reagan and Bush, as well as Presidents Clinton and Carter. During their most recent reauthorization in 1992, Senator HATCH said that the provisions are an ''integral part of our government's assurance that Americans do have . . . access'' to the ballot box.

Since the minority language assistance provisions of the Voting Rights Act was first adopted, they have provided a catalyst for increase voter participation in language minority populations. From 1980 to 1990, Latino voter population increased by five times the rate of the rest of the Nation, and the number of Latinos registered to vote increased by approximately 500,000 between 1990–92. Participation statistics for Native Americans also indicate an increase in turnout as a result of minority language voting assistance. Recent studies confirm that nearly three-fourths of Spanish speaking American citizens would be less likely to vote if minority language assistance were not available.

The evidence further reveals that the minority language provisions of the Voting Rights Act are a targeted, low cost method of ensuring the constitutional right to vote. According to the Government Accounting Office, the average cost of providing written assistance is minuscule, costing an average of 2.9 percent of election expenses or less. Seventy-nine percent of the jurisdictions responding to this study reported no costs in providing bilingual oral assistance.

Denying citizens minority language assistance with regard to voting will not force or encourage them to learn English As the late Hamilton Fish, Jr., then ranking Republican on the House Judiciary Committee so eloquently state in 1992, ''by enabling language minority citizens to vote in an effective and informed manner, we are giving them a stake in our society, and this assistance . . . will lead to more, not less, integration and inclusion of these citizens in our mainstream.''

The most recent reauthorization of the minority language provisions were approved by overwhelming bipartisan margins of 237–125 in the House, and 75–20 in the Senate. Yet, only 4 years later, this bill would repeal these provisions without evidence that the discrimination has ended. I urge opposition to this measure.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today to express my opposition to the rule for H.R. 123, which would establish English as the official language of the Federal Government.

Legislation which would establish English as our only language runs counter to our Nation's history and would create a new and unprecedented role for the Federal Government. The Founders of this country recognized the danger of restricting its citizens' freedom of expression. Language, like religion, is an intensely personal form of self-expression which must not be subject to governmental regulation.

This is a restrictive rule which does not allow for a number of important amendments, which were offered in the Rules Committee, to be offered on the floor today. I am particularly concerned that an amendment offered by Representatives CONYERS, BECERRA, FRANK, RICHARDSON and myself was not made in order. This amendment would have struck title II from the bill and ensured that no other section of the bill eliminates bilingual election requirements. I also offered an amendment that would have exempted ballots for Federal elections from the bill's official English requirements.

The right to vote is one of our most cherished and fundamental rights. It is guaranteed to all U.S. citizens by the fifteenth amendment to the Constitution and the Supreme Court has long held that the right to vote implies the right to cast an informed and effective vote. To that end, the Court has articulated that constitutional protection extends ''to all, to those who speak other languages as well as those both with English on the tongue.''

In 1975, Congress enacted language assistance provisions to the Voting Rights Act, recognizing that large numbers of U.S. citizens who primarily spoke languages other than English had been effectively excluded from participation in our electoral process. Congressional hearings brought forth evidence that these citizens were denied equal opportunities by State and local governments, resulting in disabilities and continuing illiteracy in the English language.

Repealing these provisions—as title 2 of this legislation would do—and denying American citizens access to bilingual ballots for Federal elections would effectively disenfranchise a large population of U.S. citizens. In fact, as the number of bilingual U.S. citizens continues to grow the need for bilingual ballots is even greater. Many of these citizens have only recently had the opportunity to engage meaningfully in participatory democracy. Bilingual ballots not only increase the number of registered voters, but permit voters to participate on an informed basis. They not only allow voters who need language assistance to be able to read to know who is running for office, but also to understand more complex voting issues such as constitutional amendments.

Language assistance is not costly. In depth studies show that the cost was either nominal or caused no additional costs. A GAO report indicates that of the 295 responding jurisdictions, the average cost of providing written assistance was 7.6 percent of the total election expenditures, and an estimated 18 States incurred no additional costs in providing assistance. Oral language assistance is even less burdensome, with costs ranging from 2.9 percent to no additional cost.

Mr. Speaker, our Nation has remained strong and united because, while we do not always agree, we share a common set of democratic ideals and values. Commitment to freedom, equality, tolerance and opportunity—not language—is what holds us together. I urge my colleagues to oppose this rule and oppose this bill.

Mr. BEREUTER. Mr. Chairman, this Member is pleased to express his support for H.R. 123, legislation to declare English as the official language of the United States. This Member not only is a cosponsor of H.R. 123, but also this Member has a long track record of cosponsoring comparable legislation since 1985.

Non-English speakers in a society where English is the predominant language are almost certainly doomed to be at an economic disadvantage in this Nation. One only has to look to the continued, divisive problems in Canada, Belgium, or other bilingual nations to realize that the United States would be well advised to avoid such a situation. Despite the lack of political courage among a few Representatives and Senators who represent border States, it is high time that Congress act on this matter.

This bill eliminates the existing Federal mandate for bilingual ballots; however, it does not make bilingual ballots illegal. Therefore, a State may continue to provide election ballots in more than one language, but only if the State so chooses. Additionally, H.R. 123 requires that all citizenship naturalization ceremonies be conducted entirely in English. The legislation does not prohibit Members of Congress, Federal Employees, and Federal officials from communicating orally with others in a foreign language. Sensible exemptions are allowed under this bill for teaching of languages, national security issues, international relations, trade and commerce, public health and safety, rights of victims of crimes or criminal defendants, and for census purposes.

Mr. Chairman, this Member strongly urges his colleagues to vote in favor of H.R. 123.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in opposition of H.R. 123, the misnamed English Language Empowerment Act. Mr. Chairman, English-only laws, especially eliminating ballots in other languages, will disconnect millions of Americans from their Government. Denying citizens minority language assistance in voting will not force or encourage them to learn English. On the contrary, it will lead to less integration or inclusion of these citizens in mainstream society.

According to the U.S. Bureau of the Census, over 97 percent of Americans can speak English. Research has illustrated that today's immigrants are learning to speak English even faster than previous generations. Publications and information materials in other languages allow those who are learning, but not yet fluent in English, the opportunity to participate in our democracy by making informed decisions. Laws to make English official in all governmental services and departments is an avoidance and dismissal of the fact that above all institutions, our Government should respect the differences in our social mosaic. Providing multi-lingual services promotes participation by all persons in this country and recognizes that people who contribute to our tax base should have access to services for which they are eligible.

Mr. Chairman, another concern of mine is that as we force non-English speaking Americans to learn the English language, we hinder their efforts to learn English by eliminating funding for bilingual education programs. Rest assured, Mr. Chairman, that I will continue to preserve our American heritage, however, I cannot deny that the American heritage has been enriched by the culture of other nations.

Mr. Chairman, I urge my colleagues to defeat this divisive bill. I yield back the balance of my time.

The CHAIRMAN pro tempore. All time has expired for general debate.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of H.R. 3898 is considered as an original bill for the purpose of amendment and is considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3898

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''English Language Empowerment Act of 1996''.

TITLE I—ENGLISH LANGUAGE EMPOWERMENT

SEC. 101. FINDINGS.

The Congress finds and declares the following:

(1) The United States is comprised of individuals and groups from diverse ethnic, cultural, and linguistic backgrounds.

(2) The United States has benefited and continutes to benefit from this rich diversity.

(3) Throughout the history of the United States, the common thread binding individuals of differing backgrounds has been a common language.

(4) In order to preserve unity in diversity, and to prevent division along linguistic lines, the Federal Government should maintain a language common to all people.

(5) English has historically been the common language and the language of opportunity in the United States.

(6) The purpose of this title is to help immigrants better assimilate and take full advantage of economic and occupational opportunities in the United States.

(7) By learning the English language, immigrants will be empowered with the language skills and literacy necessary to become responsible citizens and productive workers in the United States.

(8) The use of a single common language in conducting official businesss of the Federal Government will promote efficiency and fairness to all people.

(9) English should be recognized in law as the language of official business of the Federal Government.

(10) Any monetary savings derived from the enactment of this title should be used for the teaching of the English language to non-English speaking immigrants.

SEC. 102. ENGLISH AS THE OFFICIAL LANGUAGE OF FEDERAL GOVERNMENT.

(a) IN GENERAL.—Title 4, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 6—LANGUAGE OF THE FEDERAL GOVERNMENT

''See.
''161. Declaration of official language of Federal Government
''162. Preserving and enhancing the role of the official language
''163. Official Federal Government activities in English
''164. Standing
''165. Reform of naturalization requirements
''166. Application
''167. Rule of construction
''168. Affirmation of constitutional protections
''169. Definitions

"§ 161. Declaration of official language of Federal Government

''The official language of the Federal Government is English.

"§ 162. Preserving and enhancing the role of the official language

''Representatives of the Federal Government shall have an affirmative obligation to preserve and enhance the role of English as the official language of the Federal Government. Such obligation shall include encouraging greater opportunities for individuals to learn the English language.

"§ 163. Official Federal Government activities in English

''(a) CONDUCT OF BUSINESS.—Representatives of the Federal Government shall conduct its official business in English.

''(b) DENIAL OF SERVICES.—No person shall be denied services, assistance, or facilities, directly or indirectly provided by the Federal Government solely because the person communicates in English.

''(c) ENTITLEMENT.—Every person in the United States is entitled—

''(1) to communicate with representatives of the Federal Government in English;

''(2) to receive information from or contribute information to the Federal Government in English; and

''(3) to be informed of or be subject to official orders in English.

"§ 164. Standing

''A person injured by a violation of this chapter may in a civil action (including an action under chapter 151 of title 28) obtain appropriate relief.

"§ 165. Reform of naturalization requirements

''(a) FLUENCY.—It has been the longstanding national belief that full citizenship in the United States requires fluency in English. English is the language of opportunity for all immigrants to take their rightful place in society in the United States.

''(b) CEREMONIES.—All authorized officials shall conduct all naturalization ceremonies entirely in English.

"§ 166. Application

''Except as otherwise provided in this chapter, the provisions of this chapter shall supersede any existing Federal law that contravenes such provisions (such as by requiring the use of a language other than English for official business of the Federal Government).

"§ 167. Rule of construction

''Nothing in this chapter shall be construed—

''(1) to prohibit a Member of Congress or an employee or official of the Federal Government, while performing official business, from communicating orally with another person in a language other than English;

''(2) to discriminate against or restrict the rights of any individual in the country; and

''(3) to discourage or prevent the use of languages other than English in any nonofficial capacity.

"§ 168. Affirmation of constitutional protections

''Nothing in this chapter shall be construed to be inconsistent with the Constitution of the United States.

"§ 169. Definitions

''For purposes of this chapter:

''(1) FEDERAL GOVERNMENT.—The term 'Federal Government' means all branches of the national Government and all employees and officials of the national Government while performing official business.

''(2) OFFICIAL BUSINESS.—The term 'official business' means governmental actions, documents, or policies which are enforceable with the full weight and authority of the Federal Government, and includes publications, income tax forms, and informational materials, but does not include—

''(A) teaching of languages;

''(B) actions, documents, or policies necessary for—

''(i) national security issues; or

''(ii) international relations, trade, or commerce;

''(C) actions or documents that protect the public health and safety;

''(D) actions or documents that facilitate the activities of the Bureau of the Census in compiling any census of population;

''(E) actions, documents, or policies that are not enforceable in the United States;

''(F) actions that protect the rights of victims of crimes or criminal defendants;

''(G) actions in which the United States has initiated a civil lawsuit; or

''(H) documents that utilize terms of art or phrases from languages other than English.

''(3) UNITED STATES.—The term 'United States' means the several States and the District of Columbia.''.

''(b) CONFORMING AMENDMENT.—The table of chapters for title 4, United States Code, is amended by adding at the end the following new item:

"6. Language of the Federal Government ..... 161".

SEC. 103. PREEMPTION.

''This title (and the amendments made by this title) shall not preempt any law of any State.

SEC. 104. EFFECTIVE DATE.

The amendments made by section 102 shall take effect on the date that is 180 days after the date of enactment of this Act.

TITLE II—REPEAL OF BILINGUAL VOTING REQUIREMENTS

SEC. 201. REPEAL OF BILINGUAL VOTING REQUIREMENTS

(a) BILINGUAL ELECTION REQUIREMENTS.—Section 203 of the Voting Rights Act of 1965 (42 U.S.C. 1973aa–1a) is repealed.

(b) VOTING RIGHTS.—Section 4 of the Voting Rights Act of 1965 (42 U.S.C. 1973b) is amended by striking subsection (f).

SEC. 202. CONFORMING AMENDMENTS.

(a) REFERENCES TO SECTION 203.—The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) is amended—

(1) in section 204, by striking ''or 203,''; and

(2) in section 205, by striking '', 202, or 203'' and inserting ''or 202''.

(b) REFERENCES TO SECTION 4.—The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.) is amended—

(1) in sections 2(a), 3(a), 3(b), 3(c), 4(d), 5, 6, and 13, by striking '', or in contravention of the guarantees set forth in section 4(f)(2)'';

(2) in paragraphs (1)(A) and (3) of section 4(a), by striking ''or (in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection) in contravention of the guarantees of subsection (f)(2)'';

(3) in paragraph (1)(B) of section 4(a), by striking ''or (in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection) that denials or abridgements of the right to vote in contravention of the guarantees of subsection (f)(2) have occurred anywhere in the territory of such State or subdivision''; and

(4) in paragraph (5) of section 4(a), by striking ''or (in the case of a State or subdivision which sought a declaratory judgment under the second sentence of this subsection) that denials or abridgements of the right to vote in contravention of the guarantees of subsection (f)(2) have occurred anywhere in the territory of such State or subdivision''.

The CHAIRMAN. No other amendment shall be in order except those printed in House Report 104–734 or pursuant to the order of the House of today.

The amendments printed in the report may be considered only in the order specified, may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, except as specified in the report, and shall not be subject to a demand for division of the question.

Pursuant to the order of the House of today, the amendment numbered 1 printed in the report by the gentleman from California [Mr. CUNNINGHAM] may be offered as modified.

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 amendment, and reduce to 5 minutes the minimum time for electronic voting on any postponed

question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes.

It is now in order to consider amendment No. 1 printed in House Report 104–734, as modified under the previous order of the House.

AMENDMENT, AS MODIFIED, OFFERED BY MR. CUNNINGHAM

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment, as modified, is as follows:

Amendment, as modified, offered by Mr. CUNNINGHAM: Page 1, line 4, insert before ''English'' the words ''Bill Emerson.''

Page 6, after line 5, insert the following (and redesignate any subsequent paragraphs accordingly):

''(2) to limit the preservation or use of Native American languages;''

Page 7, after line 3 insert the following (and redesignate any subsequent subparagraph accordingly):

''(B) requirements under the Individuals with Disabilities Education Act;''.

Page 7, line 20, strike ''documents that utilize'' and insert ''using''.

Mr. CHAIRMAN. Pursuant to House Resolution 499, the gentleman from California [Mr. CUNNINGHAM] and a Member opposed will each control 5 minutes.

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

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Mr. CUNNINGHAM. Mr. Chairman, is there someone in opposition to the amendment to claim the time?

The CHAIRMAN. Is the gentleman from California [Mr. BECERRA] claiming the time?

Mr. BECERRA. Mr. Chairman, while I do not oppose this particular amendment, I ask unanimous consent to control the time in opposition to this amendment. I understand that this request has been worked out with the majority.

The CHAIRMAN. Without objection, the gentleman from California [Mr. BECERRA] will control the 5 minutes in opposition to the amendment.

There was no objection.

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

The Chairman, I think we have agreement on this particular amendment. It clarifies that the bill does not affect native American languages or the Individuals with Disabilities Education Act, that are in IDEA, the special education program, that we want to make sure that children in special education can communicate in this way, and it excludes that.

The intent of H.R. 123 is not to hinder the preservation of native American languages. It is to encourage fluency in the language of American opportunity, English.

This is a technical change that eliminates the limiting reference to documents. This resolves a committee dispute over whether coins labeled ''E Pluribus Unum'' are documents, and would be authorized.

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

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

Mr. PALLONE. Mr. Chairman, I consider this legislation basically an insult to the English language and also un-American because basically it violates free speech and also discourages diversity, which I think is a hallmark of our American tradition.

The legislation has nothing to do with protecting the English language. English is a wonderful language that has survived for years in various places. To think that the language of Shakespeare has to have government help to survive.

How ironic that our Republican friends on the other side want to use government involvement to preserve the English language, which is why I think it is an insult to the language. I consider it un-American because the legislation only has two purposes: first, to make it difficult for government to communicate with its citizens; and, second, to discourage the use of other languages. Contrary to whatever my colleagues might say on the other side, that is the real purpose of this bill.

Mr. Chairman, when I say making it difficult for government ot communicate with citizens, why is it that in my office that I cannot hand out a brochure on this bill in another language? I have people that come into my office that speak Spanish, Italian, various Indian dialects, a whole panoply, really, of people that speak various languages. I should be able to speak to them, write to them, communicate with them however I please, in any language that helps them if they are citizens, which they are. It does not make sense, it is against free speech.

Second, Mr. Chairman, this bill discourages the use of other languages in public and private places. Do not get the idea that the opposite is true. Let me give Members an idea. I never learned Italian, in part because my grandparents did not want me to, but it would be a great asset to me and to my children to know Italian. But if you put out this notion, this symbol, if you will, that people should only speak English, which is what this is about, it discourages diversity, it discourages people form learning other languages and using them. We should be doing the opposite. This is a global economy. People should use languages as an asset. In this country with so many different traditions, we should be encouraging diversity, not discouraging it.

Mr. BECERRA. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. GUTIERREZ].

Mr. GUTIERREZ. Mr. Chairman, despite the red hot rhetoric of those who are trying to score cheap political points, the truth is this. Diversity does not divide our Nation. Bilingualism does not burden our bureaucracy. Using Spanish or Polish or German to contact a constituent, collect taxes or cast a ballot does not lead to confusion. It enhances communication. It adds color and clarity and dignity to our ideas. That brings us closer together.

English-only laws disenfranchise Americans who pay taxes, play by the rules and send their children off to war.

Speaker NEWT GINGRICH often says that words have power. Therefore, by the Speaker's own logic, if you deny specific groups of Americans the ability to use words that are part of their culture, you strip them of their power. Poll taxes and literacy taxes which once stripped African-Americans of their God-given rights have now been reborn, renamed and retargeted to strike at other minority groups.

English only is the Jim Crow of the 1990's. Americans of all backgrounds are its victim. Latinos are certainly its primary targets but English-only is also a threat to Polish and Italian Americans, to Chinese and Ukrainian Americans.

In fact, Mr. Chairman, English only is a threat to America itself. It represents a rejection of America's past. There was a time when immigrants were once called upon to create a culture, not just to conform to it. English only strips America of its future as well. After all, what awaits us if we deny certain voters a role in their government, if we deny certain students the chance to learn? We deny them the chance to pursue their potential and contribute to America. We deny America of its hope.

Mr. Chairman, the United States did not achieve greatness because we all speak with one voice. Our country is great because we can, if we wish, speak with many voices.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. ROTH].

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

Mr. Chairman, this bill is long overdue. I have a question for my colleagues in this Chamber. When you take a look at economic statistics and notice who is earning the lowest income, you will find that the people who are not speaking English, or who are not fluent in English, are at the bottom. Why do you want to keep the people at the bottom of the income scale? Give the people a chance. Give the people a chance to earn a decent income. But first you have to give them a chance to learn the English language.

Everyone knows that the English language is the language of opportunity in the United States. I had a hearing on this bill over 3 years ago, when we were still the minority. Do you know who the strongest supporters are of this bill? The new Americans. We had Latinos from all over America, especially California, come in. They are all for this legislation, because they want their kids to have a chance, a

chance that they may not have had. So we are speaking for the new Americans here.

Mr. Chairman, I am not accusing anyone, but I get suspicious sometimes when I hear the politicians get up and speak. They are so out of step with the people they say they represent that it is night and day. I often think that the politicians want to keep these people down, keep them under their thumb.

I think it is about time we liberate the people. Let us give them a chance to learn the English language so they can compete in America. Teddy White, and Arthur Schlesinger both have said that, as we come to the 21st century, the greatest fear they have for our country is that America is breaking up into squabbling ethnic groups. Winston Churchill said a common language is a Nation's most precious inheritance. We want to hand this common language on to our children and to our grandchildren, and to all groups in America.

Mr. Chairman, there are many quotes from distinguished speakers on this issue, but the most insightful quote of all, I think, comes from Linda Chavez. She said, and I quote: For the overwhelming majority of immigrant children, learning English was the first and most crucial step on the road to becoming an American.

Is that not true?

Mr. BECERRA. Mr. Chairman, I yield such time as he may consume to the gentleman from Guam [Mr. UNDERWOOD].

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

MODIFICATION OFFERED BY MR. UNDERWOOD TO THE AMENDMENT OFFERED BY MR. CUNNINGHAM

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that the pending amendment offered by the gentleman from California [Mr. CUNNINGHAM], the chairman of the subcommittee, be modified by the form that I have placed at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification offered by Mr. UNDERWOOD to the amendment offered by Mr. CUNNINGHAM: In the amendment, strike ''Native American languages'' and insert ''Native Alaskan or Native American languages (as defined in the Native American Languages Act).''

The CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

Mr. UNDERWOOD. Mr. Chairman, I thank the gentleman from California on behalf of the linguistically liberated people from Guam.

Mr. Chairman, I rise today to clarify my intent in offering a second degree amendment to the Cunningham amendment. As a result of my amendment to the manager's amendment, indigenous languages of Native Alaska, native America and the Pacific will be affirmed and exempted from the English-only bill.

The Cunningham amendment clarifies that the provisions of the bill do not affect native American languages. I appreciate the intent of Congressman CUNNINGHAM in offering his amendment and in raising this important issue. Under the Cunningham amendment, however, Native Alaskan is not exempted, and it is not clear which definition of native American is used.

My second degree amendment clarifies that the bill does not affect Native Alaskan or native American languages as defined under the Native American Languages Act. Under the Native American Languages Act, the term ''Native American'' means an Indian, Native Hawaiian, or native American Pacific Islander.

My second degree amendment ensures that indigenous languages to the United States are not prohibited from being spoken or written in our communities. The amendment is an affirmation of indigenous languages and their contribution to our society. I am pleased with Congressman CUNNINGHAM's willingness to accept this second degree amendment, and for his intent in offering his amendment.

Mr. BECERRA. Mr. Chairman, I yield 30 seconds to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. I thank the gentleman very much for yielding me this time.

Mr. Chairman, I only wanted to make the point with regard to the very important matter which just preceded this, that of these 300 plus so-called foreign languages that we have heard about, almost half of them are native languages, indigenous languages to the original people of the United States, languages that were here hundreds of years before English.

Mr. BECERRA. Mr. Chairman, I yield the balance of my time to the gentlewoman from Oregon [Ms. FURSE].

The CHAIRMAN. The gentlewoman from Oregon [Ms. FURSE] is recognized for 30 seconds.

Ms. FURSE. Mr. Chairman, as someone who came to this country speaking what is termed the Queen's English and when I learned American, I want to point out in an English phrase what this legislation embodies: That phrase is cutting off one's nose to spite one's face.

This country is made up of diversity. This country is big enough to include all the languages and all the people. Let us not cut off our noses to spite our faces.

Mr. CUNNINGHAM. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from California [Mr. CUNNINGHAM] is recognized for 2 minutes.

Mr. CUNNINGHAM. Mr. Chairman, it is not an English-only bill. It is an official language of the Government bill. If it were an English-only bill, it would apply not only to government but to private businesses, to churches, to neighborhoods and homes, and the bill does not do that.

The gentlewoman talks about diversity. We encourage diversity and we encourage other languages, as in my own children. H.R. 123 does not apply to homes and churches, and neighborhoods, and communities, to public health, and safety, national security, international relations, the teaching of languages, the census, certain civil lawsuits, rights of crime victims or criminal defendants, or oral communication by the Federal Government.

Mr. Chairman, when talking about diversity, the census study shows that there are going to be 20 million Americans that either do not speak English or are limited English-proficient. What hope does that person have or that family? None. In my own district, I can walk precincts and go in entire blocks where no one in that house except maybe the child that is going to school speaks English. No one. What help does that child have when they go home on geometry or chemistry? None. It is because the Government has subsidized and sent information, and there is no intent to ever learn English. Some of the people there have been there since 1986 where we waived the rights for illegal coming in. Some of those same individuals have never even left that block. you talk about imprisonment. All we are doing is saying that we want the Government to operate in the official language. I would say that the State and the local have got full right to communicate. In many instances in this bill we do not prohibit the Members from communicating with their constituents. I appreciate Members' support for the amendment.

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

The amendment, as modified, was agreed to.

The CHAIRMAN. The Chair is advised that the amendments numbered 2 through 4 will not be offered.

It is now in order to consider amendment No. 5 printed in House Report 104–734.

□ 1430

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

Mr. SERRANO. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. SERRANO:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''English Plus Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) English is the primary language of the United States, and all members of the society recognize the importance of English to national life and individual accomplishment.

(2) Many residents of the United States speak native languages other than English, including many languages indigenous to this country, and these linguistic resources need to be conserved and developed.

(3) This Nation was founded on a commitment to democratic principles, and not on racial, ethnic, or religious homogeneity, and has drawn strength from a diversity of languages and cultures and from a respect for individual liberties.

(4) Multilingualism, or the ability to speak languages in addition to English, is a tremendous resource to the United States because such ability enhances American competitiveness in global markets by permitting improved communication and cross-cultural understanding between producers and suppliers, vendors and clients, and retailers and consumers.

(5) Multilingualism improves United States diplomatic efforts by fostering enhanced communication and greater understanding between nations.

(6) Multilingualism has historically been an essential element of national security, including the use of Native American languages in the development of coded communications during World War II, the Korean War, and the Vietnam War.

(7) Multilingualism promotes greater cross-cultural understanding between different racial and ethnic groups in the United States.

(8) There is no threat to the status of English in the United States, a language that is spoken by 97 percent of United States residents, according to the 1990 United States Census, and there is no need to designate any official United States language or to adopt similar restrictionist legislation.

(9) ''English-only'' measures, or proposals to designate English as the sole official language of the United States, would violate traditions of cultural pluralism, divide communities along ethnic lines, jeopardize the provision of law enforcement, public health, education, and other vital services to those whose English is limited, impair government efficiency, and undercut the national interest by hindering the development of language skills needed to enhance international competitiveness and conduct diplomacy.

(10) Such ''English-only'' measures would represent an unwarranted Federal regulation of self-expression, abrogate constitutional rights to freedom of expression and equal protection of the laws, violate international human rights treaties to which the United States is a signatory, and contradict the spirit of the 1923 Supreme Court case Meyer v. Nebraska, wherein the Court declared that ''The protection of the Constitution extends to all; to those who speak other languages as well as to those born with English on the tongue.''.

SEC. 3. GOVERNMENT POLICIES.

The United States Government should pursue policies that promote English as the common language of the United States and that—

(1) encourage all residents of this country to become fully proficient in English by expanding educational opportunities and informational resources;

(2) conserve and develop the Nation's linguistic resources by encouraging all residents of this country to learn or maintain skills in a language other then English;

(3) respect the treaties with and the customs of Native Americans, Native Alaskans, Native Hawaiians, and other peoples indigenous to the United States and its territories;

(4) continue to provide services in languages other than English as needed to facilitate access to essential functions of government, promote public health and safety, ensure due process, promote equal educational opportunity, and protect fundamental rights; and

(5) recognize the importance of multilingualism to vital American interests and individual rights, and oppose restrictionist language measures.

The CHAIRMAN. Pursuant to House Resolution 499, the gentleman from New York [Mr. SERRANO] will be recognized for 30 minutes and a Member in opposition will be recognized for 30 minutes.

Mr. CUNNINGHAM. Mr. Chairman, I rise in opposition, and I ask unanimous consent that 15 minutes of the 30 minutes I control be controlled by the gentleman from Florida [Mr. CANADY].

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

There was no objection.

The CHAIRMAN. The gentleman from Florida [Mr. CANADY] will control 15 minutes and the gentleman from California [Mr. CUNNINGHAM] will control 15 minutes in opposition.

The Chair recognizes the gentleman from New York [Mr. SERRANO].

Mr. SERRANO. Mr. Chairman, I yield myself 5 minutes.

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

Mr. SERRANO. Mr. Chairman, the discussion we are having today is a classic example of how a nonissue becomes somewhat of an issue in this House. It seems that everyone is saying, on that side of the aisle, that there is a major problem with the English language in this country; that somehow people do not want to learn to speak English; that children are running around this Nation speaking only other languages and not English, and that somehow, unless we here today and later on in the other House protect the English language, the language and the Nation will somehow cease from being the great language and the great Nation that they are today and become something that we will not recognize.

What is interesting about this nonissue being made into somewhat of an issue is that it is totally false. The fact of life is, as has been said on this floor, that 97 percent of Americans, according to the Census Bureau, speak English; that people who come to this country, incidentally, whether with documents or without documents, are coming here for one specific reason. They want to make a new life for themselves and for their children. They leave behind their country, in many cases they leave behind members of their family. Now, does it make any sense that the first statement they hear upon arriving in our country is that they do not want to speak English?

I can tell my colleagues through a personal example that in the Hispanic and the Puerto Rican community when people sit around a dinner table and the issue of language comes up, it is never a plot against the English language, it is a lament about the fact that the children and the grandchildren no longer speak Spanish. Whether it be rap music or rock or soul or the latest dance craze, television, ''Nick'' during the day or ''Nick at Night,'' whether it is school or the street, English empowers and takes over everyone's life so that English becomes, in fact, the common language.

What we are saying here today is that we want to make it the official language so that I cannot communicate with the foreign minister from Mexico in Spanish or the new president from the Dominican Republic who will be writing to me, as I know he will, in Spanish. I will have to write to him back in English, unless I break rules of this House.

We are sending a message to the world that if they want to speak to us or write to us, they must do it in our language because we are too arrogant to deal with them.

This is a misguided concept and one that is not necessary. My amendment in the nature of a substitute, English Plus, says that English only is unnecessary. It recognizes that English is the language of this land. It encourages all residents and citizens to speak English. It asks Government to help each one of us to learn to speak English, but it also says, my amendment, that we recognize that there are other languages in this country, and that rather than running away from them and being nervous about them, we should recognize them as a resource for our country.

The message should be, sure, there are some of us who speak Spanish and Japanese and French and German, other languages. We will learn to speak English, we will function in English, but if we maintain that second language, we use it as a symbol to the world that we are ready to deal with them; that we are not in a phobia about languages.

What my amendment simply says is that we recognize who we are as a people, but we recognize the diversity in our country and we strengthen that diversity by supporting English as our common and main language, as the language of this country, but also not suggesting that to speak another language, to read another language is a problem.

Now, I could have delivered for Members this speech, whether they think it is good or bad, in Spanish totally, and I could write it in Spanish and I could read it back in Spanish. I do not think the fact that I am bilingual, that I listen to music and lyrics in two languages, that I read literature in two languages has in any way hurt me at all. On the contrary, I think, at times, I may be an asset to this House because I know what people are saying in Latin America. I do not know the translation, I know exactly what they are saying in Latin America and how they are saying it.

Let us not run away from the strength of this country. Let us support this amendment and make English Plus the way of the land.

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, American society has developed on the melting pot theory. We are a nation of immigrants from diverse backgrounds and cultures who have come together as one people, the American people.

Learning to communicate in English is one of the most important ways in which this coming together, the transformation from the many to one, takes place. Of necessity, each of us or our forefathers have had to learn English in order to succeed. As Americans, we all value our heritage, but we also recognize that as Americans, we must become proficient in English if we are to fully participate in all facets of American life.

The 1975 bilingual ballot amendments to the Voting Rights Act have had the effect, whether intended or not, of encouraging minority language dependency and therefore self-imposed segregation, both politically and culturally.

English is our common language of discourse. In recognition of this fact, now more than ever, the Federal Government has a responsibility to look for things to bring us together as a nation and unify us rather than encouraging further separation along ethnic lines. Ballots are the recognized formal instrument for citizen participation in the electoral process. The ballot's highly official nature gives great weight to all that is written on the ballot. Present this information in English, and the message is unmistakable that English is the official language of our shared public life. It is the language Americans use that affects the future of our Nation as a whole.

A ballot in two or more languages delivers a very different message. It sanctions other languages as coequal to English in the process that determines the future of our Nation. It says that the highest authorities in the land place no special value on the English language as we participate in the central act of democratic self-governance.

In addition, the Federal mandate requiring bilingual ballots is both ineffective and expensive. The county registrar for Yuba County, CA, Mrs. Frances Farey, testified before the Judiciary's Subcommittee on the Constitution that in 16 years she received only one request for a bilingual ballot. She testified that for just three elections the county has spent over $46,000 to comply with the Federal bilingual ballot requirements.

According to statistics from the Census Bureau, voter participation and registration rates by Hispanic voters have in fact decreased, decreased since this Federal mandate was first imposed in 1975. In addition, bilingual ballots are expensive. The Congressional Budget Office estimates that repealing the Federal bilingual ballot mandate will save State and local governments between $5 and $10 million for each election. Finally, as I have stated earlier, bilingual ballots are divisive and harmful to our society as a whole.

The Serrano substitute strips the bilingual ballot repeal from this important legislation. I urge my colleagues to reject government-sanctioned and enforced multiculturalism and to vote against the Serrano substitute.

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

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, some of my colleagues, including my friend the gentleman from New York, JOSÉ—I am sorry, should it be JOSEPH—SERRANO, may be surprised to hear this, but I rise to say that I think that H.R. 123 might be a good bill. I would like to propose maybe that we should have a few other amendments to make this bill even better than it is.

I propose that the bill be amended to require that all of our embassies use English as their only language, an amendment also requiring our embassies here in Washington to speak only English.

I propose that we have an amendment barring any Federal money to be paid to interpreters in this Nation.

I propose that we have an amendment requiring that we remove the words ''E pluribus unum'' off our dollar bills.

I propose that we amend our rules so that when we adjourn we do not say ''sine die,'' or is that ''sina dei''?

I propose an amendment that we forbid U.S. companies from doing business in countries where they do not speak English.

I propose an amendment barring the President and Members of Congress from visiting nations where English is not the official language.

And since we are legislating an official language, how about an official religion to go along with it? Come to think of it, why do we not just get rid of the first amendment altogether?

Mr. Chairman, without these amendments, I urge my colleagues to vote against this bill until we get it just right.

We all know that this bill is just as ridiculous as the amendments I just proposed. I urge my colleagues to vote against it and let us get on with the work that our constituents sent us here to do. Meantime, let us vote to support the Serrano amendment.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentlewoman from the great State of Kansas [Mrs. MEYERS].

(Mrs. MEYERS of Kansas asked and was given permission to revise and extend her remarks.)

Mrs. MEYERS of Kansas. Mr. Chairman, I rise in strong support of H.R. 123 and in opposition to this substitute. Every immigrant who has come to this country has known that English is the language we speak here. This bill would just reinforce that fact.

Since the Census Bureau reports that 47 percent of the foreign born population do not speak English well or at all, it seems that this fact needs to be reinforced.

Now, if any of us wanted to move to France or Japan, we would look awfully silly complianing about having to learn their local language. Why is it somehow a horrible violation of human rights to insist that people living here, and especially people who move here deliberately from elsewhere, learn our language?

Federal statutes require right now that every applicant for naturalization must demonstrate an understanding of the English language, including an ability to read, write and speak words in ordinary usage in the English language.

Now, that is tremendously important. Why are we even debating this? It is in the statute right now. There are special exemptions for those physically unable to do so or those over 50 years of age who have resided in this country for 20 years or more.

We are threatening no one by declaring that the official language of this nation of immigrants is english. With so many cultures and so many traditions, none of which do we seek to suppress or denigrate, we need to coalesce around common values. Language is one of these, and so today I hope that we pass this bill making English the official language of this Government.

The bill specifically exempts communications that address health or safety. These are communal concerns. Uniting all Americans with the English language is not anti-immigrant.

Mr. Chairman, I urge my colleagues to vote for H.R. 123.

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. RICHARDSON], a great Hispanic American from New Mexico, with an interesting name.

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

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

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

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

Mr. COLEMAN. Mr. Chairman, I rise in support of the Serrano amendment and of course in opposition to that embarrassing legislation known as ''English only.''

□ 1445

Mr. RICHARDSON. Mr. Chairman, if this bill passes, I would be unable to effectively communicate with 60 percent of my constituents. Hispanic Americans make up 40 percent in my district; native Americans, the first Americans, 20 percent.

Mr. Chairman, I wonder what is going to happen with the cities of Los Angeles, San Francisco, San Diego, Santa Fe? They ought to start thinking about changing their names. What about Dodgerville for Los Angeles?

Mr. Chairman, this is facetious, but realistically what we are talking about is a wedge issue that is not necessary. I think the author of this bill is well-intended and he is a good guy. But, Mr. Chairman, English is not threatened as our primary language. Ninety-seven

percent of the population in this country speak English. Newly arrived want to learn English. That is happening.

Bilingual voting ballots are critical for minority populations. Basically what we are doing is totally unconstitutional. It is going to make government inefficient and ineffective. English-only restricts access to services and government.

But, most importantly, this is against our traditions and this is bad business. Forty percent of all commercial decisions in the United States are done in another language. Tourism is critically important. Just think of the spirit of the Olympics right now in Atlanta. We are telling the billions watching the Olympics that English is the only language and the rest of the languages are not important. The most important business in the Olympics is translation service. That is not the message that we want to send to the rest of the world.

Mr. Chairman, English-only will divide this country. It is divisive, it is negative, and it should be rejected.

At a time when intolerance among ethnic groups has become one of the major threats to peace on Earth, and when the global economy requires multilingual skills, America, the land of opportunities, equality and freedom, wants to pass a bill that would jeopardize the very essence of what historically has united this great Nation—tolerance and respect for our differences.

The English Language Empowerment Act of 1996, will not unite or empower America. Instead, it will aggravate racial and ethnic tensions and will hurt our economy.

If we start telling people the language they should speak, we are entering a very dangerous path that could lead to us dictating to Americans the religious and political beliefs they should practice. This will only spark resentment and increase discrimination among ethnic groups causing a tremendous social distress.

If our residents are not learning English fast enough, it is not because we are teaching them in their native language. The problem is that we have failed to provide enough resources to increase the number of English classes so that people can learn our common language.

According to recent estimates, only 13 percent of the demand for English as a second language classes is being met and over 45,000 students are on the waiting lists in major cities like Los Angeles.

This bill does nothing to address this problem. English-only does not improve educational opportunities. Instead, it focuses on prohibiting the Federal Government from using languages other than English when conducting official business.

Yet, this bill will not only increase tensions among ethnic groups and jeopardize the well-being of our economy, but most importantly, it will endanger one of the most sacred American ideals—democracy for all.

Title II of the English Language Empowerment Act of 1996, would repeal a Federal law requiring bilingual ballots for many non-English speaking voters.

Since the founding of our Nation, many Americans have been deprived of their inalienable right to participate in the democratic process by negating, either legally or illegally, their right to vote. Prior to the Civil War, mainly male property owners who were over 21 years of age were enfranchised. After the war, tactics such as fraud, economic blackmail and violence including murder were used to discourage and prevent people of color to exert their right to vote. Some States made voting difficult by designing complex balloting procedures as well as requiring literacy tests.

Decades of popular outcry have forced Congress to pass several laws and amend the Constitution twice in order to protect the voting rights of all Americans. In response to real evidence of discrimination against racial minorities at the polling place, Congress passed the Voting Rights Act of 1965. This act, as amended in 1975, contains bilingual voting provisions that guarantee that no American is denied the fundamental right to vote because of a lack of fluency in English.

Years of struggle by the American people as well as previous congressional efforts to make the ideal of universal suffrage a reality in America will be rolled back by the English Language Empowerment Act of 1996. This act would strip non-English speaking voters of their right to have a voice in the political process by repealing the bilingual voting provisions from the Voting Rights Act. In my district alone, this bill will directly affect 60 percent of the population, which is either Hispanic or native American.

The bilingual voting requirements are a valuable, inexpensive and inclusive tool that ensures that the sacred constitutional right to vote, which is the very foundation of democracy, is enjoyed by all.

Mr. Chairman, I submit the following for the RECORD:

English is not threatened as our primary language: According to the Census Bureau, 97% of the US population speaks English. Furthermore, on 0.06 percent of federal documents are in languages other than English, according to the General Accounting Office (GAO). Newcomers to our country are learning English faster than ever before. In fact, recent estimates indicate that only 13% of the demand for English-as-a-Second-Language (ESL) classes in being met—waiting lists in some major cities exceed 40,000.

Bilingual voting ballots are critical for minority language populations: Title II would have a devastating impact on the rights of language minority populations to participate fully in the democratic process. Removing language barriers is a targeted, low-cost, common sense solution to achieving informed participation, considering the complex language of ballot propositions and voting issues.

Native Americans and Alaskan Natives, Puerto Ricans, The People of Guam and other U.S. territories, and elderly naturalized citizens will be particularly impacted.

According to the Government Accounting Office, the average cost of providing written assistance is minuscule, costing an average of 2.9% of election expenses or less.

Also, according to the Justice Department, since 1975, voter registration and voter turnout have increased substantially as a direct result of existing minority language provisions.

English-only is unconstitutional and makes government inefficient and ineffective: The Arizona ''English-only'' initiative has been found to be unconstitutional by the Ninth Circuit Court in *Yniguez* v. *Arizonans for Official English*. According to the Courts, it violates the First Amendment right to free speech. The 9th Circuit Court found that employees' knowledge of diverse languages made government more efficient and less costly. The Arizona law and legislation pending in Congress would outlaw communication between elected officials and their constituents in any language but English.

English-only restricts access to services and government: Millions of tax-paying citizens and residents would be unable to access and communicate with their government. That would include residents of Puerto Rico, Native American reservations and U.S. territories in the Pacific, whose right to communicate in a native language is protected by treaty or custom. English-only has nothing to do with improving education or educational opportunities. Instead of facilitating learning and communication, proponents of English-only focus on prohibiting the use of other languages.

This is contrary to the American tradition and is divisive: It is not the English language that unites us, but rather our democratic system based on our rights established by the Constitution of the United States. President Franklin Delano Roosevelt once said, ''We are a nation of many nationalities, many races, many religions—bound together by a single unity, the unity of freedom and equality.''

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. MENENDEZ]

Mr. MENENDEZ. Mr. Chairman, for the past week and a half we have celebrated the centennial Olympics in Atlanta—a celebration at which over 70 different languages are spoken. Yet, while that celebration of spirit and diversity continues this legislation sends the wrong global message. Don't come visit us, don't trade with us, if you can't speak English. This legislation is a solution to a problem that does not exist and has not existed for the last 200 years.

The strength of our language is its diversity. If you study linguistics, then you know that English is really two languages of Germanic and Frankish origin. That is the strength of our language—its dynamism. It has absorbed thousands of words from other languages. The coffee you drank this morning is an Arabic word. Most of our vocabulary is actually Latin. Our medical terms are Greek absorbed wholesale.

Knowledge and command of English is important. Every immigrant to this country understands the economic motivation for learning English. Without it they may survive, but they will not thrive.

As today's world becomes increasingly integrated and inter-dependent it is short-sighted and ignorant to believe that policies of isolationism and protectionism will serve America in the 21st century. They limit our ability to interact in the growing world market place, they bolster ethnic and racial tension and they diminish the character and strength that America is known for world wide—our diversity.

Lastly, Mr. Chairman this bill is unconstitutional. In 1923 the Supreme Court found a similar case unconstitutional. The court said,

The protection of the Constitution extends to all, to those who speak languages as well as those born with English on the tongue. Perhaps it would be advantageous if all had ready understanding of our ordinary speech, but this cannot be coerced by methods which conflict with the Constitution. . . .

The American language needs no defense or protection. Those who promote this type of legislation are the ''Down on America'' crowd. They are threatened by change. They are the voice of exclusion and peddle a divisionism that is truly un-American. Discrimination based on language is as strong as that based on race.

I refuse to be Down on America. I believe in the dynamic liveliness of America and our culture. Our culture is the gift of all the rich cultures that built this Nation. Why do you think people around the world look to America, listen to our music, watch our films, follow our news? Yes, let's promote English—but, let us not divide America.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BILBRAY].

Mr. BILBRAY. Mr. Chairman, ''From many, one''. It does not say, ''From many, more''. It says that we may have diversity, but we have to have a common ground, a common language, that meeting place.

Now anyone who feels that that is some kind of antiquated idea, all we have to do is go look to our friends to the north and look at the strife in Canada caused by people who are divided based on the languages they use because they do not have the common bond that we have practiced for so long in America and which has created the cherished experience we call the American way of life.

Mr. Chairman, I just wonder why people hide behind a term like ''multiculturalism'' when they do not want to admit what it really means. I live on the Mexican border. I live in an environment where I see people speak different languages. But I also see what happens to people when they do not have that common language of English to be able to move them up.

Mr. Chairman, I see those that are deprived of equal access to economic opportunity and those who would do that for political gain.

Now, I want to present into the RECORD a grand jury report done about a school district in my county that verified there was a conscious effort done in the name of multiculturalism to make sure that the children in that school district did not learn English, did not have access to the common language.

Mr. Chairman, the only way I can find any justifications for this is that there are people out there who want to divide us, who want to separate us for whatever reasons. Maybe it is easier to manipulate them politically, maybe it is easier to isolate them for economic reasons. But I think that we have got to recognize that all we are saying here today is: Let us not divide us. Let us not make more from many. Let us remember that we need that common ground, that one where we all can meet.

Mr. Chairman, I submit the following for the RECORD:

GRAND JURY,
COUNTY OF SAN DIEGO,
San Diego, CA, June 18, 1992.

Hon. ARTHUR W. JONES,
Presiding Judge of the Superior Court, County of San Diego, San Diego, CA.

Re Grand Jury Report No. 5, ''San Ysidro School District''.

DEAR JUDGE JONES: Forwarded herewith is Grand Jury Report No. 5 as referenced above.

This investigation was conducted by the Education Committee of the Grand Jury within the authority granted under California Penal Code Sections 925 and 933.5.

Sincerely,

Richard B. Macfie, Foreman.

Enclosure.

SAN YSIDRO SCHOOL DISTRICT

(A REPORT BY THE 1991–92 SAN DIEGO COUNTY GRAND JURY)

AREA OF CONCERN

Complaints of improprieties committed by the Trustees of the San Ysidro School District Board and other administrators have attracted the attention of the past three consecutive San Diego County Grand Juries. In monitoring responses to previous Grand Jury recommendations, the 1991–92 Grand Jury has found the performance of the District Board of Trustees to be as ineffective as previously reported and the schools within the District to be suffering accordingly. After several months of review, this Grand Jury finds that previous recommendations to the District Board of Trustees have been ignored and that drastic actions by higher authority are essential to proper support of administrators, teachers, students and parents.

Grand Juries sit for a twelve-month period and can, and have repeatedly, recommended effective intervention to aid the children in San Ysidro. Another Grand Jury report that does not initiate immediate remediation by higher authority will only reinforce the perception that the San Ysidro District Board of Trustees is as ''untouchable'' as they claim to be. For those in control at the higher levels of education to imply that nothing can be done to give the children of the community some hope for the future, is an inane posture for government to assume, when the future of more than 3,000 children is ignored.

BACKGROUND

San Ysidro is a twenty-nine square mile portion of the City of San Diego, which lies north of Tijuana, Mexico. Caught in the middle of these two large and rapidly growing cities—Tijuana and San Diego—the community is economically, politically, linguistically, socially and geographically isolated. It is often mistaken for an independent subdivision.

San Ysidro constitutes a school district separate and independent from the San Diego Unified School District, which includes all other public schools within the City of San Diego. The San Ysidro School District consists of five elementary schools and one middle school. Graduates of San Ysidro Middle School attend high schools in adjacent school districts. The schools have an approximate enrollment of 3,700 students, and they represent a population which is 92% Hispanic.

Politically, San Ysidro is comprised of 5,336 registered voters, out of a total adult population (18 and over) of 13,414. The District Board of Trustees, the only elected body in the San Ysidro community, consists of five members who serve staggered terms of four years. The School District is the largest employer in the community.

Over a period of several years, the San Diego County Grand Juries have received an uninterrupted flow of complaints alleging malfeasance and/or incompetence on the part of the majority of the School District Trustees and some administrators and teachers. Complaints have been received from parents. These have included numerous allegations of wrongdoing, including violations of State law (violations of the Brown Act and Education Code), and of Federal Law (employment discrimination) and of failure to support mandated objectives for the education of the school population. Additionally, the District has been involved in excessive and expensive litigation in recent years as a result of its unlawful personnel actions.

METHODOLOGY OF INVESTIGATION

Through its Education Committee, the Grand Jury has visited facilities and heard testimony from Board Members, administrators, teachers, parents and students within the San Ysidro School District. The committee attended board meetings and PTA meetings and held discussions with County and State Education Department personnel. The Grand Jury has heard sworn testimony from numerous witnesses during ten days of formal hearings on San Ysidro school issues. Information thus generated, confirming the findings of previous Grand Juries, has resulted in a clear picture of conditions of inappropriate, inadequate actions taken by certain members of the Board of Trustees, some of whom minunderstand their purpose.

FINDINGS

The 1991–1992 Grand Jury concurs with previous juries in that serious problems exist within the San Ysidro School District. In general, the Jury has found that the children of San Ysidro are innocent victims of a philosophical power struggle which permeates the School Board, school administration, the teachers' union and the PTA. At issue, beneath a veneer of educational rhetoric, is which shall dominate the school system: the preservation of Mexican cultural and Spanish language proficiency or assimilation of Mexican-born and other American children into the North American communication and economic systems.

The two philosophies are addressed as if they are mutually exclusive. Currently, proficiency in Spanish with the preservation of Mexican culture, at the expense of English learning, is the governing philosophy. Those who disagree do not enjoy the normal position of loyal opposition. Administrators and teachers who do not support the majority Board position are demoted or discharged, if legally possible.

Dissenters who have tenure are merely tolerated in an outcast status. A small group of administrators and teachers enjoy the political/philosophical favor of the Board majority and have a special status which is tantamount to ex-officio Board membership. This almost unbelievable situation persists because the Board of Trustees is essentially a town council, perpetuated by a combination of intimidated voters, apathetic non-voters and resident non-citizens.

Specifically, the Grand Jury has received evidence and testimony that:

1. The Board of Trustees is a de facto town council with extraordinary influence over numerous facets of life within the San Ysidro community of San Diego. Certain members of the Board exert a pervasive influence over resident voters which exceeds that normally attributed to elected officials. The Trustees' attention and efforts are extended far beyond the educational purposes of the School District.

2. Some Trustees routinely violated the spirit, if not the letter, of the Brown Act by conducting majority meetings in closed sessions outside of the time and location of scheduled board meetings, such as through a group called Equality, Justice and Education (EJE).

3. Health and safety needs of children are not being met:

a. Playgrounds are badly maintained and present a hazard;

b. The District has one certified nurse serving the total school population.

4. The Trustees have conducted personnel transactions, such as hirings, firings, promotions and demotions, without acceptance of counsel from the Superintendent of Schools or from any committee or panel of educational professionals or parents. Some of the results of these practices are:

a. There have been five superinendents over the past twelve years.

b. Non-Hispanic teachers and administrators are not afforded equal opportunities by the District Board Trustees.

c. During the 1990–91 year, the District Board of Trustees demoted three elementary school principals, fired the middle school principal and failed to renew contracts of fourteen probationary teachers. Several of the teachers were bilingual. The District now has eleven teachers working with emergency credentials. These actions were taken without the concurrence of the Superintendent. The three demoted principals have subsequently received judgments totaling $300,000.00. The fired principal received a judgment of more than $200,000.00. The District has paid out at least $1,000,000.00 in judgments and legal fees arising from the ill-conceived and often illegal personnel actions of the Trustees.

d. The same improprieties that occurred with personnel in past years continue to exist. During the 1991–92 school year, several administrators at the District's central office have received notices of reassignment.

e. Well-qualified bilingual probationary teachers, who happen to be non-Hispanic, are being terminated.

f. Several outstanding tenured staff members, including a mentor teacher, have been given unsatisfactory evaluations with no clear justification for such action.

g. There have been attempts to initiate recall of Trustees in recent years. Each recall has been challenged by Board counsel before reaching a ballot. The Trustees authorized more than $5,000.00 from the general fund to be used to verify signatures in the recent 1992 recall efforts. These recall attempts have proven costly and divisive to the staff, students and community.

h. Some personnel assignments initiated and directed by the Trustees appear to reflect nepotism. When queried on this subject, a Trustee said, ''favoritism, yes; nepotism, no''. A Trustee's son was promoted from Vice-Principal of the Middle School to Principal in mid-term, April 3, 1992. The established selection procedures were not followed.

5. The Board of Trustees, as the only elected body in San Ysidro, has been instrumental in increasing the political and cultural isolation of the community and has retarded integration of children into an English-speaking American society and economy. The almost universally Hispanic ethnicity of the student population makes the English language transition a most difficult objective for the school system. The opposition of the majority of the Trustees to this objective virtually guarantees its failure.

6. The Board has failed to direct or support proper use of funds provided for bilingual education. In several instances, students were placed in the Bilingual Program or English-Only Program, based on space availability, with no regard for parental request or children's needs. We found no transition evaluation for students exiting the Bilingual Program and moving into an English-Only Program. We found no clearly-defined District-wide bilingual curriculum in place.

7. The Board has failed to direct or support compliance with mandated accommodations for the educationally and physically disabled. There is no program for the Severely Emotionally Disturbed (SED) within the District, even though students have been identified. The District's solution is to hire individual aides for some SED students.

8. The Resource Specialist Program (RSP) teacher is used to provide services to non-Special Education Students. This is in violation of the Education Code.

9. The District has violated the rights of Special Education Students' Individualized Education Program (IEP). Every identified Special Education student must have an IEP.

10. Special Education students are misplaced in the Alternative Learning Program (ALP).

11. Reports of child endangerment have been received. At least thirty-nine students from the San Ysidro Middle School were placed on Home Study without due process.

a. Approximately twenty-five students were suspended for more than five consecutive days, which is in violation of the Education Code. Alternatives to suspension were not considered or applied.

b. Complaints of corporal punishment within the District have not been properly investigated.

c. Complaints concerning unprofessional disciplinary methods used at the Middle School have been reported.

12. Complaints of racial discrimination have been made by non-Hispanic students and staff. This involved the inappropriate placement of students and staff. Students complain of racial slurs, name calling and double standards in dress code.

13. The District does not have an Earthquake Preparedness Plan in place. Classrooms are not equipped with required supplies.

14. Complaints were levied by parents and staff members against an administrator for contracting the services of a psychologist who was not credentialed by the State of California.

a. The Student Assistant Team (SAT) was not involved in identifying students who might require the services of a psychologist.

b. Parents of students seen by this psychologist were not contacted, nor were parent-consent forms signed, as is required.

15. The current President of the Board of Trustees, who is an employee of Casa Familiar, could be in direct conflict of interest, if the District incorporates the Casa Familiar BRAVO Dropout Prevention Program proposed by the President.

16. The Board of Trustees *DOES NOT* take advantage of available in-service training.

17. *Test scores of the San Ysidro students continue to be the lowest in the State of California.*

CONCLUSIONS

Over the years, the Board, as an elected body, has proven to be highly politicized, serving its own agendas and abrogating the educational rights and privileges of the children of San Ysidro. Children have neither the maturity nor the right of franchise by which they can make informed decisions concerning their future. Students are at the mercy of two groups of self-involved and self-important adults, both dedicated to their own objectives rather than the smooth integration of children into the mainstream of American society and the U.S. economy.

One group is preoccupied with maintaining its position of political power in the community through election to the school board. From this and other positions it controls within the school district, this group exerts a pervasive influence over the community which exceeds by far that normally exercised by elected school officials. The other group, for the most part, is made up of members, admittedly or otherwise, of a movement known as EJE who occupy positions on the Board, in administration, in teaching and in the teachers' union. Some are parents of students. These are advocates of a particular course of bilingual education which puts the highest priority on development of a capability in Spanish, at the expense of teaching English. They believe in this with a dedication and zeal which are most threatening to any who dare to disagree. The net result has been and continues to be children unable to communicate. Many of these students drop out after entering high school.

The symbiotic alignment of these groups allows them to maintain complete control over everything and everyone within the School District. Non-conformists are demoted, fired or otherwise eliminated from the system. With very few exceptions, non-Spanish speakers are purged from the system, regardless of qualifications or performance. So are those bilingual teachers who consider English proficiency a matter of urgency.

Those who favor a ''laissez faire'' solution to the San Ysidro problem—that is, letting the voters correct the situation—do not understand the unique nature of this small, isolated, predominantly Hispanic community. Many of the residents are not citizens. Many of the citizens are not registered voters. Many of the more informed and/or affluent residents have removed their children from the District Schools and placed them elsewhere, legitimately or otherwise, to ensure their preparation for high school. Many of the residents are intimidated by the ruling coalition. Many have testified before the Grand Jury about vicious retribution for campaigning for any opposition. Only the bravest of the residents dare to oppose.

Some of the problems appear to stem from violations of State laws, and partial solutions may result from actions initiated by the District Attorney and/or State educational licensing authorities. However, if the situation in San Ysidro is to be corrected permanently, approval of pending legislation and the intervention of the State Superintendent of Schools will be required.

There is no logical reason for a separate school district in San Ysidro. San Ysidro is within the City of San Diego and should have the management and resource capabilities of the San Diego Unified School District available to support its children's educational needs. As an alternative, the District could be merged into the South Bay or Chula Vista School Districts. The heart of the matter is that the children need a system run by professionally capable and idealistically balanced leadership. They don't have it now, and the controlling political interests in San Ysidro are not about to provide it. In the meantime, more aggressive participation in seeking a solution by the County Superintendent of Schools, the Councilman representing San Ysidro and the appropriate State Legislators might better convey to the State Superintendent the urgent need for decisive action.

It is the conclusion of this Grand Jury that the Trustees of the San Ysidro School Board are fully aware of the deleterious effects on education of their policies and practices. They need only observe the dismal test scores (in both English and Spanish). However, they are either unable or unwilling to

make remedial changes. The Jury further considers that the Board can and will prevent solutions by other persons or agencies as long as it exists in its present form. It should be noted that many of these conclusions are totally consistent with those of prior Grand Jury reports, even though attained through completely independent studies.

The fact that the Board is elected is immaterial. Letting nature take its course will not lead to correction at the hands of the voters. Despite the strong protests of many parents and teachers, the combination of an attitude which comes from a patronage system and voter apathy will perpetuate the status quo unless outside authorities take action. There is a clear need for legal authority to rescue an oppressed minority—the school children—and protect their rights under the law.

There are those in San Ysidro who argue that no one, including the Grand Jury, should interfere in matters that involve only the residents of San Ysidro. The members of the Grand Jury do not agree with this line of reasoning. Citizens support legal intervention to protect children from clear and present danger of physical or emotional abuse at the hands of adults. Likewise, they should support intervention to eliminate the willful retardation of the educational process and the resulting economic disenfranchisement of the students.

The State Department of Education is mandated to take over any school district which is financially bankrupt. There is pending legislation (SB 171 Focus School) which will mandate State intervention for an academically at-risk school district. The San Ysidro School District with the lowest test scores in California would certainly be a candidate for State intervention. The San Ysidro School District on the brink of financial bankruptcy is already educationally bankrupt.

RECOMMENDATIONS

The Grand Jury recommends that:

County Board of Supervisors

#92/120: Exert all possible influence through established governmental liaison to:

a. Support whatever proposed legislation would facilitate intervention by state and/or local authorities in situation such as that in the San Ysidro School District.

b. Petition the California Superintendent of Schools to intervene immediately in the operation of schools in the San Ysidro School District.

San Diego County District Attorney

#92/121: Investigate alleged violations of State laws by Trustees, administrators and teachers for possible prosecution and/or accusation.

San Diego County Superintendent of Schools

#92/122: Petition the California Superintendent of Schools to intervene in the operation of San Ysidro schools and to conduct whatever audits and investigations are required to validate and cause correction of serious deficiencies and code violations.

#92/123: Assist the San Ysidro Superintendent of Schools in any way possible to minimize the harmful effects of current practice.

San Diego City Council

#92/124: Address the San Ysidro School District situation as a serious problem within its city.

#92/126: Exert all possible influence on the California Superintendent of Schools to take urgent measures to correct the situation in the San Ysidro School District.

#92/126: Support legislation which would permit timely corrective action in situations such as that in the San Ysidro School District.

Councilman, Eighth District, City of San Diego

#92/127: Demonstrate active involvement in the San Ysidro School District problem and express concern publicly for the critical situation which exists for the children and their future. Bring public awareness to the fact that this is a serious situation but not a racial issue.

While the Grand Jury has no jurisdiction over the officials listed below, the following recommendations are submitted with the request that they receive consideration (these recommendations are also subjects of separate correspondence).

The Grand Jury recommends that:

Secretary of Education

#92/128: Require a thorough audit of federally funded categorical programs within the San Ysidro School District to include:

a. Bilingual Education
b. Special Education
c. Independent Study
d. Student Home Study
e. Alternative Learning Program

California superintendent of schools

#92/129: Assign a trustee to oversee operations of the San Ysidro School District until serious deficiencies and violations of the Education Code are corrected.

#92/130: Investigate and evaluate the use of health aides in lieu of certified nurses by the District.

#92/131: Direct the Commission on Teacher Credentialing, through its Legal and Professional Standards Division, to review allegations of misconduct by a San Ysidro School administrator and teachers and examine irregularities in selection and appointment practices.

#92/132: Conduct a fiscal audit of categorically funded programs, to include:

(a) Bilingual Education
(b) Special Education
(c) Independent Study
(d) Student Home Study
(e) Alternative Learning Program

Mr. SERRANO. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. JOHNSTON].

Mr. JOHNSTON of Florida. Mr. Chairman, there is an old saying: ''If it ain't broke, don't fix it.'' There is a new saying here today: ''If it ain't broke, break it.'' There is really no rational reason for this bill.

In Dade, Broward, and Palm Beach Counties in Florida, there are 700,000 Cuban-Americans, and I have great respect for the two Republican Cuban-Americans that represent that area. If they get a letter in Spanish, if they answer it in Spanish they have broken the law, and under that bill we can now sue them.

A Democrat can come along and sue the gentleman from Florida [Mr. DIAZ-BALART] or the gentlewoman from Florida [Ms. ROS-LEHTINEN], and it is absolutely ludicrous.

Mr. Chairman, there is no reason for this bill. It disenfranchises a lot of very good Americans, and I strongly support the Serrano amendment, and strongly do not support the final bill. I urge my colleagues: Please vote against it.

Mr. CUNNINGHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. KNOLLENBERG].

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, as has been mentioned for more than 200 years our Nation has been a melting pot of cultures and nationalities united by one common bond—our English language.

WHen our ancestors came to America, they came to this country knowing they had to learn English to survive.

Today, our melting pot has become a patchwork quilt of cultures, isolated because they cannot speak English. They aren't assimilating into our society like our ancestors did.

Our current bilingual policies are shredding the common bond that has made our Nation great. Today you can get a drivers license if you don't speak English. You can get forms to vote. You can apply for Social Security and welfare, all in scores of different languages. And bilingual education classes allow immigrant children to never learn English.

By making it easy for those who come to America, we have ripped the heart out of our national unity. We have shredded our common bond, leaving behind the legacy of our ancestors—new and old—who worked so hard to learn English.

Now, opponents of official English will demonize the bill. They are wrong. We want you to speak your own languages, and celebrate your cultures. But English—our common thread—must be the official language.

Mr. Chairman, my district is one of the most diverse districts in the Nation. In West Bloomfield more than 60 different ethnic groups attend schools and in Farmington, 45. Administrators, teachers, and the students themselves say making English our common language is the only way they can get along. It creates a common bond across ethnic lines that each student shares.

Testimony after testimony show that people must speak English to be successful. A quote by a Houston farmer Ernesto Ortiz says it best. ''My children learn Spanish in school so they can grow up to be busboys and waiters. I teach them English at home so they can become lawyers and doctors.''

English is overwhelmingly supported by the American public. A recent USA Today poll found 97 percent of Americans feel English should be the official language. And more than 23 States have laws making English official, including one signed by then Governor, now President Clinton.

Oppose these weakening amendments. Support our common bond. Help make English as our official language. Oppose the Serrano substitute.

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island [Mr. KENNEDY].

Mr. KENNEDY of Rhode Island. Mr. Chairman, I thank the gentleman for yielding.

I love all the concern on this side of the aisle today for the divisiveness of this issue when it was just yesterday that this side of the aisle was not willing to make the distinction between legal residents and illegal aliens, such that they shut off 300,000 legal residents of this country from rights of their citizenship.

Today, my colleagues on the other side are talking about the divisiveness of this issue. The reason they are talking about divisiveness is because this is a divisive issue. this bill plays directly to the politics of fear and prejudice for which this Congress has become so well-known. A politics of divide and conquer.

Mr. Chairman, this is reminiscent of the Patrick Buchanan campaign to define which people are more American than the others. Or should I say which people are more white, are more white than other Americans?

This is playing politics that the Republican Party knows very well: Create an enemy to solve all our country's anxieties and fears. We saw it begin with the gay bashing. Then it proceeded to the welfare bashing. Then the last 2 days we have seen it with the welfare bashing and the immigrant bashing when they knocked off all the legal residents who were taxpaying residents of my State who can go and fight in our wars and yet they are going to be denied the rights of their citizenship based upon the bill my Republican colleagues passed yesterday.

If they do not like the way they look, if they do not like the way they sound, then they are not Americans. All I have to say to my colleagues is they should be careful with all these hot button issues that they are pushing because no one should wonder when the churches start burning in the South and the race riots start breaking out in Los Angeles where all these hot button issues have led us to, and that is fanning the flames of intolerance that this country cannot afford at this time.

Mr. CUNNINGHAM. Mr. Chairman, I yield myself 30 seconds to ask the gentleman from Rhode Island a question. Has he ever volunteered for service? Has he ever volunteered to go fight those wars himself? I thought not.

The CHAIRMAN. The House will be in order. The gentleman from Rhode Island is not under recognition. No Member has been recognized.

Does the gentleman from New York seek recognition?

Does the gentleman from Florida seek recognition?

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Chairman, I rise in support of H.R. 123 and in opposition to the Serrano amendment.

POINT OF ORDER

Mr. SERRANO. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SERRANO. My impression was that Members had risen to deal with the issue of the gentleman's comments, and I want to know if those Members have been entertained at all, or if the gentleman from Rhode Island had any opportunity to speak about a very personal statement that was made upon his life and his commitment to this country.

The CHAIRMAN. The Chair perceived that the gentleman from Rhode Island was attempting to engage the gentleman from California in debate, and not asking that his words be taken down.

Mr. SERRANO. In that case, Mr. Chairman, if that is the ruling of the Chair, is it still in order for this gentleman to ask that the gentleman's words be taken down?

The CHAIRMAN. The gentleman should have made that demand at the time. Intervening business has gone on. It is too late at this particular point.

The gentleman from Oklahoma [Mr. ISTOOK] is recognized for 2 minutes.

Mr. ISTOOK. Mr. Chairman, I rise in support of H.R. 123 and in opposition to the amendment by the gentleman from New York [Mr. SERRANO].

Frequently, I am asked what kind of name is ''Istook''? People say, Is it Indian? Is it Estkimo? No, it is Hungarian. I am proud of my Hungarian ancestry.

□ 1500

My father's parents came to the United States during the first quarter of this century. They Americanized the name. Originally Istook had one ''o.'' When they became U.S. citizens they marked the occasion, they marked the change by adding the second ''o'' as it has now.

They came through Ellis Island. They are a part of the immigration saga of America. And when they became U.S. citizens, they received their certificate of naturalization, which my father had framed and now displays proudly in his home.

My father grew up speaking two languages: Hungarian at home, but every place else, English. How glad I am that his parents, my grandparents, did not isolate my father by denying him the training and encouragement to focus upon English rather than focusing upon Hungarian, even though he spoke that at home.

Like so many people, I am proud of my ancestry. The part of Hungary where we came from is the Transylvania region. A lot of people do not realize it is a real place. Transylvania now is part of Romania. I get a kick out of telling people that I am literally by blood half Transylvanian. It is fun. There are lots of great things about our heritage, fun and serious.

But the important thing is, I am not hyphenated American. None of us really are. We are all American. If we believe that we are Americans, if we believe that what binds us together is what we have in common, then it must include the common language, and that common tongue is English.

Mr. SERRANO. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I am troubled by the comments by my friend from California, Mr. CUNNINGHAM, about the integrity and commitment of the gentleman from Rhode Island, Mr. KENNEDY. I do not think anyone could question the commitment either of the gentleman or his family to this country.

I would simply say that I think we have to watch our words. I served, and I served with many Hispanics who did not speak English. Some of them never came back from the Vietnam war and died while speaking only Spanish. I think that the gentleman does a disservice when he questions Mr. KENNEDY.

Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. PASTOR].

Mr. PASTOR. Mr. Chairman, it is a very interesting debate that we are having today. The legislation we are discussing, not the amendment, but the base bill, is probably unconstitutional. All it does is prohibit a Federal official from communicating with a constituent in another language, other than English. This bill does not do anything to teach one English word to anyone or provide education in English.

The author of this bill has said this is a symbol, a symbol that will unite us together. Mr. Chairman, symbols mean different things to different people. The symbolic gesture of this bill to many Americans will symbolize intolerance, will symbolize arrogance. I ask my colleagues to support the Serrano amendment and vote against the bill.

Mr. CANADY of Florida. Mr. Chairman, I yield 3 minutes to the gentlewoman from California [Mrs. SEASTRAND].

Mrs. SEASTRAND. Mr. Chairman, I rise in support of the bill, H.R. 123, and oppose the substitute. We are hearing a lot of nonsense, I believe, about all the terrible things this bill would affect. What does this bill really affect?

Let me tell my colleagues, it really affects official business, and official business is defined. Official business is defined as governmental actions, documents or policy which are enforceable with the full weight and authority of the Federal Government. With some examples and exceptions, that is all it is. The bill also says that we will not discourage or prevent the use of languages other than English in any nonofficial capacity.

What does nonofficial capacity mean? It means informal advice, direction, assistance, which cannot be enforced against the United States. So individual government employees can provide unofficial translations or instructions, so long as there is no cost to the government and no adv erse effect on their ability to perform their official duties.

So this bill will not affect informal, nonofficial advice, informal translations. It is not going to affect counter service at the immigration office. It is not, and I repeat, it is not anything having to do with Members of Congress because we cannot individually bind the government. We can do it as a body but not alone.

So your newsletters are safe. You can say whatever you want. Your town meetings are safe because you cannot bind the government. Your constituent

letters, your radio shows are safe because you cannot bind the government. Pure and simple, only those actions which are enforceable against the government, which bind the government, are covered, nothing else.

This is just good common sense. It is what we would all expect for an official English bill. This is not English only. This is official English.

I urge approval of the bill.

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentleman from Puerto Rico, Mr. CARLOS ROMERO-BARCELÓ, former Governor.

(Mr. ROMERO-BARCELÓ asked and was given permission to revise and extend his remarks.)

Mr. ROMERO-BARCELÓ. Mr. Chairman, we have been talking here about different things because we are opposing the bill. I do not think there is a single Member in Congress or in the Senate that opposes English as the common language of the Nation. I think everybody is in agreement with that. That is not an issue.

The bill, however, has several statements. One of them is that it forbids a government official from communicating in writing with his constituents. This is the problem. This is the real problem here.

I presented an amendment in the committee that was voted 18 to 18, so it did not pass, that would amend this bill and allow any government official to communicate with a constituent in English, either orally or in writing, if it was to make the government work more efficiently, and that was not allowed. Not only that, it was not even allowed by the Committee on Rules to be brought to the floor.

This is the purpose of this law, is to prevent public officials from communicating with their constituents in any language other than English in writing.

Now, what is the freedom of speech? Is freedom of speech only to speak in English? Can we not speak in another language? Would that be a violation? Would that be against the law? Can that be made against the law? And you are doing it because you are depriving the Federal officials from writing, communicating in writing with a constituent. I think this is absurd, to say that the freedom that is most valued in this Nation, the freedom that is most valued throughout the world, the reason why this Nation is most respected and more admired throughout the world is because of the freedom of speech. Now here in this Congress, which is supposed to protect our rights, you are trying to infringe upon those rights and affect the rights of even the government itself to communicate with the constituents to serve them better. I think this is absurd, and this law should be voted down.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. KING].

Mr. KING. Mr. Chairman, I rise in support of H.R. 123 and in opposition to the amendment of my good friend, the gentleman from New York [Mr. SERRANO].

Mr. Chairman, for the first 180 years of our Nation, we were bound together by a common language. Immigrants came to this country knowing they had to learn English. They knew that they had to learn English to become part of the American mainstream. They maintained their our culture, their own identity, their own religion, their own ethnic values, their own beliefs, but they were bound together by that common language. That was the glue that created the great American stained glass window of many cultures with one language.

Twenty-five years ago we went away from this. Prior to that, I had grown up in New York City as did Mr. SERRANO. I saw the various ethnic groups come and become absorbed and learn English, become part of the American main stream. But we have gotten away from that in the past 25 years.

I was hoping today we would have an intelligent debate over why people should be voting in a foreign language. Instead we are here talking about churches being burned and gays being bashed. To me that shows the weakness of the argument on the other side. Rather than address the merits of the issue, they are resorting to name calling and ad hominem attacks. I am not talking about Mr. SERRANO, because he and I have had this debate many times. I certainly respect his views. I respect his beliefs. I respect his integrity.

But too many of the voices from the other side today have resorted to vicious name calling. To me that just undermines and underlines the basic weakness of their argument. It shows that they cannot defend their point intellectually so they have to resort to the ad hominem attacks.

I urge the adoption of this bill because I believe we do want to bring all people together. We want to stand together as one. We want to have English as our common language.

Mr. SERRANO. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Chairman, I have one of those names that can be pronounced three different ways. I think in Italy still a fourth.

I have been moved by some of the speeches I have heard here today on both sides of the aisle. I do not come to be critical or to pound the table because I lack an argument. I did not intend to speak but I am speaking now because I thought back to the period when my immigrant grandparents came to this country in the early 1900's. Then we had an even larger percentage of people in this country who were foreign born than we do today. And we did not need the kind of legislation which has been presented to us here. I think we all understood, as we do today, that we have to learn English in order to participate fully in our society.

I thought we did the right thing in the early 1900's, allowing this melting pot that has gotten a little lumpy to actually proceed to integrate still another generation into our Nation. I do not think we need this legislation.

I am supporting the alternative being carried by Mr. SERRANO because I do not think we have lost confidence in ourselves. I hope not. I still believe that we all understand that we can integrate all of these different voices and languages into the American pattern, this crazy quilt, without the kind of legislation that is being portrayed today as our salvation.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee [Mr. BRYANT].

(Mr. BRYANT of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Tennessee. Mr. Chairman, I have been involved in a committee and I have missed part of the debate, but the part that I have heard about in this debate concerns me because I keep hearing about how this bill will cause disunity, how it will break up this country, even such illogical statements that it might cause church burnings and things of this nature. To me that flies in the face of logic.

I cannot imagine anything that would hold this country together, that would pull the different peoples of this country together any more than having a common language. The voices from the other side stand up and say, we do not need this law. We have not needed this. We have never had to do this before. So why do we need it now?

As the gentleman from New York, Mr. KING, so eloquently said, for over 180 years we all came together and we assimilated. He compared this language, this common language of English, which people learned because they had to learn it, because they had to learn it to socialize, to have business contacts, to have debate. Could you imagine this floor if we all spoke different languages trying to debate this bill? We all speak English here on this floor because that is what we all understand. But for 180 years this is what we did.

We assimilated perfectly. Mr. KING described it as the glue that held this stained glass window together. I could not think of a better description.

About 25 years ago, we started going in a different direction in this country. We started moving toward where the law required bilingual ballots and bilingual warnings in all types of things in the official government. Keep in mind here, we are talking about only official language. We are not saying you cannot speak other languages. We are saying for official language purposes of this United States, it will be English.

So for the last 25 years, we have gone through this. I submit to my colleagues that a good part of the distrust, the mistrust in this country, the

division that exists today is caused by things like this. I urge my colleagues not to vote for this amendment but to support the underlying bill, H.R. 123.

□ 1515

Mr. SERRANO. Mr. Chairman, I yield 2 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. Chairman, I thank the gentleman from New York for yielding this time to me, and I too was in a hearing in the Committee on the Judiciary, as a member of the Committee on the Judiciary, but felt moved to come and really clear the air, for there seems to be accusations that we are making ad hominem comments and accusations against those who would raise this bill as a vital bill to the national security interests.

Well, as a member of the Committee on the Judiciary, I have come to uphold the Constitution, to recognize that there is a freedom of expression, a first amendment right, that we are not threatened in our national security or any of our concerns by those who would speak a different language, but love this flag.

Just as we would not discriminate against those who do not speak another language other than English, that they can be employed across this Nation, should we not discriminate against those who started first from a land that speaks another language but still love this flag and want to have the opportunity to be American citizens.

It would seem that my colleagues on the other side of the aisle, if they were truly concerned about unity, would support the Serrano bill, as I am, for it emphasizes the commonality of our language, the importance of multilingualism, the importance of opposing the imposition of unconstitutional language policies, and it supports the views that this Nation's strength lies in our diversity.

Would my colleagues want me as a member of the Committee on the Judiciary and this Congress to deny American citizens the right to understand the Federal election ballot? This is what the bill that is on the floor does right now. It says that if individuals speak a language, English, but yet cannot read in English, and they have the opportunity and the right to vote as a citizen, they cannot have a bilingual ballot, a total elimination of provisions of the Voter Rights Act of 1965.

Mr. Chairman, this is an unconstitutional bill. Support the Serrano bill. I cannot hold to the fact that America would disgrace itself with this kind of legislation on the floor.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I rise in support of H.R. 123 and in opposition to the amendment. Those who support bilingualism in the United States of America no doubt are well motivated. They care about immigrants and they care about their fellow man, and thus they want to make it easier for them not to learn how to speak English.

Well, my colleagues are not doing anybody a favor by making it easier for them not to learn English. People all over the world are struggling to teach their children English and struggling how to learn English because they know that is the key that unlocks the door to opportunity. Those people who are making it easier for our own people, people who live in this country, not to speak English are doing them a great disservice.

I have a large number of Asians in my district, people who are American citizens who are of Asian descent. When they come to me and ask me my advice on how to make sure they can do well and their children can do well, I always advise them: ''Make sure your children learn how to speak English,'' and I have never had one of them disagree with me.

I will tell my colleagues this much: Those people in the Hispanic community who are being led down this downward path by people who care about them are going to resent it in the end when their children do not have the opportunity of other Americans because they are locked out of the American system because they cannot speak English.

We care. We are the ones who care about every American citizen when we do not give them an easy way out, but we say, ''Become part of America, we love you, we have caring in our heart. That's why you should learn to speak English and that's why we are doing you a disservice by making it easier for you to exist in our society without being able to communicate, without being able to be fully part of the economic system.''

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BECERRA].

Mr. BECERRA. Mr. Chairman, I thank the gentleman for yielding the time. It is hard to respond in just 2 minutes because I continue to hear people say we want these folks to learn English. We cannot have ethnic enclaves. We do not want kids to grow up only speaking a native language that is not the language of this country.

My God, have my colleagues ever seen a child on the playground who does not understand English very well and how they yearn to be able to socialize with their classmates as quickly as possible? If my colleagues have not seen it, then I urge them to come to some of the schools in Los Angeles or San Francisco or Chicago or New York or anywhere in this country, and they will see the eyes of these kids just yearning to learn, and it is not just the eyes of the children they can look at. Look at the eyes of their parents who see that success comes when they learn English. And then look at Los Angeles that has had to turn to 24-hour, round-the-clock teaching of English as a second language because there is such a backlog of people hoping to take these classes. Then go to New York City, where they have to give out lottery tickets so that they can get a space in a class to learn English, and then realize that these folks are there to learn English.

In fact, the studies show that people today are learning English at a rate that is four times as fast as people a hundred years ago were learning English. That makes sense because technology makes it easier for folks to acquire the English language.

Please do not say that folks who come to this country and have said, ''I'm here legally, and I'm about to become a U.S. citizen when I qualify after 5 years,'' please do not tell these folks that they do not wish to learn English because our colleagues have just denigrated every reason they took to forgo their country's nationality and come to this country and make it their new place and their children's place.

These folks want to learn. Recognize that, and unfortunately this bill does not do what our colleagues say. Their intent is good. Their bill is bad. Forget about the bill. Let us live with intent. We can all agree with it. Let us all have English in this country. But this bill does not do it.

Mr. CUNNINGHAM. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, this is a very important bill. Its intent is good; I agree with the gentleman, and its substance is good. We must have English as the official language. We are a great country, and the people of this country draw strength in many different roots, but we are one Nation under God. We need to have English spread throughout the land. We are not doing anyone a favor by encouraging them in essence not to learn English.

This bill will provide some added incentive, I think, to do that without being unduly punitive to anyone, but English is the language of this country, and I think it is very, very important that we act today as the House and adopt this bill and send a clear message to the country so that we can help people help themselves.

Mr. SERRANO. Mr. Chairman, I yield 1 minute to the gentleman from Guam [Mr. UNDERWOOD].

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

Mr. UNDERWOOD. Mr. Chairman, we are confronted with a bill which has great objectives, the learning of English and use of English as the primary language of government. It also makes the claim that national unity is promoted and that speakers of other languages will be empowered, but the vehicles used in this legislation clearly do not match the intent.

The legislation is supposed to promote English, but no funds are given

for English teachers or classrooms. Instead, it restricts the behavior of elected officials and agencies, and instead of empowering non-English speakers, it disenfranchises them by taking away the opportunity to cast an informed ballot.

As an educator, I took it for granted that the best way to learn was to encourage people and not discourage them. I took it for granted that when one wanted people to feel a sense of unity, they included them and not excluded them. But this is not the approach utilized in this legislation. If we wanted to characterize this legislation in terms of a carrot and stick, it is all stick and not much carrot.

Mr. Chairman, if there is a problem with people speaking English, let us teach it to them, and let us stop this very, very bad bill.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HORN].

Mr. HORN. Mr. Chairman, as an educator, I have long advocated that foreign languages be taught our students in kindergarten, but that does not mean they should also be taught English. They should, in kindergarten. We have made major mistakes in our language policy in the schools over the last 20 years. Some have said, ''But in bilingual ballots you are simply fulfilling equal protection of the laws.'' That is absolute nonsense. Let us look at the situation.

Ethnic groups in this country are not limited to Chinese, not limited to Hispanics, which was the original Valeo v. Nickles case in California. In the 1970 census there were 96 mother tongues where languages other than English were primary languages in households where many of our fellow citizens were raised; 1980, 387 non-English language possibilities. In the Los Angeles-Long Beach schools there are 70 languages. We cannot pick just one or two languages if we are really going to have equal protection of the laws.

The only way to carry out the 14th amendment and its equal protection of the laws is to learn English. That is the access for all students of all backgrounds, rich and poor, when they come to this Nation, when their parents come to this Nation. Such a national policy would not stop a friend or a relative who speaks the primary language of the citizen from writing out instructions, helping them with the ballots, helping them learn English. All of that has been historically done in this country by ethic groups from various countries, and we need to have that spread across the land. Such groups have been readily available with each immigrant wave.

What such a policy would stop is the illusion that for every language group in a nation, a government agent must be employed or some form of government assistance must be made available to aid all members who understand English less well than their native language. Presumably the naturalized citizens had to learn some English in order to receive citizenship.

Before this Nation goes the way of Quebec or engages in the bitter language quarrels of India, I recommend that we adopt the English language in this bill.

Mr. SERRANO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida [Ms. ROS-LEHTINEN].

(Ms. ROS-LEHTINEN asked and was given permission to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Chairman, as a naturalized American who has benefited from multi-language instruction, I rise in support of the amendment.

Mr. SERRANO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. ROYBAL-ALLARD].

(Ms. ROYBAL-ALLARD asked and was given permission to revise and extend her remarks.)

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from New York [Mr. SERRANO].

Mr. Chairman, I rise in strong support of the English Plus Act, which provides a commonsense approach to the national language debate.

The English-plus substitute reaffirms that English is the primary language of the United States. It also acknowledges that in today's expanding global economy, multilingualism must be factored into any formula for economic success. Encouraging the use of world languages is critical if the United States is to remain a world economic leader.

The strength of our economy increasingly depends on trade and international business. More than 40% of large corporations in the United States hire bilingual employees to communicate, negotiate, and market American goods and services.

The English Plus Act combines two objectives. It establishes English as the primary language of our country, while at the same time recognizing the importance of multilingualism for the future success of the United States.

I urge my colleagues to stand united behind The English Plus Act, and vote for the Serrano substitute.

Mr. SERRANO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, as my mother, an immigrant from Lithuania, learned as a young girl in East St. Louis, IL, learning English was crucial to success. She became a bilingual translator in court as a young girl, and of course today I have the honor to serve in the House of Representatives as a first-generation American and the son of that Lithuanian immigrant. Every immigrant American that I have met in my life understands one basic fact in this country. Proficiency in English is crucial to success. But this amendment is less about helping Americans, this bill is less about helping Americans to succeed, than it is about pointing out our differences in color and culture and language.

□ 1530

This bill is unnecessary and divisive. America is a nation of immigrants. We will not be stronger because of this divisive bill. Support the amendment offered by the gentleman from New York [Mr. SERRANO]. Celebrate our diversity. Welcome to those who come to our country to join in our culture, learn our language, and help them succeed.

Mr. CUNNINGHAM. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, at the outset let me say I agree with some but not all of the findings of the substitute offered by my friend, the gentleman from New York [Mr. SERRANO]. I know the gentleman is well-intentioned, but his substitute goes in the opposite direction of the bill itself.

I would again acknowledge that we are a nation of immigrants, no doubt about it. Our history has been shaped by many cultures, religions, languages from around the world. We are proud of our Nation's ability to assimilate people from around the world in one cohesive society. On that, the gentleman and I agree.

But it is our common language that binds us together as a nation, and it is the English language which empowers newcomers to the access of the American dream. First, the substitute states that English is the primary language of the United States. If that is the case, then the opponents should have no problem designating English as the official language in statute.

Second, the substitute implies that the supporters of H.R. 124 believe the Nation was founded on racial, ethnic, and religious homogeneity. Not true. We recognize the diversity in this country, and so state in the findings to H.R. 123.

Third, the substitute, H.R. 123, recognizes the importance of multilingualism in the context of international relations and national security. There are exceptions for each of those situations in the bill already.

Fourth, the substitute talks about a threat to the status of English. That is not the issue. The issue is are we going to continue down the road of a Balkanized, piecemeal language policy, program by program, with 320 languages in this country? Or are we going to establish a national, commonsense, common language policy of the Federal Government which 23 States have already established as the official policy, and over 80 nations, and the President of United States, when he was governor of Arkansas?

Fifth, the substitute mischaracterizes H.R. 123 as an English-only bill. It is not an English-only bill. It is an official language of the Government bill. If it were an English-only bill, it would apply not only to the Government but to private businesses, churches, neighborhoods, and homes. H.R. 123 does not apply to homes, churches, neighborhoods, communities, public health, safety, national security, international relations, or the teaching of languages.

My friend, the gentleman from California [Mr. BECERRA], asked me to recognize that the bill decouples bilingual education. It has nothing to do with the bilingual education issue.

I would say to my friends that the intention of this bill is to empower people, empower our American children, because there is a growing need to educate children in the English language, and the tendency has gone otherwise.

Mr. SERRANO. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, if one wants to know how much people want to learn to speak English, they should come to my district in the Bronx, or anywhere else throughout the Nation, and find out what happens when an English-as-a-second-language class is offered. The line of immigrants and of recent arrivals and people who have been here for a while in front of those schools, trying to get into those programs, is something that would be hard to be believed. The biggest problem in that area is that we do not have enough slots to fit all the people who want to learn to speak English.

This is a nonissue. This should not be on the floor. But since it is, we should approve my amendment and speak about the future, not some problems we have had in the past.

PARLIAMENTARY INQUIRY

Mr. CUNNINGHAM. I have a parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. CUNNINGHAM. If we wanted to accept by unanimous consent the Gutierrez amendment, which was dropped, would the gentleman agree to that?

Mr. BECERRA. Excuse me, Mr. Chairman?

Mr. CUNNINGHAM. The Gutierrez amendment that was dropped, would the gentleman agree to that, which allows Members of the House to send out their information?

Mr. SERRANO. No, we could not.

The CHAIRMAN. Under the rule, that amendment could not be considered at this time in the Committee of the Whole, even of unanimous consent.

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

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

Mr. LAFALCE. Mr. Chairman, I rise in the strongest possible support of the Serrano substitute.

Mr. Chairman, I strongly support the English Plus Act, the substitute offered by the esteemed gentleman from New York [Mr. SERRANO], which celebrates English as the primary language of this diverse Nation. This substitute is a far better approach than the proposed English-only bill, which in my judgment, is unconstitutional, unnecessary, unwise, inefficient, and un-American.

It is unconstitutional because it impedes freedom of speech and would ultimately lead to disenfranchising U.S. citizens. American citizens have the right to express themselves as they choose. Certainly government does not have the right to intrude on such a personal freedom, as this bill would, and I cannot condone such action. I am particularly concerned that the bill removes the requirement for multilingual ballots in communities with significant numbers of people whose primary language is not English. This is troubling both constitutionally and in a very practical sense: if there are no bilingual ballots, some citizens will no longer exercise their right to vote, but others will continue to do so, albeit in an unavoidably less-informed manner. How shortsighted can we be? Or is there a partisan political side to this issue, too?

The proposed English bill is also unnecessary. While the last census shows that there are at least 39 languages spoken in this country, it also shows that over 95 percent of the population speaks English. Only 3 percent of our citizens speak English either not well or not at all. It is clear that the English language is a major element of our American culture. English is alive and flourishing and does not need an act of Congress to continue to do so. In fact, research shows that current generations of language-minorities are learning English even faster than previous generations did.

It is also unwise, because it is divisive and mean-spirited. The proposal seeks to divide communities across ethnic lines. Rather than enhancing the development of language skills, which the United States should do to improve our economic competitiveness and to conduct diplomacy, this head-in-the-sand approach goes in exactly the wrong direction. In its zeal to achieve linguistic homogeneity, the majority runs roughshod over one of our Nation's strongest assets, our cultural diversity.

An English-only rule pertaining to governmental functions is also incredibly inefficient. Think of the many ways that citizens come into contact with the Government—at the post office, the IRS for tax forms and assistance, the Social Security Office, and the courts, to name a few. Imagine the difficulties our citizens would have if we forbid the use of other languages in government forms, instructional materials, and the like.

Last, but certainly not least, this bill is also un-American because it runs directly contrary to our international goals and foreign policies. America's entire history has been to open our door to other cultures, and to encourage strong cultural identities within our own country. This bill, in effect, says that this historical approach was incorrect. I disagree.

Rather, I agree with so many of my colleagues, including a large number on the majority side, who have urged other countries, to respect ethnic minorities inside their borders. For instance, there is strong sentiment within these walls that the Serbs who rule what is left of Yugoslavia should not run roughshod over Albanians, Muslims and other ethnic minorities who live there. Nor have we been shy about warning the government in Russia against unfair treatment of ethnic minorities within that nation's borders.

Mr. Chairman, I urge our colleagues to consider the best interests of the American people and to support the Serrano substitute, the English Plus Act. The substitute is a balanced approach that recognizes English as the primary language of the United States and encourages its usage. But, most important, it also respects the many ways in which multilingualism has contributed to this country by fostering communication and greater understanding not only within the United States, but among nations throughout the world.

I urge my colleagues to support the Serrano substitute.

Mr. SERRANO. Mr. Chairman, I yield the remainder of my time to the gentleman from Florida [Mr. DIAZ-BALART], a gentleman who is a living example of why this bill is not necessary; a gentleman who came from Cuba, learned to speak English, while maintaining his native tongue, and is an asset to this country.

The CHAIRMAN. The gentleman from Florida [Mr. DIAZ-BALART] is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Chairman, I thank the gentleman from New York [Mr. SERRANO] for yielding time to me.

Mr. Chairman, it is fascinating how a vantage point affects one's view. One of the most difficult challenges that I face, that my wife and I face, with two young boys that we are raising is, for their own benefit, to do everything in our power so they will retain the Spanish language. It is extraordinarily difficult, despite the fact that they even joke with me often that every perhaps four or five words I say ''Español.'' reminding them of the necessity, of the importance, that they keep a second tongue; for their own benefit, for their cultural enhancement and enrichment, for their economic competitiveness in the future, how important it is that they retain a second tongue.

The gentlewoman from Florida. Ms. ILEANA ROS-LEHTINEN, my dear colleague, sitting here with her young daughter, Amanda, I know she faces the same challenge. How often do I hear ILEANA with her daughters say, ''Español.'' Why? Because in this great country, Mr. Chairman, the pressures, the incredible forces for assimilation, for acculturation, for acceptance of the primary language of English is extraordinary. I do not think it has ever been equaled in the history of mankind, that power, the power of English in this culture, which is spreading across, through Hollywood and the other instruments, that the American culture has, spreading across. And now with technology, it is spreading across the world.

To think of what is under attack in the United States, English? No. A study in our community in south Florida just showed that in the first generation here of people who are arriving on our shores, they are losing Spanish at an alarming rate, so much so that our competitiveness in south Florida is being undermined, and our ability to be effective in the international economy.

So I think it is impossible, it is really difficult to understand the viewpoint that what is threatened is not the second and third languages that we should be encouraging our children to learn in this country, for their own benefit and for our economic future, but rather, what is threatened is the English language? I am confused.

Let us not be confused, Mr. Chairman, with regard to what this bill is doing. People have often, speakers before us, have referred often, time and time again, to bill 123. What we have before us is bill 3898. It is a combination of bill 123, offered by the gentleman from California [Mr. CUNNINGHAM], which I may say, with all respect, and I want to reiterate that I not only do not impugn but would never doubt the intentions and the good faith of my dear friends who disagree with me on this issue.

But I will say that I have never seen a bill such as 123, half of the legislation before us, that seeks to do so much to address so little, because the problem before us is with regard to that legislation, that part of the bill, the invisible problem, the invisible problem, Mr. Chairman.

But there is another aspect to this legislation, which is H.R. 351, which was incorporated into 3898. And there we are not talking about a problem to address an invisible problem, an unnecessary bill. No. There we are talking about an unfortunate, unwarranted, unwise, uncalled for constitutional regression.

Our constitutional Republic, Mr. Chairman, is not perfect, but it is perfectible. After 189 years of Republic, almost 200 years after the founding of our Republic, Mr. Chairman, this Congress stood tall in 1965 and granted the right to vote to black citizens. That was 1965. Ten-years later, after passing the Voting Rights Act of 1965, the Congress extended protections to American citizens who are not proficient in English in the Voting Rights Act, and said that citizens that are not proficient in English have a right to understand what they are voting on. That was what was done through the amendments of 1975 to the Voting Rights Act.

Let it be clear that this bill before us today eliminates the protections of 1975 for linguistic minorities in the United States. This is a vote not only on the issues that have been debated before, this is a vote on destroying a significant portion of the Voting Rights Act.

When we hear about 85 percent issues, I just want to make two points, because my friend, the distinguished gentleman from California [Mr. CUNNINGHAM] made the point previously about the fact this is an 85-percent issue. I would say perhaps it is an 85-percent issue to declare English as the official language, such as was done in Florida. That would not have been half as controversial, by the way, declaring English as the official language. But that is not what we are doing. We are putting a bunch of restrictions.

I want to say, if I may, even if it were an 85-percent issue, Democracy not only requires governing by the majority, but it is respect for the minority. I say that that portion, the Voting Rights Act portion of this legislation, which constitutes aggression on linguistic minorities in this country, is anti-Democratic, anti-Democratic, and it constitutes congressional regression. That is why I oppose it.

Mr. CUNNINGHAM. Mr. Chairman, I yield the balance of my time to the gentleman from Georgia [Mr. GINGRICH], the Speaker of the House.

The CHAIRMAN. The gentleman from Georgia [Mr. GINGRICH] is recognized for 5½ minutes.

Mr. GINGRICH. Mr. Chairman, I thank the gentleman from California for yielding time to me.

Mr. Chairman, I think we are at a very important turning point for America. This is a country whose doors have always been open, and should always be open to people from across the world. We are a nation of immigrants. Our greatness in part comes from our ability to be a melting pot, to draw from everywhere and to allow people to pursue happiness, to allow people to live under the rule of law, to protect their unalienable rights, and to have everyone be equal before the law.

This is a truly remarkable civilization. I agree with Max Lerner's great work on America as a civilization, that we are in fact a unique civilization, partially derived from Europe, partially derived from Africa, partially derived from America, partially derived from Asia, but ultimately, a unique tribute to the concept that we have been endowed by our Creator, and that we represent the greatest extension of freedom to the widest range of people in the history of the world.

But there is a key part of that, and this bill is one step in that direction. The key part is very simple: Is there a thing we call American? Is is unique?

□ 1545

My Ph.D. is in European history. I believe in studying other countries. I believe in learning other languages. But I believe we start here with America, and we need to learn here about America.

I want to say unequivocally that while I cherish every person who comes from anywhere, who comes here legally and seeks to pursue happiness, and I hope all of them decide to stay and become American citizens, but I want them to become American. And part of becoming American involves English. It is vital historically to assert and establish that English is the common language at the heart of our civilization.

One does not have to look far to see the dangers. Look north to our friends in Canada and the challenge of separatism in Quebec. Look to the Balkans, look to the continuing tensions in Belgium, a country which has mostly avoided violence and has mostly done a good job but has a very complex and very structure relationship between its Fleming and Walloon populations. Then ask yourself, in an America where their are over 80 languages taught in the California schools as the primary language, not as the secondary language but as the primary language, in a country where in Seattle there are 75 languages being taught, in Chicago there are 100; this is not bilingualism, this is a level of confusion which if it were allowed to develop for another 20 or 30 years would literally lead, I think, to the decay of the core parts of our civilization.

This bill is a very modest bill. It says English is the official language of the Government. The Government. You can speak any language you want in your homes, you can speak any language you want in private life, you can campaign in any language you want, but all Americans should have access to their government in their common language.

It says the Government has an affirmative obligation to preserve and enhance the role of English as the official language of the U.S. Government, and that such obligations shall include encouraging greater opportunities to learn the English language. I believe it is important to understand that we need every citizen and, frankly, in the long run every person who comes here to learn English. We need to be willing to say it proudly and simply and not with hostility but with a sense of joy: Yes, we want you to come; yes, we want you to immigrate; and, yes, we want you to become American, but there are standards.

For me one of those standards occurred with the naturalization ceremony. Naturalization ceremonies normally involve people of many countries with many language backgrounds, and part of the great joy of seeing them stand there and, in whatever quality of English they have mastered, repeating in English their Pledge of Allegiance, indicating in English their new commonality. They may come from Thailand, from Nigeria, from Paraguay, but when they are in that room becoming American, they are joined together by their Pledge of Allegiance and they are joined together by their new common language.

They leave that room as Americans, not hyphenated Americans, not partial Americans, not semi-Americans. At that moment they are citizens of the United States, under the protection of our law, living within our Constitution, and their rights have been endowed by their Creator. That is the framework this bill seeks to continue.

This bill is a very simple bill, a very modest bill. I would urge Members to vote no for the substitute, which, frankly eliminates any effective steps, and vote yes on final passage. The Bill Emerson English Language Empowerment Act is the right direction and the right bill, and the additions from the Committee on the Judiciary are very helpful. These are modest steps in the direction of reinforcing and reasserting the greatest civilization ever to provide freedom to the human race.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from New York [Mr. SERRANO].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SERRANO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 178, noes 250, not voting 6, as follows:

[Roll No. 389]

AYES—178

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Blumenauer
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Cardin
Chapman
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cummings
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Ros-Lehtinen
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Skaggs
Skeen
Slaughter
Spratt
Stark
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wynn
Yates

NOES—250

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
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 (SD)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Martini
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Zeliff
Zimmer

NOT VOTING—6

Brownback
Ford
McDade
Obey
Peterson (FL)
Young (FL)

□ 1607

Messrs. EWING, LIGHTFOOT, LEWIS of California, EVERETT, HOSTETTLER, HEFLEY, and BEVILL changed their vote from ''aye'' to ''no.''

Mr. MARKEY changed his vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. NEY) having assumed the chair, Mr. HANSEN, 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. 123) to amend title 4, United States Code, to declare English as the official language of the Government of the United States, pursuant to House Resolution 499, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. SERRANO

Mr. SERRANO. Mr. Speaker, I offer a motion to recommit.

The CHAIRMAN. Is the gentleman opposed to the bill?

Mr. SERRANO. Yes, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SERRANO moves that the House recommit the bill to the Committee on Economic and Educational Opportunities with instructions to report the bill forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''English Plus Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) English is the language of the United States, and all members of the society recognize the importance of English to national life and individual accomplishment.

(2) Many residents of the United States speak native languages other than English, including many languages indigenous to this country, and these linguistic resources need to be conserved and developed.

(3) This Nation was founded on a commitment to democratic principles, and not on racial, ethnic, or religious homogeneity, and has drawn strength from a diversity of languages and cultures and from a respect for individual liberties.

(4) Multilingualism, or the ability to speak languages in addition to English, is a tremendous resource to the United States because such ability enhances American competitiveness in global markets by permitting improved communication and cross-cultural understanding between producers and suppliers, vendors and clients, and retailers and consumers.

(5) Multilingualism improves United States diplomatic efforts by fostering enhanced communication and greater understanding between nations.

(6) Multilingualism has historically been an essential element of national security, including the use of Native American languages in the development of coded communications during World War II, the Korean War, and the Vietnam War.

(7) Multilingualism promotes greater cross-cultural understanding between different racial and ethnic groups in the United States.

(8) There is no threat to the status of English in the United States, a language that is spoken by 97 percent of United States residents, according to the 1990 United States Census.

(9) ''English-only'' measures would violate traditions of cultural pluralism, divide communities along ethnic lines, jeopardize the provision of law enforcement, public health, education, and other vital services to those whose English is limited, impair government efficiency, and undercut the national interest by hindering the development of language skills needed to enhance international competitiveness and conduct diplomacy.

(10) Such ''English-only'' measures would represent an unwarranted Federal regulation of self-expression, abrogate constitutional rights to freedom of expression and equal protection of the laws, violate international human rights treaties to which the United States is a signatory, and contradict the spirit of the 1923 Supreme Court case Meyer v. Nebraska, wherein the Court declared that ''The protection of the Constitution extends to all; to those who speak other languages as well as to those born with English on the tongue.''.

SEC. 3. GOVERNMENT POLICIES

The United States Government should pursue policies that promote English as the language of the United States and that—

(1 encourage all residents of this country to become fully proficient in English by expanding educational opportunities and informational resources;

(2) conserve and develop the Nation's linguistic resources by encouraging all residents of this country to learn or maintain skills in a language other then English;

(3) respect the languages of Native Americans, Native Alaskans, Native Hawaiians, and other peoples indigenous to the United States and its territories;

(4) continue to provide services in languages other than English as needed to facilitate access to essential functions of government, promote public health and safety, ensure due process, promote equal educational opportunity, and protect fundamental rights;

(5) recognize the importance of multilingualism to vital American interests and individual rights, and oppose restrictionist language measures; and

(6) require Presidential campaigns and Federal Elections be conducted in English.

□ 1615

Mr. CUNNINGHAM (during the reading). Mr. Speaker I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

Mr. BONIOR. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will read.

The Clerk concluded the reading of the motion to recommit.

The SPEAKER pro tempore. The gentleman from New York [Mr. SERRANO] is recognized for 5 minutes in support of his motion to recommit.

Mr. SERRANO. Mr. Speaker, the debate today has been at times painful for some of us because, as was stated on the floor on many occasions, this debate takes what is really a nonissue, this fear that somehow the English language is going to be lost to all of us as our common bond, and puts it on the floor of this House as one of those issues that questions people's patriotism.

So, of course, if we go throughout this country and tell people that somehow the American flag is in danger of being burned, people react in a certain way to that against burning of flags. If we tell them that the only way we are going to save our schools is by praying in school, people will react to that in a positive way. If we tell them that because other languages are spoken in this country at any given time, and recent times, that the English language is in danger of disappearing, therefore, the country is in danger of disappearing as the country that we know.

But the fact of life is that some people much brighter than I, than many of us, somewhere interestingly enough in my city on Madison Avenue in an advertising agency decided that this is one of those hot button issues that touches people, confuses them, and gives them what they think is a solution to their problems.

That does not talk about poverty in America. It does not talk about the working middle-class struggling to pay a mortgage and send their children to school. It does not talk about taxes. It does not talk about the environment. It does not speak to any of the real issues in this country. It says that because I and other people speak another language and relate to constituents in a language other than English, that somehow we are in danger.

That is a misguided, foolishly patriotic approach to a nonissue, but it has worked. Up to now it has worked. People have reacted to it. People who have been members of the Armed Forces, who are in late years, honestly and emotionally believe that if we allow other languages to live side by side with the English language, or in a second category to English, that somehow we are going to lose our country.

On many of these issues, my brothers and sisters, I place myself as an example. I think in two languages. I write and read Spanish and English. I can deliver this presentation in Spanish as well as in English. I do not think that any of what I do in two languages has ever been a problem for me or a problem for this country.

When I served in the Armed Forces of this country during the Vietnam war, I served with young men who could not speak a word of English who had just arrived here and were drafted or who came from Puerto Rico to serve. Many were volunteers. Many of those young men never came back. They were lost in the battlefields of Vietnam, as they were in Korea and the Second World War and the First World War, and their last words were in Spanish to their God, to their parents. They never spoke English.

Yet, Mr. Speaker, this bill says that if the Veterans Administration wants to service them, it cannot service them in a language other than English. It says that I cannot communicate with them in a language other than English. It says that if the Ambassador of Mexico or the new President of the Dominican Republic writes to me in Spanish, I can only answer on the public payroll in English. This is the way to promote ourselves throughout the world?

My recommittal amendment, proposal says two things: That we recognize that English is the language of this country, and that we ask government and its citizens to involve themselves in learning to speak it better every day.

Then it says something else which I think is important. It says that if someone is a candidate for President and receives Federal matching funds, especially if they are going out there and saying that English should be the official language, that they should not use any public funds to advertise in a language other than English.

I have written to one of the Presidential candidates who has seven Spanish commercials in the can to go in Texas and in California and New York pretty soon. As the insurgent, I have written to him twice and asked him to respond and he has not responded.

But in fact, in fact, all Presidential candidates have done that. I think that we would be taking a proper stand if we say, since election campaigning with Federal dollars is an act of government, and since English will be the official language of government, then do not go around saying, ''Vote para mi in estos elecciones.'' Say it in English and run the risk of losing New York, Florida, California, New Mexico, Arizona, and Texas.

Mr. Speaker, let me just close by saying when Hispanics sit around the dinner table and the issue of language comes up, it is never an assault on the English language. It is a lament on the fact that the children and the grandchildren no longer speak Spanish. This is a nonissue.

The SPEAKER pro tempore. Is the gentleman from California [Mr. CUNNINGHAM] opposed to the motion?

Mr. CUNNINGHAM. Mr. Speaker, yes, I am opposed to the motion.

The SPEAKER pro tempore. The gentleman from California [Mr. CUNNINGHAM] is recognized for 5 minutes.

Mr. CUNNINGHAM. Mr. Speaker, there are people on both sides of the issue that believe strongly that they are in the right on this thing. First of all, the gentleman from New York [Mr. SERRANO], my friend, is a good example of a bilingual citizen, but unfortunately in this land many are not, and that is what we are trying to help.

I would also like to thank my friend for his service to this country in Vietnam, and I recognize that and I laud that.

I also thank my friend for being my friend, and he knows I mean that sincerely. We are friends with a difference of opinion on this issue.

Mr. Speaker, I would say, first of all, that some of the amendments that the gentleman was talking about were actually made in order were withdrawn, and we asked to accept them and they would not accept their own amendments back.

Mr. Speaker, I would say that this is a version of the same vote that we just had and it still goes in the wrong direction. It does nothing to address the piecemeal language approach of the past and it encourages a continued policy of printing documents in many languages.

I would like to state, first of all, and I have got four pages here of people that support it, and I would like to mention a few: The AARP, the American Association of Women, the American Legion, California NEA, Daughters of the American Revolution, Federation of Women's Clubs, Heritage Foundation, Islamic Society of North County, and many, many others.

But let me tell my colleagues more about what is good about this bill. First of all, Bill Emerson created this bill, worked with the gentleman from Wisconsin [Mr. ROTH], and there was not a mean bone in Mr. Emerson's body. It has over 200 cosponsors on this. I think they are a very well-meaning group of people who believe in this bill and what it stands for.

□ 1630

Yes, over 80 percent of the American people support it. I do not think they are mean spirited. They see a problem that we can help with. The English language unites us as a nation of many different immigrants and, just like the Speaker said, at the swearing in, you see people from all over the world united when they are sworn in under the English language. That is in the bill.

We are better able to move about and interact within our society itself. With 123 languages spoken in the United States, we need to declare English as the official language.

Let me close with a quotation from one of our witnesses, Maria Lopez-Otin:

From the immigrant's standpoint, knowledge of English is critically important to success in American society, and discussions about immigration, bilingual education or English as a second language are but distractions from the issue at hand, the merits of English as the official language of the United States. And on that point, on whatever level you consider, education, employment, politics, a social grounding in English is imperative. Now, does this mean rejection of our roots, our heritage, our original language? Of course not. What it means is that as Americans, we cannot hope to reach our fullest potential unless we speak the language, and that language is English.

The SPEAKER pro tempore (Mr. NEY). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of final passage.

The vote was taken by electronic device, and there were—ayes 171, noes 257, not voting 5, as follows:

[Roll No. 390]

AYES—171

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

NOES—257

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Frank (MA)
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
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Martini
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Oxley
Packard
Parker
Paxon
Payne (VA)
Petri
Pickett
Pombo
Pomeroy
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
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thornton
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Zeliff
Zimmer

NOT VOTING—5

Brownback
Ford
McDade
Peterson (FL)
Young (FL)

□ 1648

Mr. MINGE and Mr. SCHIFF changed their vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. NEY). The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 259, noes 169, not voting 5, as follows:

[Roll No. 391]

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

NOES—169

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Blumenauer
Bonilla
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Cardin
Chapman
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Cummings
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hilliard
Hinchey
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Matsui
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Pomeroy
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Ros-Lehtinen
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Skaggs
Skeen
Slaughter
Stark
Stokes
Studds
Stupak
Tejeda
Thompson
Thornton
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wynn
Yates

NOT VOTING—5

Brownback
Ford
McDade
Peterson (FL)
Young (FL)

☐ 1657

Mr. JACKSON of Illinois changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

☐ 1700

GENERAL LEAVE

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

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

There was no objection.

PERSONAL EXPLANATION

Mrs. COLLINS of Illinois. Mr. Speaker, on rollcall 387, the conference report to accompany the bill, H.R. 3603, the Agriculture Appropriations Act for Fiscal Year 1997, I inadvertently voted ''yea.'' I intended to vote ''nay.''

FEDERAL EMPLOYEE REPRESENTATION IMPROVEMENT ACT OF 1996

Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 782) to amend title 18 of the United States Code to allow members of employee associations to represent their views before the U.S. Government, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Employee Representation Improvement Act of 1996''.

SEC. 2. REPRESENTATION BY FEDERAL OFFICERS AND EMPLOYEES.

(a) EXTENSION OF EXEMPTION TO PROHIBITION.—Subsection (d) of section 205 of title 18, United States Code, is amended to read as follows:

''(d)(1) Nothing in subsection (a) or (b) prevents an officer or employee, if not inconsistent with the faithful performance of that officer's or employee's duties, from acting without compensation as agent or attorney for, or otherwise representing—

''(A) any person who is the subject of disciplinary, loyalty, or personnel administration proceedings in connection with those proceedings; or

''(B) except as provided in paragraph (2), any cooperative, voluntary, professional, recreational, or similar organization or group not established or operated for profit, if a majority of the organization's or groups's members are current officers or employees of the United States or of the District of Columbia, or their spouses or dependent children.

''(2) Paragraph (1)(B) does not apply with respect to a covered matter that—

''(A) is a claim under subsection (a)(1) or (b)(1);

''(B) is a judicial or administrative proceeding where the organization or group is a party; or

''(C) involves a grant, contract, or other agreement (including a request for any such grant, contract, or agreement) providing for the disbursement of Federal funds to the organization or group.''.

(b) APPLICATION TO LABOR-MANAGEMENT RELATIONS.—Section 205 of title 18, United States Code is amended by adding at the end the following:

''(i) Nothing in this section prevents an employee from acting pursuant to—

''(1) chapter 71 of title 5;

''(2) section 1004 or Chapter 12 of title 39;

''(3) section 3 of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831b);

''(4) chapter 10 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4104 et seq.); or

''(5) any provision of any other Federal or District of Columbia law that authorizes labor-management relations between an agency or instrumentality of the United States or the District of Columbia and any labor organization that represents its employees.''.

Mr. CANADY of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. NEY). Is there objection to the original request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentlemen from Florida?

Mr. FRANK of Massachusetts. Reserving the right to object, Mr. Speaker, I would just note that this is legislation correcting a matter involving employee rights that has been fully agreed to and has gone through the House previously without objection, and I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

J. PHIL CAMPBELL SENIOR NATURAL RESOURCE CONSERVATION CENTER

Mr. ALLARD. Mr. Speaker, I call up the bill (H.R. 3387) 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 and I ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. STENHOLM. Reserving the right to object, Mr. Speaker, although I do not intend to object, I yield to the gentleman from Colorado Mr. Allard for an explanation of H.R. 3387.

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

Mr. Speaker, H.R. 3387 is a noncontroversial bill sponsored by Congressman CHARLIE NORWOOD. H.R. 3387 renames the Southern Piedmont Conservation Research Center located in Watkinsville, GA, as the J. Phil Campbell, Sr. Natural Resource Conservation Center. The bill memorializes Mr. Campbell, an FDR appointee, for his leading role in locating the Center in Watkinsville and for maintaining funding for the center.

H.R. 3387 was approved by a voice vote in the Subcommittee on Resource Conservation, Research, and Forestry and in the full Committee on Agriculture on May 30 and June 19, respectively. Moreover, Secretary Glickman has provided Chairman ROBERTS with a letter, dated June 19, which states that the Department has no objections to H.R. 3387, and which further acknowledges Mr. Campbell's profound contributions to American agriculture.

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

Mr. STENHOLM. I yield to the gentleman from Georgia.

Mr. NORWOOD. Mr. Speaker, I thank the gentleman from Texas for yielding to me.

Mr. Speaker, I rise today in support of H.R. 3387, a bill to rename the Southern Piedmont Conservation Research Center in Watkinsville, GA as the J. Phil Campbell, Senior Natural Resource Conservation Center.

J. Phil Campbell, Senior lived on this Earth for 66 years, but in that time, he gave more to the men and women of this country that can be measured. His contributions to agriculture, not only in the Southeast, but throughout the Nation, are well known and widely recognized. Mr. LINDER and I introduced this legislation to, in a small way, give Mr. Campbell the recognition he most certain deserves.

James Philander Campbell was born in Dallas, GA, just northeast of Atlanta, on March 2, 1878. He grew up on a farm and, at the age of 17, began teaching school. At a young age, J. Phil Campbell, Senior fought for and helped to secure legislation providing for teaching agriculture in rural Georgia schools. In 1907, he spent 6 months traveling throughout the State advocating for the creation of district agriculture schools and a State college of agriculture. All of this was done before he turned 30 years of age.

Between 1908 and 1910, J. Phil Campbell, Senior served as the first farmer extension supervisor to the Southeast region. This was done before passage of the Smith-Lever Act in 1915, which created a Federal extension service.

In 1910, he began a career as the Georgia State agent for the U.S. Department of Agriculture. He also served on the Georgia State University's College of Agriculture staff. During his tenure, he organized nearly 13,000 Georgia children in ''corn'' and ''canning clubs.'' He also helped organize 5,000 Georgia farmers into farming demonstration work. These efforts were done under the supervision of Dr. Seaman Knapp of the U.S. Department of Agriculture.

During this time, he also served as the Director of Extension Work in Agriculture and Home Economics. In 1933, he took a leave of absence to assist the Federal Agriculture Adjustment Administration in their cotton belt crop replenishment division. After 1935, he was elevated to a Federal position in the Roosevelt administration as assistant chief of the Soil Conservation Service in the USDA. He served in that capacity until he died in December of 1994.

In addition to his clear record of accomplishment in the area of education, J. Phil Campbell, Senior was also extremely interested in agricultural research and maintained close ties with Georgia's agriculture experiment stations. He was integral in the creation of the Southern Piedmont Conservation Research Center. He chose its siting in Watkinsville, just outside of Athens and the University of Georgia. When funding for the center was threatened in its first year, Phil Campbell fought to keep the center open and secure its line of funding. It exists to this day on Experimental Station Road in Watkinsville.

I introduced H.R. 3387 as a small token of recognition and gratitude for Mr. Campbell's contributions to agriculture and the communities and Nation he loved. Fortunately, Mr. Campbell's contributions to agriculture are not being recognized after his death only. In the mid-1930's, Dean Paul Chapman, the first dean of the University of Georgia's College of agriculture, stated, ''J. Phil Campbell and I were pioneers in promoting professional agricultural work and in the establishing of agencies to carry on such work. With little professional training ourselves, we were plowing new ground to create such training.'' Later, in a ceremony honoring Mr. Campbell after he departed for Washington, Dean Chapman stated that no one had as many friends in Georgia as did J. Phil Campbell. Mr. Campbell was also recognized in the ''Who's Who in America'' collection in the 1940's. Clearly, given his contributions to agriculture in the State of Georgia and throughout he Nation, Mr. Campbell had more friends than he could have ever known.

Mr. Speaker, I am honored to offer this legislation. In a letter from the USDA, Secretary of Agriculture Dan Glickman stated that, while the USDA generally discourages the naming of its laboratories after any one individual, given the Department's admiration and appreciation of, ''the great service Mr. Campbell has rendered to agriculture and the Nation, the USDA has no objection to the enactment of H.R. 3387.''

We have also received assurances from the CBO that enactment of H.R. 3387 will result in no significant cost to the Federal Government and does not include any inter-governmental or private sector mandates.

Given this, Mr. Speaker, I urge my colleagues to join with me to recognize Mr. Campbell's many contributions and support this legislation.

With that, I thank the gentleman from Texas for yielding.

Mr. STENHOLM. Mr. Speaker, continuing my reservation of objection, I thank my colleague for his explanation of the legislation.

I rise in support of H.R. 3387, and wanted to thank my colleagues from Georgia for their work on this effort. Mr. Campbell was certainly a driving force in their home State, as well as in a number of areas in agriculture, including Extension Service and research activities, in addition to serving as assistant chief of the Soil Conservation Service here in Washington during Franklin Roosevelt's administration. Therefore, it is appropriate that the agriculture research facility in Watkinsville that works on issues involving our natural resources be named after him.

Again, I thank our colleagues, the gentlemen from Georgia, Mr. NORWOOD and Mr. LINDER, for introducing this legislation, and I urge its passage by the House.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3387

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

SECTION 1. DESIGNATION OF J. PHIL CAMPBELL, SENIOR NATURAL RESOURCE CONSERVATION CENTER.

The Southern Piedmont Conservation Research Center located at 1420 Experimental Station Road in Watkinsville, Georgia, shall be known and designated as the ''J. Phil Campbell, Senior Natural Resource Conservation Center''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the ''J. Phil Campbell, Senior Natural Resource Conservation Center''.

The bill was ordered to be engrossed and read a third time, was read the third time, was passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ALLARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3387, the bill just considered.

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

There was no objection.

RELEASE OF REVERSIONARY INTEREST HELD BY UNITED STATES IN CERTAIN PROPERTY IN THE COUNTY OF IOSCO, MICHIGAN

Mr. ALLARD. Mr. Speaker, I call up the bill (H.R. 2670) to provide for the release of the reversionary interest held by the United States in certain property located in the county of Iosco, MI, and I ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is these objection to the request of the gentleman from Colorado?

Mr. STENHOLM. Reserving the right to object, Mr. Speaker, I will not object, but yield to my colleague, the gentleman from Colorado [Mr. ALLARD], for an explanation of the bill.

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

Mr. Speaker, H.R. 2670, sponsored by Congressman JAMES BARCIA, provides for the release of a reversionary interest held by the Forest Service in 1.9 acres of land in Iosco County, MI. The land belongs to the local airport but, due to a survey error, has been in private use. Authorities have agreed with the squatter to swap the property being used in exchange for another parcel of equal value. But, the reversionary interest on the 1.9 acres clouds the title and prevents the exchange. This reversionary interest says that when the land is not longer used for airport purposes, it reverts back to the Forest Service. The bill, as amended in subcommittee, provides that, in exchange for adequate consideration, the reversionary interests is relinquished.

H.R. 2670 is a noncontroversial bill which was approved by a voice vote in both the subcommittee and full committee on May 30 and June 19, respectively, and enjoys the support of the Department of Agriculture.

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

Mr. STENHOLM. Further reserving the right to object, I yield to the gentleman from Michigan.

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

Mr. BARCIA. Mr. Speaker, I rise in support of H.R. 2670, a bill I sponsored, to provide for the release of reversionary interests held by the United States in certain property located in Iosco County, MI.

I want to thank the chairman of the Subcommittee on Resource Conservation, Research and Forestry, chaired by the gentleman from Colorado [Mr. ALLARD], and its ranking member, the gentleman from South Dakota [Mr. JOHNSON], for their willingness to help move this issue toward resolution.

In 1960 land was provided to Iosco County for the construction of an airport. This land was provided through the Secretary of Agriculture under the authority of section 16 of the Federal Airport Act of 1946, and in conformity with Executive Order 10536 of June 9, 1954.

Using survey lines that had been drawn at the time, one of my constituents, Mr. Otto Peppel, constructed a cabin on land based upon the old survey that he believed to be his own. A conflict in the lines of occupation with the legal boundary lines was discovered in a 1976 survey performed for airport expansion, showing that 1.9 acres that Mr. Peppel believed to be his were in fact the airport's. Efforts to eliminate the title conflict have been going on since that time, culminating in the request to me to introduce legislation to allow for the dismissal of the reverter clause in this property.

Local authorities and Mr. Peppel have agreed to exchange a like amount of property so that the title can be cleared. However, given that the land was given to the county by the Secretary of Agriculture for public purposes, a reverter clause exists that must be quieted in order to clear the title.

In consultation with local staff of the U.S. Forest Service, this bill was drafted to allow for the clearance of this title. In further consultation with the Department of Agriculture and the House Agriculture Committee, the bill was amended with the agreement of all parties to provide that the reversionary interest of the United States is not lost, but rather is restored on another piece of property of equal value.

Given the support for the land swap from the property owners, local officials, and the Forest Service, this matter should be noncontroversial. I urge its adoption.

Mr. STENHOLM. Mr. Speaker, further reserving the right to object, I thank my colleague for his explanation.

An amendment adopted by the committee will be offered to provide for compensation to the Forest Service for its release of a reversionary interest it holds in land affected by the proposed exchange.

Mr. Speaker, I support the bill with the committee amendment, and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2670

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

SECTION 1. RELEASE OF REVERSIONARY INTEREST REGARDING CERTAIN PROPERTY IN IOSCO COUNTY, MICHIGAN.

(a) RELEASE REQUIRED.—The Secretary of Agriculture shall release, without consideration, the reversionary interest of the United States in the parcel of real property described in subsection (b), which was retained by the United States when the property was conveyed to the County of Iosco, Michigan, in 1960 pursuant to a deed recorded at Liber 144, beginning page 58, in the land records of the County.

(b) DESCRIPTION OF PROPERTY.—The parcel of real property referred to in subsection (a) consists of 1.92 acres in the County of Iosco, Michigan, and is described as follows:

That part of the N.W. ¼ of the S.E. ¼ of Section 11, T.22 N.R. 8 East, Baldwin Township, Iosco County, Michigan described as follows: Commencing at the Center of said Section 11, thence South 89 degrees, 15′ 41″ East, along the East-West ¼ Line of said Section 11, 102.0 feet, thence South 00 degrees 08′ 07″ East, along an existing fence line, 972.56 feet, thence North 89 degrees 07′ 13″ W. 69.70 feet to a point in the North-South ¼ Line, thence North 02 degrees 02′ 12″ West, along said North-South ¼ Line, 973.42 feet to the Point of Beginning.

(c) ADDITIONAL TERMS.—The Secretary may require such terms or conditions in connection with the release under this section as the Secretary considers appropriate to protect the interests of the United States.

(d) INSTRUMENT OF RELEASE.—The Secretary shall execute and file in the appropriate office of offices a deed of release, amended deed, or other appropriate instrument effectuating the release of the reversionary interest under this section.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER pro tempore. The Clerk will report the committee amendment in the nature of a substitute.

The Clerk read as follows:

Committee amendment is the nature of a substitute: Strike out all after the enacting clause and insert:

SECTION 1. RELEASE OF REVERSIONARY INTEREST REGARDING CERTAIN PROPERTY IN IOSCO COUNTY, MICHIGAN.

(a) RELEASE REQUIRED.—The Secretary of Agriculture shall release the reversionary interest of the United States in the parcel of

real property described in subsection (b), which was retained by the United States when the property was conveyed to the County of Iosco, Michigan, in 1960 pursuant to a deed recorded at Liber 144, beginning page 58, in the lands records of the County.

(b) DESCRIPTION OF PROPERTY.—The parcel of real property referred to in subsection (a) consists of 1.92 acres in the County of Iosco, Michigan, and is described as follows:

That part of the N.W. ¼ of the S.E. ¼ of Section 11, T.22 N.R. 8 East., Baldwin Township, Iosco County, Michigan described as follows: Commencing at the Center of said Section 11, thence South 89 degrees, 15′ 41″ East, along the East-West ¼ Line of said Section 11, 102.0 feet, thence South 00 degrees 08′ 07″ East, along an existing fence line, 972.56 feet, thence North 89 degrees 07′ 13″ W. 69.70 feet to a point in the North-South ¼ Line, thence North 02 degrees 02′ 12″ West, along said North-South ¼ Line, 973.42 feet to the Point of Beginning.

(c) ADDITIONAL TERMS.—The Secretary may require such terms or conditions in connection with the release under this section as the Secretary considers appropriate to protect the interests of the United States.

(d) INSTRUMENT OF RELEASE.—The Secretary shall execute and file in the appropriate office of offices a deed of release, amended deed, or other appropriate instrument effectuating the release of the reversionary interest under this section.

Mr. ALLARD (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ALLARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2670, the bill just considered.

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

There was no objection.

MAKING MINOR ADJUSTMENT IN EXTERIOR BOUNDARY OF DEVIL'S BACKBONE WILDERNESS IN MARK TWAIN NATIONAL FOREST, MO.

Mr. ALLARD. Mr. Speaker, I call up the bill (H.R. 3464) to make a minor adjustment in the exterior boundary of the Devil's Backbone Wilderness in the Mark Twain National Forest, MO, to exclude a small parcel of land containing improvements, and I ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. STENHOLM. Reserving the right to object, Mr. Speaker, I will not object, but I yield to my colleague, the gentleman from Colorado [Mr. ALLARD], for an explanation of the bill.

Mr. ALLARD. Mr. Speaker, I thank the gentleman from Texas for yielding to me.

Mr. Speaker, H.R. 3464, sponsored by Congressman MEL HANCOCK, provides for a slight adjustment removing 2 acres from Devil's Backbone Wilderness area within the Mark Twain National Forest. This is necessary to allow for a land exchange between the Forest Service and a family which inadvertently made improvements on a parcel of Forest Service/Wilderness land. Once removed from Wilderness designation, the Small Tracts Act will permit an administrative exchange of land.

This bill was approved by a voice vote in both the subcommittee and full committee, and the Department of Agriculture has recommended its approval.

Mr. STENHOLM. Further reserving the right to object, Mr. Speaker, I thank my colleague for his explanation.

An amendment adopted by the committee will be offered to incorporate a technical change in the bill recommended by the Forest Service.

Mr. Speaker, I have no objection to the bill as amended by the committee, and I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3464

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

SECTION 1. BOUNDARY ADJUSTMENT, DEVILS BACKBONE WILDERNESS, MARK TWAIN NATIONAL FOREST, MISSOURI

Using the authority provided in section 202 of Public Law 96–560 (94 Stat. 3274) regarding the correction of clerical errors in the maps and legal descriptions of the Devils Backbone Wilderness established by section 201(d) of such Act (16 U.S.C. 1132 note), the Secretary of Agriculture shall adjust the exterior boundary of the Devils Backbone Wilderness in the Mark Twain National Forest, Missouri, to exclude a parcel of real property that consists of approximately a quarter of an acre in Douglas County, Missouri, contains a garage, well, mailbox, driveway, and other improvements, and was inadvertently removed from administration as National Forest System land and included within the wilderness area.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER pro tempore. The Clerk will report the committee amendment in the nature of a substitute.

The Clerk read as follows:

Committee amendment in the nature of a substitute: strike out all after the enacting clause and insert:

SECTION 1. BOUNDARY ADJUSTMENT, DEVILS BACKBONE WILDERNESS, MARK TWAIN NATIONAL FOREST, MISSOURI.

The boundary of the Devils Backbone Wilderness established by section 201(d) of Public Law 96–560 (16 U.S.C. 1132 note) in the Mark Twain National Forest, Missouri, is hereby modified to exclude from the area encompassed by the Devils Backbone Wilderness a parcel of real property consisting of approximately two acres in Ozark County, Missouri, and containing a garage, well, mailbox, driveway, and other improvements, as depicted on a map entitled ''Devils Backbone Wilderness Boundary Modification'', dated June 1996. The map shall be retained with other Forest Service maps and legal descriptions regarding the Devils Backbone Wilderness and shall be made available for public inspection as provided in section 202 of Public Law 96–560 (94 Stat. 3274).

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

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

There was no objection.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ALLARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3464.

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

There was no objection.

WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO SAME DAY CONSIDERATION OF A CERTAIN RESOLUTION

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 500 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 500

Resolved, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to a resolution reported before August 2, 1996, providing for consideration or disposition of a conference report to accompany the bill (H.R. 3103) to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term services and coverage, to simplify the administration of health insurance, and for other purposes.

The SPEAKER pro tempore. The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

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

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

Mr. GOSS. Mr. Speaker, House Resolution 500 is a straightforward expedited procedures rule—agreed to by the minority members of our Rules Committee—designed to allow for prompt consideration later today of the conference report on H.R. 3103, the Health Insurance Portability and Accountability Act of 1996.

This rule waives the requirement of clause 4(b) of Rule XI regarding same-day consideration of a resolution reported from the Committee on Rules. That requirement, which provides that two-thirds of the House must agree to such a resolution, is generally observed to provide Members time to digest the legislation under consideration. I share the interest of our minority in ensuring that we do not waive that requirement often—or lightly.

However, in this case, we are under serious time constraints to complete our work on an extremely important measure, which has had significant debate and public airing over the many months it has been under consideration in both Houses of Congress and the conference committee. In fact, every major portion of this bill, every painstaking step in the negotiation has, I believe, been thoroughly reported by the media, given the enormous public interest in this subject. I think Members should agree that, since there is finally bipartisan agreement about the provisions of this bill, we should not delay in approving it and getting it onto the President's desk for his signature.

Mr. Speaker, last night a milestone was achieved on behalf of the American people. An agreement was reached on legislation to improve the availability and portability of health care insurance. This legislation resolves problems of job-lock, denial of coverage, lack of choice, fraud and abuse—addressing the fundamental concerns of millions of Americans. We struggled for many, many months with this bill—and at times it seemed like some were willing to risk never getting it done in order to make political points. That would have been a tragedy for all of us. But in the end, the deafening call from the people we represent to tackle the most obvious problems with health insurance availability and accountability was heeded.

Mr. Speaker, during the upcoming debate members will discuss the details of the agreement and explain how it will expand health coverage, broaden choice, and reduce anxiety for countless Americans. This rule allows that critical discussion to proceed.

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

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

Mr. Speaker, this rule waives the two-thirds' vote requirement, as we have heard, for the same-day consideration of the rule on the health care conference report. The rule is necessary because the conference report was not available yesterday when the House completed legislative business.

□ 1715

This is not obviously the best way to consider important legislation. Conference reports should lay over for a few days, certainly two or three if possible so that people can read them and understand what they are voting on, but we do, of course, understand the need for this kind of rule in the rush toward starting the August District Work Period.

Mr. Speaker, we have no objections to this rule and urge Members' support for it.

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

Mr. GOSS. Mr. Speaker, I have no requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 3103, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 502 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES 502

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3103) to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage, to simplify the administration of health insurance, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. NEY). The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 502 is a standard rule providing for consideration of a conference report. It waives all points of order and allows for 1 hour of general debate and provides that the conference report shall be considered as read.

But that is where the standard nature of this discussion ends—because what we are about to do is anything but standard. This is truly a red letter day, not just for this Congress, but for the American people. With this conference report we have proven that meaningful health care reform is achievable, even in such a politically charged climate as this. This agreement represents a reasoned, commonsense approach to the problems affecting millions of working Americans. It offers a stark contrast to the extreme efforts of the past Congress—which were largely highly bureaucratic and big government solutions in search of a problem. In this bill we take responsible steps to make health coverage more affordable and accessible for working Americans. While this legislation has been labeled ''incremental'', its impact on real Americans is profound. No longer will an ambitious worker be stuck in a dead-end job because of concerns about retaining health coverage for a sick child or spouse. The self-employed entrepreneur, who could not afford the high cost of health insurance before, will be able to deduct 80 percent of health care costs. These are real people that will directly benefit from this legislation. Of course, given the fact that it was born of an excruciatingly painful negotiation and required compromises from all sides, this package will not be described as perfect by anyone. For instance, I am disappointed that medical savings accounts will only be available to a small number of working Americans. This innovative alternative to traditional insurance—which has substantial bipartisan support—was unfairly demonized and demagogued by a handful of opponents. Those who deride MSA's do so because they directly conflict with the liberal wing goal of a government-run and government-managed health care system. While MSA's critics seem to believe in an even more expansive Federal bureaucracy than we already have making health care decisions for individuals, MSA supporters believe in the ability of Americans to make prudent health care choices for themselves.

Finally, this legislation attacks fraud and abuse by increasing the penalties on those who knowingly cheat the system. If there is one criticism my constituents have, it is that administration has not adequately addressed the billions of dollars in waste and abuse in our health care system. This Congress has listened and we have acted.

Mr. Speaker, it is time to stop the delay. This legislation has already been held up too long by political shenanigans—enough is enough. This is the commonsense legislation that Americans have been asking for—let's give it to them—today. I urge support for this rule and the bill.

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

Mr. BEILENSON. Mr. Speaker, I thank the gentleman from Florida [Mr. GOSS] for yielding me the customary half-hour of debate time, and I yield myself such time as I may consume.

Mr. Speaker, we support the rule that provides for the consideration of the conference report on H.R. 3103, the health insurance reform bill. As most Members know, this is a modest attempt to bring about some basic needed changes in our system of health insurance.

Virtually everyone agrees that we need to increase the portability of health insurance. Workers who change or lose their jobs should not be denied health care coverage. Nor should individuals be denied health care insurance because of preexisting conditions. To the degree that this legislation accomplishes those incremental but important reforms, we strongly support it.

But we are troubled by some other provisions of the conference report, and I just want to take a moment, Mr. Speaker, to point them out.

Many of us are concerned about the provisions setting up medical savings accounts, even though the original House language has, we believe, been greatly improved by the conferees. Still, we are approving a tax subsidy for plans that will appeal to the wealthiest and healthiest in our society, and by taking the healthiest people out of insurance pools, the new MSAs could cause higher premiums for those remaining in traditional insurance plans. Fortunately, the conference agreement limits the number of those plans that can be sold and requires the Congress to revisit that issue in the near future.

We are also concerned about some of the anti-fraud provisions in the agreement, including one that would require the Federal Government to provide advisory opinions on the legality of certain actions. When the House considered this particular provision earlier in the year, the Department of Justice expressed opposition to it on the grounds that it might eviscerate important anti-kickback laws.

The legislation also includes anti-privacy provisions that have caused some alarm. We need to be concerned about the increasing erosion of privacy concerning personal medical matters, and we hope that this provision will receive the necessary oversight from the Congress and elsewhere to keep those fears from becoming a reality.

As we will hear from other Members, the bill also includes a provision that was added by the conferees for one particular pharmaceutical company. We regret that we know so little about the provision. The inability to have a conference report available for 3 or 4 days in fact does work against our best interests in the long run, as this special language proves.

All in all, Mr. Speaker, we support the modest but useful health insurance reforms in the bill before us. Those of us who support health care reform that will ensure all Americans access to affordable health care wished that we could do more. But we know that was impossible this year, despite the continued skyrocketing cost of medical care and the devastating effect those costs have had and will continue to have on the Federal budget.

We hope that this is just a first step, and that the Congress will start tending to the needs of the uninsured and underinsured in our society in the very near future.

But because of the groundwork that has been done this year, Congress will, I hope, be encouraged to return to the issue next year with a better understanding of how we might extend health care coverage and do a better job of controlling health care costs.

Mr. Speaker, as I stated earlier, we have no objections at all. We do in fact support the rule for this conference report, although many of us remain concerned about a number of provisions in the agreement itself. We shall likely have an opportunity to vote to send it back to conference to deal with the important issue of mental health parity and the special language that was included for the benefit of one particular pharmaceutical company. For now, we urge our colleagues to approve the rule so that we can proceed with the debate on the conference report for H.R. 3103.

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

Mr. GOSS. Mr. Speaker, I am obliged for the gentleman's support of the rule, and I share his optimism that we are getting on with health care. To share in that optimism, I yield such time as he may consume to the distinguished gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules.

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

Mr. Speaker, in supporting this vital piece of legislation, I just want to pay tribute to the hard work done by Chairman BLILEY and certainly DENNY HASTERT, Chairman ARCHER, BILL THOMAS, Mr. FAWELL, including my Rules Committee member, Mr. GOSS, who helped us mold together the 3 bills that originated this legislation in the first place.

It truly is a historic week here in this Congress. It is amazing what this body can do when we have the cooperation of the Senate and, yes, even the President.

Yesterday in the House we passed with enormous bipartisan support a truly great, I think, welfare reform bill, by a vote of 328 to only 101 negative votes, which the President has indicated that he will sign.

In addition to the comprehensive welfare bill, with the passage of this rule the House will take up the health insurance conference report. This conference agreement is a bipartisan effort which the President has indicated he will also sign.

I might point out that by focusing our efforts on several limited aspects of health insurance which the public is very interested in, this conference report will make it through the legislative process. These reforms were not made by a secret White House task force, as was attempted in the 103d Congress that went down in flames. Yet the reforms contained in this piece of legislation answer the primary concerns of the American people with our system as it stands today.

One of its most important provisions is portability. This provision will improve the availability and the portability of health insurance for American workers. Portability will allow a worker to move from one job to another, and I think we have to refine this later on, without the burden of worrying about health insurance.

Just as important, Mr. Speaker, the bill requires insurance companies to cover preexisting conditions when people are forced to change jobs, and that is one of the flaws in the current medical care delivery system.

In addition, the conference report contains medical savings accounts. These accounts are an innovation which will increase flexibility for employees of small businesses in handling their health insurance.

In the United States we do have the best medical care delivery system in the entire world, and we want to keep it that way. Just go to any of the hospitals. I just spent a stay at Leahy Clinic over in Boston. In that hospital, in that clinic, there were people from all over the world that came here because we do have this great medical care delivery system. We do not want to spoil that.

But this system is in need of some reform. The conference report provides this country with the necessary reform, I think, to give us what we need.

This conference report is an accomplishment which has taken a tremendous amount of time and hard work. I want to commend all of the conferees. It truly is a bipartisan piece of legislation.

I might point out it was even signed by Senator TED KENNEDY, who had been blocking this legislation for a long time. So now that we have him on board, I think we can all pass this bill unanimously. I urge strong support of it.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. STARK], the ranking subcommittee member.

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

Mr. STARK. Mr. Speaker, the Kennedy-Kassebaum bill is a modest improvement. The elephants mated and

begat a mouse. It could have been a great bill, but, in effect, it snatched mediocrity from the jaws of greatness.

It would have been a much greater bill if it had avoided MSA's, if it had guaranteed group health insurance policies to firms of all sizes, not just to those with under 50 employees. It could have been a great bill if it had truly addressed medical privacy issues. There are some real dangers in the privacy being opened up by a national data computer system. And it holds terrible dangers for privacies of our citizens and their medical records being available to insurance companies across the country.

It would have been a great bill if it had not been loaded up with secret last-minute multimillion-dollar breaks for one particular pharmaceutical company. And indeed it would have been a memorial bill if it had provided some modest health insurance protections which would cost relatively nothing.

Senators DOMENICI and WELLSTONE were willing to offer a most inexpensive proposal to limit caps on mental health services to the same kind of caps that may exist on physical health. It is really a slap in the face to those families who must suffer mental health and pay for it out of their own pocket.

For these reasons, I am inclined to support a motion to recommit the bill with instructions to get rid of that drug company welfare loophole—we have not really ended all welfare as we know it, there is still welfare for big contributors to the Republican Party—and a return to work with the Senate to develop a reasonable mental health benefit with modest if no cost to employers or employees.

There is no rush, by the way. None of this goes into effect until the middle of 1997 for anybody. So anybody who thinks they are going to quit their job now cannot possibly think about it until next spring. Another week, another day might produce decent legislation without a risk to our privacy, without an affront to the ethic of the House and the Senate, and, by including mental health, a serious disability for many Americans, in this bill.

I would hope that we could have followed a process. None of the Democrats in the House signed this conference report.

□ 1730

None of the Democrats in the House met in any conference. This was a closed-door, late at night secret session between Republicans with Republicans, and the effort, as a result, is mediocre. I think we could have improved it had we been allowed to participate.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Connecticut [Mrs. JOHNSON], the chairwoman of the Subcommittee on Oversight of the Committee on Ways and Means.

Mrs. JOHNSON of Connecticut. Mr. Speaker, it gives me great pleasure to rise in support of this very important legislation. Finally, we will give working families the peace of mind that they will not, they will not lose their health care coverage when they change jobs or leave employment.

Five years ago, I introduced the first insurance portability proposal. It was a radical concept. Last Congress, we debated far more comprehensive health care reform legislation that included a very detailed, thoroughly worked out provision guaranteeing portability, as this bill does. Today, we finally complete legislative work accomplishing the commonsense goal that I and so many others have been pursuing for 5 years. It took Republican leadership.

Under this bill, people who play by the rules and have health insurance coverage are guaranteed the right to keep coverage, even if they develop a serious but permanent medical condition, and even if they change employers or work for a small employer and lose their coverage for any reason. But with today's technology in genetic testing, an individual does not even have to be sick to be denied coverage.

An important amendment I offered during committee consideration will protect people who know they carry a predisposition for breast cancer or Huntington's disease from discrimination by their health insurance carrier or future plans.

Finally, I am very pleased this bill is offering very real solutions to families worried about the catastrophic costs of long-term care. I have long proposed tax deductions for the purchase of long-term care insurance, along with my colleague, the gentlewoman from Connecticut, BARBARA KENNELLY, so that fewer elderly Americans will need to spend themselves into poverty in order to get coverage for nursing home care.

The tax incentive of premium deductibility for policies covering long-term care at home or in a nursing home will potentially save billions of dollars in the fastest growing part of the Medicaid program and better serve seniors.

Moreover, this bill requires policies to meet consumer protections, to protect seniors' investments in their policies; another initiative of mine and a number of members of the Subcommittee on Health.

Mr. Speaker, this is truly a landmark day for those of us who have spend years to bring these common sense reforms to us, and I urge my colleagues to support this bill.

Mr. BEILENSON. Mr. Speaker, I yield 7 minutes to the distinguished gentleman from California [Mr. WAXMAN], a member of the Subcommittee on Health and Environment of the Committee on Commerce.

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

Today, thanks to the tenacity and moderation of Senator KENNEDY and Senator KASSEBAUM, this House has before it legislation to make some small improvements, but improvements nevertheless, in the health insurance protections available to Americans.

Today, we finally provide that people who lose their insurance because they move or lose their job or their employer stops providing coverage, that those people will be assured that they have at least access to health insurance coverage and will not have to face a waiting period for any preexisting condition. That is good and long overdue.

Unfortunately, this bill could have been and should have been significantly better. We have failed to seize the opportunity this bill presented to take long overdue and much needed steps to assure parity of treatment of mental health benefits with other health benefits, and that is inexcusable.

We had the opportunity in this conference to agree to the bipartisan Domenici-Wellstone amendment, adopted overwhelmingly in the Senate, to end the discriminatory treatment of mental health conditions in insurance plans. This provision had broad and significant support in the House with more than 100 Senators urging us to adopt it. It had significant support among the conferees, yet the Republican Members who controlled the conference would not allow us to meet to discuss this provision. They lacked the courage to let the public see them debate and vote on this issue.

The losers are the American people. It is every person and every family who has known the tragedy of struggling with mental illness and having no adequate insurance coverage for the services they needed to treat it.

There is simply no place in this country for discrimination against mental health coverage in this day and age. This House should demand that the conference return to the drawing boards and bring back a conference return which includes a mental health parity amendment.

The irony here is that while the majority would not let us consider adopting protections for mental health benefits, they had no compunctions at all about adding a multimillion-dollar giveaway for their friends in the drug industry.

In the dark of night they added a patent extension for a drug called Lodine. There is no reason to do this, except to help one drug company make more money. And how will they make more money? By having people pay a higher price for that drug by denying a competitor to come on the market.

It demonstrates again that no matter how important a bill is for ordinary people, the Republican majority cannot help seeing it as yet another opportunity to take care of a special interest.

So what the Republicans did was they snuck this provision in without anyone knowing about it. It was not in the House bill. It was not in the Senate bill. Ordinarily, that would be beyond

the scope of the conference, and a point of order could be made against it. But this rule waives that point of order. So when we vote to adopt a rule to consider this bill, many Members might not even realize that they are protecting the special interest giveaway. This is exactly what the American people are so sick of.

I also regret that this bill does so little to help people with the problems they have in securing health care coverage. It is important to assure access to insurance for people who have had coverage and lose it. But accessibility without affordability is a small step, indeed.

This reform will prove to be a cruel hoax if people find they cannot afford the coverage that they gain access to.

Of the 40 million Americans who have no health insurance coverage at all, what help will they get with this bill? Almost none at all. Their needs are unaddressed. They cannot afford insurance. They do not have it at their jobs. They go without health care coverage, and they will still have no health care coverage.

They will still have no health care coverage when all is said and done because it will not be available for them even to buy because they did not have it before.

I hope my colleagues do not see the adoption of this bill as a reason to brag about their achievements. We should be humbled by the magnitude of what we did not do. For in the end there is only a small downpayment that we get out of this legislation on the kind of action that the American people have a right to expect and receive from the people they elected to this House.

Mr. Speaker, I think we should give credit for moving at least to this extent to President Clinton, for having raised the fact that people do not have health insurance, even those who have had a job and want to change it. They are afraid to leave that job for fear health insurance will no longer be provided to them.

To the extent that this bill will correct that problem, we should all vote for it and be happy about it. To the extent that after this bill is adopted people will still be uninsured, because insurance was not offered to them or because they could not afford it, it is a disgrace for America to have all those people without the ability to get care when they need it.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume to say that we do not want perfect to get in the way of good, but we also would like to achieve perfect health care on this side of the aisle.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois [Mr. FAWELL], the chairman of the Subcommittee on Employer-Employee Relations of the Committee on Economic and Educational Opportunities.

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

Mr. FAWELL. Mr. Speaker, I rise in support of this rule and of the conference report on the health insurance reform.

As one who has been involved in moving this legislation from the beginning, I know that this truly is a remarkable achievement.

I would like to especially give special mention to my colleague and neighbor, the gentleman from Illinois, Congressman DENNIS HASTERT, who has headed up the Speaker's task force and has had that opportunity of bringing everybody together to put this legislation in final form. He has done, I think, a great job.

As is often the case, the Chicago Tribune hit the nail right on the head in a recent editorial about this legislation. It is entitled ''Two Cheers for Health Reform.'' The first cheer is for finally addressing the problem many Americans who have preexisting medical conditions face in maintaining health insurance coverage when they change or lose their job. The second cheer is for taking the first step toward allowing medical savings accounts, or the MSA's.

The missing third cheer is for the provision that I sponsored that passed the House but unfortunately did not make it into the final bill. This provision was the only one that would, from my viewpoint, make significant strides in expanding health insurance coverage to the 40 million Americans who are uninsured, to which the previous speaker made some reference.

This reform would have allowed small businesses to band together under the auspices of national trade associations, whether it is the NFIB, the Farm Bureau, the Restaurant Association or what have you, and self-insure so they could gain all of the cost advantages and economies of scale that large corporations and their employees enjoy and take for granted.

In short, this provision would have made health insurance instantly affordable to hundreds of thousands of small businesses that cannot now afford it, and to millions, yes, to millions of their employees and their families who today make up the bulk of the uninsured population who are employed by small businesses who cannot, because of lack of economies of scale, be able to afford health care.

We made tremendous progress, nevertheless, in moving this provision along, in spite of the misguided yet withering assault by some of the insurance industry and some State insurance commissioners also. Believe me, we will be back next year fighting for this reform with renewed vigor and even broader support. I predict that our small employer pooling provision will pass in the next Congress.

Mr. Speaker, I again enthusiastically support this health care. What we have here, it is good and sound and I think progressive, and I think it is good for the Nation and I urge its adoption.

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

Mr. PALLONE. Mr. Speaker, the Democrats must declare victory today. The Democrats can take credit for the health insurance reform legislation that we will be shortly voting on. Thanks to President Clinton's leadership, Senator KENNEDY's perseverance and a democratic commitment to health insurance reform, millions of Americans will no longer have to worry about losing their health care in between jobs.

In addition to other much needed reforms, many of the poison pill special interest provisions that the Republican leadership insisted on for the last several months were finally dropped.

I believe that President Clinton deserves much credit here. He brought health insurance to the forefront once again with his January State of the Union address and pushed Republican leaders from inaction to moving health insurance legislation forwards.

In April, many of us remember the Senate passed Senator KENNEDY's legislation overwhelmingly, 100 to 0. Unfortunately, Speaker GINGRICH and the Republican leaders in the House were more interested in placating the special interests than passing meaningful reform.

Day after day on this floor we heard about medical savings accounts, a special interest provision that I believe would increase premiums for many Americans and make health insurance unaffordable. As a result, health insurance reform, for a while, appeared doomed.

After increasing Democrat pressure and Presidential leadership, the Republicans finally caved in to our demands and largely removed all the controversial provisions.

□ 1745

MSA's, as the Speaker, knows, will be limited to a pilot program that I hope will not have a negative impact.

Mr. Speaker, I have to say the Democrats have long been advocates of health care for all Americans, and this legislation moves us one step closer to that reality. I realize that it is only a small step that we are taking today and, as the gentleman from California, [Mr. WAXMAN] said, we have to point that out. But in a year when Republicans have tried to slash Medicare and repeal Medicaid, I am pleased that they have come to their senses on at least one health care initiative that may benefit as many as 25 million Americans, and I think that in itself is a major victory for the Democrats today.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. BILIRAKIS], my friend and colleague, the chairman of the Subcommittee on Health and Environment of the Committee on Commerce and an author of this, from which much of the foundation came from the Rowland-Bilirakis bill, and we owe him a great deal of thanks.

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

Mr. BILIRAKIS. Mr. Speaker, those of us who have been fighting for the passage of health reform legislation for many years are pleased and proud to see that it finally has arrived and that by the end of this week Congress will send President Clinton a bipartisan health reform bill that he will sign into law.

During the 103d Congress, then Congressman Rowland and I introduced consensus health reform legislation. The Rowland-Bilirakis bill was the only true bipartisan bill considered during the Congress and included health consensus items for which there was broad agreement in Congress. Unfortunately, the Members of the House were not given the opportunity by the leadership then to vote on any health reform package.

Almost 2 years later, attitudes have changed dramatically. Today the House of Representatives will cast a historic vote on a health reform package that is similar to the Rowland-Bilirakis bill.

Is it perfect? No. Should it include other needed provisions? Yes. But at least it is a good start by this Congress.

The items in our conference agreement are nothing new. Many of the components, insurance portability, fraud and abuse reform and administrative simplification, have all been included in past health bills. These issues have been discussed in great detail by Members of both the House and Senate, including these vital components essential to any health reform bill.

Everyone agrees that people should not be denied health coverage because they have been sick. Everyone agrees that job lock must be unlocked so that people can move from job to job without losing health insurance.

The conference agreement addresses these and others of our Nation's most critical health problems. These are problems we can solve now, and in doing so, we will improve the lives of millions of working Americans. As chairman of the Subcommittee on Health and Environment of the Committee on Commerce, I am pleased and proud to be a part of this historic and bipartisan agreement.

Today we make health care in this country both accessible and, just as important, affordable.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. SAWYER].

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

Mr. SAWYER. Mr. Speaker, I rise in support of the rule and the conference report on health insurance reform. The conference report contains modest reforms to expand health care coverage. The bill would make health insurance more portable, as we have heard, and would limit the ability of insurers to exclude care for preexisting conditions.

The conference report also contains important health care administrative simplification provisions. These provisions help address the problems of excess paperwork and substantial administrative costs associated with health care. The bill would establish a framework for health date elements that would facilitate the coordination of benefits between different systems and help track fraud and abuse. While many health plans already transmit data electronically, the data is nonstandard, often incomplete.

The bill would also establish strict security standards for health information because Americans clearly want to make sure that their health care records can only be used by the medical professionals that treat them. Often we assume that because doctors take an oath of confidentiality that in fact all who touch their records operate by the same standards. Clearly they do not.

Administrative simplification is the result of a cooperative effort between public and private sectors and has been accomplished, at least this segment of this bill, in a bicameral and bipartisan fashion.

The concept arose from a clear need to address rising health care costs, and I want to particularly call attention to and thank the efforts of the gentleman from Ohio [Mr. HOBSON], my friend and colleague, who brought an expertise in health care policy with him from the Ohio legislature and came to me three years ago and suggested that we work together, using my experience in large scale information systems. In 1994, our language was part of virtually every health care reform effort. Thanks largely to that ongoing commitment by Congressman HOBSON, we are about to see this important reform become law.

Let me comment just briefly, however, on the remarks of my friend and colleague from California, PETE STARK, and my friend from Oregon, JIM MCDERMOTT, who has expressed concerns similar to Mr. STARK's in a ''Dear Colleague.''

They have both raised concerns about privacy and about Social Security numbers, and just let me add as an aside that both Congressman HOBSON and I over the last three years have developed language that addressed precisely those concerns, and as we engage in the next Congress in the continuing and broader effort to address many of the matters that have been begun in this language today, we offer our commitment to continue that effort to address these concerns.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Ohio [Mr. HOBSON], who was just referred to by his colleague.

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

Mr. HOBSON. Mr. Speaker, the final version of the Health Insurance Portability and Accountability Act includes the provision that you just heard about that Congressman SAWYER and I wrote to modernize the way health care financial transactions are conducted, and we have worked for a number of years in a bipartisan fashion through a couple of Congresses to achieve this.

Americans have the most advanced health care services in the world largely because of the technological advances that have been made. It is time we make the same technology apply to the way our health care system is run. The same high-speed electronic networks that modernized banking can be applied to our health care system so that bills can be filed easier, payments paid faster, and efficiency improved.

In addition, the reductions in paperwork and improvement in speed, security and efficiency in billing helps get at one of the biggest problems currently facing the health care industry: fraud. Today we try to fight fraud with rooms full of clerks checking bills after they are paid, but billions of dollars of fraud simply slips by. Fraud will be easier to fight if every transaction can be coordinated electronically.

Again, my thanks and congratulations to everyone who worked on this project. It has been a model of cooperation between the private and public sectors and between congressional Republicans and Democrats. I am looking forward to voting for this provision in the bill and encouraging everyone here to vote for not only the rule but the bill, this is truly a bipartisan bill.

Mr. BEILENSON. Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Mrs. MALONEY].

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Speaker, four words sum up this health care bill: Thank you, Mr. President. President Clinton made health care reform a top priority of his administration. His original bill did not pass, but it cast light and forced voluntary reforms on insurance company practices that put profits ahead of people.

The President's focus on health care pressured insurance and drug companies to voluntarily hold down their rising costs. Above all, it challenged Congress to act.

Over time, this bill will give more health security to millions of American families. It allows people to change jobs or lose jobs and keep their health insurance. It reduces discrimination against people with preexisting conditions. But our work is not finished. We need parity coverage for mental health and universal coverage, especially for all children.

Democrats have fought for years for health care reform. We never gave up. The Republicans finally gave in. It is an important step forward. Vote for this bill.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentle judge from Ohio, Ms. PRYCE, a distinguished member of our Committee on Rules.

Ms. PRYCE. Mr. Speaker, I thank the gentleman from Florida [Mr. GOSS] for yielding me this time and for his tireless work on this landmark legislation.

Mr. Speaker, today marks another historic day in the House as we move one step closer to enacting common sense health care reform. For years the American people have asked us to enact meaningful reform, and today Congress has come together in a bipartisan way to break Washington gridlock and accomplish this important task.

In 1994, the American people soundly rejected the health care reform plan that put the Federal Government in the driver's seat, controlling prices, benefits, and physician choice. The legislation we will vote on today offers a more practical, even-handed approach to reform that leaves American individuals in control, not government bureaucrats.

I have said all along, through these years of the debate on health care, let us get on with it. Let us at least fix what we can all agree upon. And finally, lo and behold, through the hard work of so many, today we are about to do just that: Portability provisions to relieve job lock and no more, nor more exclusions because someone is unfortunate enough to have a preexisting condition.

Both Republicans and Democrats can claim victory today. This is truly a bipartisan effort. This is a happy day for our country. Much, much good will come of this.

Mr. Speaker, our vote today on this conference report is about more than just reform. It represents a giant step forward in our effort to ensure that as many Americans as possible will have access to the most advanced and reliable health care system in the world.

Mr. Speaker, I urge my colleagues to answer the call of the American people for health care reform that ensures them greater access, security and freedom by supporting this fair rule on the underlying legislation.

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

Ms. DELAURO. Mr. Speaker, this bill is a real victory for hard working American families, and after 20 months of gridlock and shutdowns I am pleased that the Republican leadership has finally relented to getting something done for the American people. It is about time. The health reform bill makes long overdue changes to our Nation's health care system. This bill will free working families from unfair insurance company practices that deny coverage due to a preexisting condition and deny workers the right to keep their health insurance when they change jobs. This bill will make a real difference in the lives of working families struggling to get and to keep health care coverage.

The construction worker in Wallingford, CT will be helped when he told me that his biggest fear if his company downsizes is that his daughter has a terminal illness and that he stays awake every single night worried about what happens if he loses that job, how will he pay for health insurance for his daughter? And it has taken us 20 months, 20 months to help give some peace of mind to this construction worker in Wallingford, CT.

Let me tell you this achievement would not have been possible were it not for the will and the determination of congressional Democrats. The Republican leadership roadblocked this much-needed legislation, left the health care security of families hanging in the balance. The leadership of the Congress was more concerned about special interest campaign contributions than in the progress and the security of working American families.

Mr. Speaker, we still have a very long way to go. I was disappointed that the conference dropped the mental health parity provision in the bill, and I have introduced legislation to achieve this needed reform. I am committed to working in a bipartisan fashion to enact mental health parity.

Mr. Speaker, today is a good day, a great day for working families and, thanks to the pressure from ordinary citizens in this country, we will make these small and yet important changes in our private health care system. Vote for the health care reform bill.

□ 1800

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS], my colleague and friend, and a member of the Committee on Commerce.

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

Mr. STEARNS. Mr. Speaker, I would say to the gentlewoman from Connecticut that their party has had 40 years to accomplish this bill, and yet it took our party just 2 short years to get portability of preexisting condition. I have to make that point.

I rise in strong support of this rule. This legislation we will vote on today addresses the most fundamental and important issue that currently prevents a large majority of the uninsured from accessing health care. In his medical essays Oliver Wendell Holmes said, the truth is that medicine is as sensitive to outside influences, political, religious philosophical, imaginative, as well as a barometer to the changes of atmospheric pressure.

Having been involved with the debate in 1993, all of us have been involved, and here we are today. Throughout the course of this congressional debate, I believe we have battled all the forces that Mr. Holmes has talked about. We have prevailed finally and achieved our common goal of providing what the American people said they wanted from health care reform.

Passage of this bill will benefit all Americans, especially the 39 million who lack any type of health care coverage. These individuals must live in constant fear of becoming sick and not having the necessary insurance to meet their medical needs.

Lastly, I am particularly pleased that through our Committee on Commerce and working with the gentleman from Florida [Mr. BILIRAKIS], the chairman of the Subcommittee on Health and Environment, we had inserted the two words, ''genetic information,'' in the definition of health status agreed to in the final package.

This will start to ensure that genetic privacy is with the American public and in the medical and insurance industries. Just these two words, ''genetic information,'' for the first time in the history of this country we have put those in this package. I believe it will go a long way to enhancing and making a better piece of legislation.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from Montana [Mr. WILLIAMS], whose presence around here will be greatly missed next year.

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

Mr. Speaker, this meager bill, a very long time coming, is the symbol of the inability of this Congress to even reach obvious compromise in a timely manner. This bill is wildly insufficient. It represents not health care reform but congressional retreat from bold legislative reform.

This bill is not a bold first step. It is a final, sad stumble toward the pretense of health reform. Of course, there are a few good elements in this bill. However, the legislation will increase health insurance costs for millions of Americans. It does nothing to create comprehensive reform, nothing to ensure universal coverage, little to restrain the inequities caused by the American health care insurance industry.

Will most of my colleagues vote for this bill? Of course. Because it is the very best bill the President can get out of a very bad Congress.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, I, of course, will rise in support of this bill. It is a small bill. It is important to certain segments of our community, provisions here that cry out to be done and need to have been done for a long time.

I also want to talk about what is not in the bill. What is not in the bill is mental health. I guess I have great concerns about that because as cochair of the mental health working group, a bipartisan group in Congress, there were 116 of us who signed a letter to the conferees asking that the Senate provisions on parity, that is, that mental health be treated by insurance companies as so-called physical health problems, be retained. There is nothing in this bill for mental health.

There is no language concerning parity. There is not the language that was

proposed about raising the lifetime caps on insurance policies on mental health to at least the same level and other types of health care policies. There is not even a commission to study.

Yet we have 20 percent of Americans at sometime who are going to experience mental health or substance abuse problems; 30 million Americans will have some kind of problems with mental health and mental illness, yet only 20 percent of those are able to seek help, only 20 percent of those.

Some say you cannot have mental health in there because it is a lot different. You do not treat mental health the same as physical health. You know a broken arm, you can treat that.

How do you treat low back pain, how do you treat arthritis, how do you treat migraine headaches, how do you treat hypertension? All of these are compensable under regular insurance policies but for some reason mental health does not factor in there.

I would also point out that depression alone has a higher morbidity rate than heart disease, lung disease and hypertension. So mental health needs to be a vital element in this. Yes, this is a small area of reform, but mental health needs to be included. I would urge all of us to continue focusing to make sure that mental health has the same priority because mental health is every bit the same priority as the other areas that are so important in this bill.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. WELDON], my friend and colleague on the Committee on Economic and Educational Opportunities.

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman from Florida for yielding the time to me. I would like to echo his comment that this is a red letter day.

As a practicing physician in the past, I have seen firsthand the consequences of people not having health insurance and how they will often let minor illnesses go for extended periods of time until they become a serious complication and ultimately lead to greater costs than what they would have been otherwise. I have also seen the consequences of people being excluded from health insurance because of a preexisting medical illness and the consequences of job lock that that can sometimes cause.

I honestly looked on with horror and amazement when the Clinton administration put forward their health care plan, which essentially constituted a major power grab of the Federal Government of a huge sector of our economy, a Federal Government that does not have a track record of running things efficiently or better. I felt so strongly that it was possible to introduce reforms that would go a long way to deal with the problems of the high cost of health insurance and the problems of lack of portability of coverage as well as the problem of preexisting illness exclusion.

I felt it was really honestly possible to produce a piece of legislation that would take our system which is the best health care system in this country and make modifications in it that would help so many people who do not have health insurance get insurance. Is this a perfect bill? No. But we should never make the perfect the enemy of the good.

There are provisions that some of my other colleagues have talked about that were left out of this bill that need to be considered in future legislation. But let us remember this bill addresses portability. It addresses preexisting illness exclusions. It addresses problems of waste, fraud and abuse. It has small business deductibility, tax deduction allowed for long-term care for our seniors.

This is a good bill. It is accomplishing these things without a Government takeover of the health care. I urge all my colleagues to support the rule and support the conference report.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Speaker, I rise in support of the rule and the conference report. This bill is long overdue. Americans have wanted health insurance reform for a long time. This bill will help make health care more affordable and more available.

The bill addresses portability. It allows the self-employed an increase in their health care tax deductibility, and that will help make health insurance much more affordable. It establishes medical savings accounts, and that will help make health insurance more affordable. It provides tax deductions for long-term care expenses, and that will help make health care much more affordable.

The bill cracks down on fraud and abuse, and that will help make health care more affordable.

Let me go into a few details on the fraud and abuse sections. The bill establishes a national health care fraud control program to coordinate Federal, State and local efforts to fight fraud. It extends antifraud rules for Medicare and Medicaid to other Federal programs. It requires the Secretary of Health and Human Services to provide seniors with better explanations of benefits so they can scrutinize their bills for waste, fraud and abuse. And the Secretary can provide a reward to seniors who have identified those problems. It excludes people found guilty of health care fraud felonies from participating in Medicare and other health care programs for at least 5 years.

It creates a new crime for people who knowingly dispose of their assets to qualify for Medicaid benefits. It creates a stiff civil money penalty for practitioners who falsely certify that a Medicare enrollee meets the test for home health care services.

Mr. Speaker, this is a win-win proposition for the American people. It will provide expanded health care coverage without creating huge new bureaucracies. In fact, we give more power to individuals to make their own decisions when it comes to health insurance.

This week we will have helped reform, both welfare and health care. The debate gets pretty hot sometimes, but I salute my colleagues on both sides of the aisle who have made this a productive week in Congress.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia [Mr. NORWOOD], a member of both the Committee on Commerce and the Committee on Economic and Educational Opportunities.

Mr. NORWOOD. Mr. Speaker, I detect, as we go into this debate, some frustration on the other side of the aisle from those who would have federalized health care in this country just 2 years ago or socialized medicine. But, Mr. Speaker, I am going to rise today in support of this rule and this conference report. While this version of H.R. 3103 does not include many of the provisions I think that are necessary to really increase access to health care, this bill is the best bill we could get in this Congress with this President.

During this debate, I have been amazed at how political the right thing to do can become. Rather than doing what we need to do, some Members of this Congress delayed consideration of this bill for months. I assume they were afraid to cede power from the Federal Government to the people. This is unfortunate.

Mr. Speaker, I am going to continue to fight for what is right. We need tort reform, expanded access to medical savings accounts, small employer pooling and other options meant to provide access to lower cost health care.

This bill does make health care more available and affordable for millions of Americans without a government take over of health care.

I am absolutely amazed at what my friend, the gentleman from New Jersey, Mr. PALLONE said. He said that the Democrats need to take credit. Well, they could have had credit just 4 years ago if they had allowed Mr. ROWLAND and the gentleman from Florida, Mr. BILIRAKIS, to produce their bill and bring it out on this floor. But they kept that from coming out and these 40 million Americans could have had this advantage 3 or 4 years ago, had they not been so interested in socializing medicine.

My friend, the gentleman from California, Mr. WAXMAN, says that all 40 million people, not one of them will be helped by this bill. Yet my friend, Mr. PALLONE, says yes, 25 million of the 40 million will be helped by this bill because he knows this bill will pick up small business owners. It will take care of preexisting conditions and many other people will get insurance.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. ANDREWS].

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

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from California [Mr. BEILENSON] for yielding me this time. He will be missed, his presence, around here as well next year.

This is a good bill and I rise in support of it and the rule that supports it. It is a good bill because it works for a number of Americans. But we have some work left to do for a lot of other Americans.

This bill says to someone who has had breast cancer or a triple bypass operation, if you lose your job and you have to look for new coverage, you cannot be denied that coverage because you were so unlucky that you got sick. That is a good thing. I believe there are mechanisms in this bill that would make sure that you would be offered that coverage at about the same rate everybody else would, and that is a very good thing.

□ 1815

This bill says to the person who is the next victim of corporate downsizing that they will have the right to stay in the health care plan that they were in when they were working until they find their next job, or maybe even after they find their next job for awhile. They will have to pay for it, and that is very difficult for a lot of people, but the fact of the matter is it is a lot better to be able to write a check to stay in the plan that they are already in than to have to go look for new coverage after they have lost their job, and that is a very good thing.

It is a good thing that self-employed people are going to be able to deduct more of their premiums now than they were before from their income tax return. They ought to be able to deduct 100 percent of it, but it is a very good thing that we have increased that.

It is a good thing that people who buy long-term care insurance, who if they have to go into a nursing home will have to have an insurance policy to cover it, can get some help on their tax return if they do. That is a good thing.

But there is work we have left to do. This bill works in that way for a lot of people. There is work we have left to do.

This bill does not really help the family that is sitting there tonight, that is so upset because one of the people in the family has a severe mental illness, is a manic depressive, let us say, and they are worried that that person's next hospitalization is going to bankrupt the family because there is a $10,000-a-year limit on mental health benefits.

There are good things, but there is work we have left to do. I support the bill and the rule.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Speaker, I salute the gentleman from Illinois, Mr. HASTERT, the gentleman from California Mr. THOMAS, the gentleman from Texas Mr. ARCHER, the gentleman from Virginia Mr. BLILEY, and my colleague from Connecticut, Mrs. JOHNSON, on our side of the aisle, and I know there are Members on the other side who deserve credit as well because this is a bipartisan effort.

I am grateful in a bipartisan effort we have ensured portability of insurance, limited preexisting condition exclusions, required health insurance providers that serve small group plans to accept every small employer, and I am grateful that we have made health care more affordable and available by reducing administrative costs, but I want to speak to title 2 of the bill, particularly, which attempts to address the $100 billion of health care fraud.

Both presidents Bush and Clinton had advocated that we deal with this. Unfortunately, President Clinton's proposal was in his socialized medicine plan, but that part of the plan that said deal with fraud had merit. It was what President Bush also had suggested.

The gentleman from New Mexico [Mr. SCHIFF] and the gentleman from New York [Mr. TOWNS] and I on our committee had worked on this, and we are happy to see it included in the bill, because in the past we dealt with fraud such as wire and mail fraud and attempted to get someone who cheated the system when we had hundreds of billions of dollars of fraud. Now we are making health care fraud a Federal offense, not just for Medicare but also for Medicaid, for CHAMPUS and all private providers. This obviously makes sense, and I salute my colleagues for doing it.

We just need to know that those who commit fraud have a tough test. They should have known for a civil penalty the issue is that there has to be knowing and willful attempt to defraud the system. This does not go at individuals who have unknowingly miscoded. This goes after the real pattern of continued fraud, and I salute this bill and those on both sides of the aisle who have, for the first time in decades, attempted to get at waste, fraud, and abuse in a very real way.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MILLER].

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

Mr. MILLER of California. Mr. Speaker, I rise in support of the conference report.

Mr. Speaker, I rise in support of the conference report on H.R. 3103 as a reasonable first step in helping families get the health insurance coverage they deserve, but I think this legislation only marks a very modest starting point. The provisions of the bill ensuring portability of health insurance and protections against discriminatory coverage for a preexisting condition will provide some important new benefits for America's working families. But they will only be benefits to those who already are fortunate enough to have access to affordable health insurance.

A recent report by the Department of Labor on health benefits shows the real challenge we face as employers are backing off a commitment to providing health benefits. The share of full-time workers covered by health insurance dropped from 96 percent in 1983 to 82 percent in 1993. Hopefully, the recent drop in health insurance costs to all-time lows will turn this trend around, but I don't think we can count on it. We must rekindle our commitment to real health care reform that will extend health care coverage to the 37 million people who are left behind.

Those of us who have supported the Kennedy-Kassebaum-Roukema bill from the beginning are pleased that the objectionable provisions added in the House bill were eliminated in conference, including the medical malpractice and MEWA provisions. The Medical Savings Account has no place in a bill that seeks to expand access and affordability of health insurance, but I think that Senator KENNEDY did a very admirable job in striking a compromise on this issue so that even this modest progress towards health reform was not derailed.

I will support the motion to recommit that addresses two remaining problems with this conference report. One was the dropping of the Domenici-Wellstone amendment. We have missed a critical chance to achieve parity in health insurance coverage for mental illness in this conference report. I worked on this issue extensively when we considered health care reform in the 103d Congress. Prejudice and stigma against the mentally ill has no place in the development of sound health care policy in this Nation. Studies have shown that in contrast to being an added cost, mental health parity would save the national economy and the Nation's small businesses more that $2 billion annually. It is terribly shortsighted to fail to recognize that mental health disorders cost the American economy as much as $162 billion per year in lost productivity, absenteeism, disability and death, and that such disorders are so treatable when treatment is available. I will continue to work with the many other Members of Congress who recognize that our Government cannot stop short from including parity for mental illness as part of any health care reform effort.

I am also sad to see that greedy special interests have once again gotten their way in this Congress by last night's sleight of hand providing a patent extension for Lodine. This inexcusable assault on consumer interests should be stopped, just as similar relief for Lodine was stopped several other times in this Congress.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. OLVER].

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

Mr. OLVER. Mr. Speaker, I thank the gentleman from California for yielding time.

I rise to support the Kennedy-Kassebaum health insurance bill that is before us, Mr. Speaker. The passage of this incremental health insurance bill is long overdue, but it barely scratches

the surface of what needs to be improved in this country's health care system.

Oh, yes; it does help people who already have insurance through their employers but who are suffering from job lock. Under this bill they are guaranteed coverage through another employer's group plan or through individual coverage, regardless of preexisting conditions, and the bill allows the self-employed to deduct 80 percent of their health insurance premiums, which is up from the current 30 percent in present law. These are important changes.

But this bill is only a small first step. We need to go much further. We need to help those who do not already have insurance, the millions of people whose employers do not offer coverage, or the self-employed whose kids go to school sick because their parents cannot afford to take them to the doctor, the people who do not have insurance at all, the 40 plus millions of people who do not have insurance at the present time.

We need to help make insurance more affordable for people who are not covered at work and cannot afford to buy insurance on their own, and we should require health plans to offer good benefits and assure quality care. People can still end up with bare-bone policies that drop them and put lifetime limits on their care, and provisions that were in this bill which guaranteed equal treatment for mental health care have been dropped, and that is a tragedy.

So this bill is a good first step, but it is not health care reform as we ought to be doing it. We should support this bill and then get on with the job of making health insurance affordable and accessible to every single American.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Nebraska [Mr. CHRISTENSEN], a member of the Committee on Ways and Means.

Mr. CHRISTENSEN. Mr. Speaker, today we are keeping our promise to pass real health care reform legislation, legislation that will improve the availability and portability of health insurance across America.

It is hard to believe that just a little over 2 years ago we were looking at the Clintons' takeover, the Government takeover of our health care system, one-seventh of our GDP. Do my colleagues remember the bureaucracy that was set up through this nationalized health care program that the Clintons put forth?

Well, our program is nothing like that bureaucracy. Our program allows private sector solutions. It allows the insurance to be more available and more affordable for all Americans. it allows preexisting conditions not to be a problem any more. It cracks down on waste, fraud, and abuse, and it allows for the creation of 100 percent portable medical savings accounts.

Simply put, Clinton care was about helping government. Our legislation is about helping people.

I urge my colleagues to support this historic commonsense health care reform legislation.

Mr. GOSS. Mr. Speaker, I yield 30 seconds to the distinguished gentlewoman from New Jersey [Mrs. ROUKEMA].

Mr. BEILENSON. Mr. Speaker, if I may, I yield 1 additional minute to the gentlewoman from New Jersey.

The SPEAKER pro tempore (Mr. NEY). The gentlewoman from New Jersey is recognized for 1½ minutes.

Mrs. ROUKEMA. Mr. Speaker, I am rising here, proud to be here today as the prime sponsor of the Kassebaum bill on the House side. With this bill today we definitely are again responding to our constituents' pleas, namely that we should stop the bickering and the political gamesmanship and the gridlock and deal with the issues that count with the American people. That is what we are about to do tonight, and I strongly support it. We are responding.

I know the medical savings accounts have been talked about. This is a good pilot project despite the controversy that it provoked, but this bill will bring peace of mind and health insurance security to more than 30 million Americans, and we can all be proud of that.

But, Mr. Speaker, I am sorry to say that we were unable to stop the blatant discrimination against mental health patients. Ignorance and apathy, I am afraid, defeated this provision in the conference.

But I want to pledge here and now that I stand ready to work with Senator DOMENICI and others to bring this issue back and educate our colleagues on this humane and intelligent reform. That is a problem for another day, but tonight we stand here ready to deliver relief to the American people.

Mr. Speaker, I rise in support of the compromise that is incorporated by H.R. 3103, an omnibus package of health reform proposals.

I am proud to be here as the prime sponsor here in House, the heart and soul of the bill before us today is the so-called Kassebaum-Kennedy-Roukema health insurance reform package, which make health insurance portable for workers who want to change jobs and bring their current plan with them; allows small businesses to pool together in order to buy health insurance more affordably more their workers; and cracks down on the ability of health insurance carriers to refuse coverage for people who have been sick in the past.

We are here today responding to the pleas of our constituents to stop the gridlock and bickering and deal with the issues that count. With this bill we have responded to their pleas. This legislation will bring peace of mind and health insurance security to 30 million Americans.

And I'm very pleased to see that the conference committee retained a provision that allows the self-employed to deduct up to 80 percent of their health insurance premiums by the year 2002, which was not in the original Kassebaum legislation but that subsequently added.

And although I voiced grave reservations about the medical savings account provisions that were added to the House version of this legislation—because it appeared that they might serve to kill the underlying reforms—the conferees worked very diligently to reach an agreement on MSA's that both the Congress and President can support. This agreement brings a credible first step in the form of a pilot project.

For this, I congratulate my House and Senate colleagues because they have reached a historic agreement. The American people can be proud of the fact that this valuable legislation is here today, and headed toward enactment because President Clinton will sign this bill into law.

A very strong and broad coalition has worked long and hard to bring the Kassebaum-Kennedy-Roukema legislation this far. Some of the more notable members of this coalition have included: The National Governors Association; the American Medical Association; the American Hospital Association; the Chamber of Commerce, the National Association of Manufacturers; the Business Roundtable, and the AFL–CIO; the Healthcare Leadership Council, and the Independent Insurance Agents Association; the ERISA Industry Committee [ERIC], and the American Association of Retired Persons [AARP], are just a few of the more prominent supporters of the Kassebaum-Kennedy-Roukema legislation.

Some of the provisions included in the House version of this bill—such as medical malpractice reform legislation—are proposals I have vigorously supported in the past, and will continue to support in the future as freestanding measures.

Nevertheless, I am sorry we are unable to stop here and now the blatant discrimination against mental patients. Mental Health parity was eliminated in conference. Ignorance and apathy defeated mental health parity in the conference.

I stand, nevertheless, ready to continue to work with Senator DOMENICI to bring this back and educate our colleagues on this humane and intelligent reform.

The time has come for the Congress to stop playing games, the American people are sick and tired of bickering and political gamesmanship.

We must immediately enact commonsense, incremental health insurance reforms contained in the bill before us today.

The General Accounting Office [GAO] has estimated that up of 30 million American citizens would benefit from the health insurance reforms incorporated in the Kassebaum-Roukema plan.

In closing, Mr. Speaker, I urge my colleagues to join me in supporting H.R. 3103, because its the right thing to do for the American people now.

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

Mr. GOSS. Mr. Speaker, it is my intent to yield all of the remaining time

on our side to the gentleman from Illinois [Mr. HASTERT] to close. It is often said that it takes a lot to make something happen around here. This is a gentleman who has given a lot to make something happen around here, and I am proud to yield him the closing time.

Mr. HASTERT. Mr. Speaker, I thank the gentleman from Florida for yielding me this time to talk a few minutes about this bill.

This bill gives people availability of insurance and affordability of insurance. These were the guide words, the words we talked about to make this happen.

That means that a mother who wants to change jobs and has a child that is asthmatic can take that next job. It means a father who wants to move up and do a better job for his family and get a better area or level of his occupation can move to the competitor in the next job over and know his wife with the heart condition can get that care when he changes jobs.

It also means that families have choice; that if they choose to ask a doctor what is the price of this care or if they ask their health care giver what is the cost, that they can get a cost and they can make a decision on where they go because of medical savings accounts.

It also tells a barber in Elgin, IL who wants to have a deductibility that is fair with other companies he can do that. He can deduct his cost of health care up to 80 percent off his income tax.

It is a bill of fairness, it is a bill of availability, and I just want to thank some folks before I leave this podium. Certainly this would not have been done without a fine staff: Ed Cutler, Howard Cohen, Chip Kahn, Phil Mosley, Bitzie Beavin, Russ Mueller, and the Senate staff that worked with us.

And also the chairmen who gave freely of their time and their work to make this happen: Chairman ARCHER, Chairman BLILEY, Chairman HYDE, and Chairman GOODLING, and the subcommittee chairs, Mr. THOMAS, Mr. FAWELL, Mr. BILIRAKIS, and Mr. MCCOLLUM.

But most of all I would like to thank the gentleman from Florida [Mr. GOSS] who spent unending hours listening to meetings, so when this bill came together it came together in the right way and it came together in the Committee on Rules.

I thank all of them. This is a good day, and I look forward to passage of this bill.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3675. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 3675) ''An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HATFIELD, Mr. DOMENICI, Mr. SPECTER, Mr. BOND, Mr. GORTON, Mr. SHELBY, Mr. LAUTENBERG, Mr. BYRD, Mr. HARKIN, Ms. MIKULSKI, and Mr. REID, to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the Committee on Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3603) ''An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1997, and for other purposes.''

□ 1830

CONFERENCE REPORT ON H.R. 3103, HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996

Mr. ARCHER. Pursuant to House Resolution 502, I call up the conference report on the bill (H.R. 3103) to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage, to simplify the administration of health insurance, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. NEY). Pursuant to House Resolution 502, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of July 31, 1996, at page H9473).

The SPEAKER pro tempore. The gentleman from Texas [Mr. ARCHER] and the gentleman from California [Mr. STARK] will each control 30 minutes.

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

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Member may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on the conference report on H.R. 3103.

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

There was no objection.

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

Mr. Speaker, this is truly a great day and a great week. As significant as all our actions may be for this historic new Congress, the action we take today is even greater for someone else. That someone else may be the victim of breast cancer, locked in a job that she cannot change because she fears losing her health insurance. It may be a victim of diabetes. It may be someone who has had a heart attack, a stroke, or anyone who has ever been seriously ill.

It also, Mr. Speaker, may be my new little baby grandchild, who, born prematurely this year, came into the world weighing just 2 pounds. To me, this little boy is a beautiful child who, thanks to the wonder of modern medicine, can now have a full life. But to others, my grandchild is still a preexisting condition. When he gets older, he too may not be able to change jobs or even get insurance in the first place.

But I am happy to say that this bill changes all that. This bill lets people change jobs without losing their health insurance, even if they have a preexisting condition.

What a major breakthrough for my grandson, Archer Samuel Hadley, and for millions of Americans who now know this Congress has heard their pleas and answered their prayers. This is the bill that does that, and much, much more. It powerfully fights fraud and abuse by creating new criminal penalties and by increasing funding for prosecution and investigation.

It creates strong and workable medical savings accounts so people can choose their own doctors and control their own health care destiny, seeking the best value in the marketplace, without relying on third parties to pay the bill. It creates new tax deductions that help make health care more available and affordable for millions of Americans.

Mr. Speaker, this is the health bill that the American people have wanted for years, and Mr. Speaker, we did it without a government takeover of the health care delivery system of this country.

We promised to make these changes, and I am proud that we have done it, working together in a bipartisan way, doing the job the American people expect of this Congress.

It has been a great week for this Republican Congress, and a great week for all of us. It has been a great 2 years of accomplishment for our efforts to reform Congress and change America. This Congress will go down in history as the did-something Congress. More importantly, it has been a great week for the American people.

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

Mr. STARK. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, the bill that passed the Senate unanimously was a great bill. The conference product that we discuss today is an okay bill. The House Republicans have turned the Senate silk purse into a sow's ear, and there are many reasons for disappointment.

For example, why, my Republican friends, is there no mental health parity amendment? We should have done it. It was part of the bill passed by the Senate. It does not cost much. Sixteen cents per thousand is all it costs. We could raise the deductibility $5 for every policy and pay for it. So I would say to the gentleman from Texas, BILL ARCHER, if his grandson had been born with mental illness, he could not have afforded to be treated because this bill would deny him that coverage.

We did not have a real conference where we could have worked this out. We could have phased in the cost of eliminating these caps, but the Republicans would refuse to meet on this issue.

The bill's antifraud provisions are bad. The advisory opinions on intent-based fraud cases are unprecedented, and the Justice Department-HHS's Inspector General strongly oppose them. It will cost Medicare $388 million in foregone revenues over 6 years. Advisory opinion fees are not dedicated to the inspector general, and it devastates the agency's ability to fight fraud that they talk about.

The MSA's are bad. The earlier version could cost $1 billion over 5 years. Who knows what this modest plan will do? But it is a payoff to J. Patrick Rooney and the Golden Rule Insurance Co., who have given the Republicans over $1.2 million, that we can determine.

The conference agreement tries to limit the harm by limiting MSA's, but we doubt if it will. Last night someone inserted a 2-year monopoly patent extension for the American Home Products Co., which has really nothing to do with this bill.

There is a guaranteed issue only to small groups. The Senate bill guaranteed that any group, any company, could buy any group health plan sold in a State. The House Republicans limited the guaranteed issue to small businesses of 50, so a firm of 51 people does not have guaranteed access while a firm of 50 does. It makes no sense at all. It is silly. It discriminates against mid-size companies in dangerous lines of work: logging companies, for example.

The MediGap duplication. This allows the sale of unnecessary and duplicative health insurance policies, a special interest gift to American Family Life Insurance Co. The consumer groups are outraged. This will let unscrupulous salesmen once again sell policies which seldom or never pay out any benefits.

As for phasing in the deduction for self-insured, the Senate did a far better job. The GOP bill goes to 80 percent by 2006. The House Democrats would have had 80 percent by 2002. It is backloaded. They could and should have used the MSA money to increase the deduction for all self-employed.

Mr. Speaker, this bill channels people into a limited number of plans and could drive up rates. There is a proposal for cross-subsidization, but there is no guarantee. The Senate bill had an easy and obvious solution: Every individual plan offered by an insurer had to be available to an eligible individual. We do not need this complicated proposal. We should have kept it simple.

What the bill does not do is the price of policies are unaffected. They could remain too high. This is only going to help 400,000 people, the CBO tells us. The number of uninsured is rising at 1 million a year. Medicaid cuts passed yesterday will hurt millions of people.

We took one step forward with this bill, and yesterday we took 10 steps backward, so I hope that this bill could be expanded and returned to conference to do the job and the proper job that was done by the Senate under the leadership of Senator KENNEDY.

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

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

Mr. Speaker, I would simply say that at this moment, when we are going to do so much good for so many Americans, I am saddened that my friend, the gentleman from California, has taken a confrontational attitude to attempt to try to pick apart this bill. Instead of looking at the good, he is looking at things that he does not think are perfect. It is very much like the individual who goes into the Sistine Chapel and looks up at that gorgeous ceiling and says, oh, look at the cracks.

Mr. Speaker, I yield 3 minutes to the gentleman from Virginia [Mr. BLILEY], the respected chairman of the Committee on Commerce.

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

Mr. BLILEY. Mr. Speaker, I thank the gentleman from Texas, chairman of the Committee on Ways and Means, for yielding me the time.

Mr. Speaker, as we say down in Richmond, this day has been a long time coming.

This measure gives American workers something they've been promised for 20 years or more—the right not to be denied health insurance coverage because of a pre-existing condition.

They'll have that right, whether they change jobs or, God forbid, lose their jobs.

But that's not all. This bill also assures the job-creators—those men and women in small businesses all across America—that they, too, will be guaranteed that they can now purchase coverage from insurers.

It's long overdue. And it's being brought to you by the first Republican Congress in 40 years.

Not the big labor bosses who promised it all these years.

Not the Clinton White House that demagogued this issue from coast to coast.

No, I repeat: it's being brought to American workers by the first Republican Congress in 40 years.

That's because those folks sacrificed the good on the altar of the perfect.

Common-sense health care reform isn't enough, they said.

Providing Americans the right to keep their private health insurance isn't adequate, they said.

They didn't care about those things.

What they cared about was universal coverage—Canadian-style health care.

They failed in that goal, and their failure brought this Republican Majority to Washington.

Today, that Republican Majority delivers what the others just promised.

Our Committee, I'm proud to say, played a key role in this legislation—with what I believe to be the heart and soul of this measure.

Because of the Commerce Committee's portability provisions, Americans who lose their health insurance because they lose or change their jobs, once they exhaust their COBRA coverage, will have a guaranteed right to purchase health insurance.

From now on, the Insurance Companies will have to offer these individuals a comprehensive policy.

Every day in this country, men, women and children are diagnosed with leukemia, with cancer, with cystic fibrosis, with diabetes. With any number of illnesses that the insurance companies call ''pre-existing conditions.''

Those poor people and their families have enough on their minds, without having to worry that if they change jobs, or move, or get laid off, they'll lose coverage for those conditions because of a ''preexisting condition'' clause.

Because of the Commerce Committee's provisions in this bill, they won't ever have to worry about that, ever again.

Mr. Speaker, this year our committee has improved the safety of the food we eat, the purity of the water we drink.

We've improved the phones we communicate with, the computers we use, the television we watch.

With the Securities bill, we've made it easier for American businesses to raise the money they need to create new jobs.

And with Securities Litigation Reform, we've scored the first victory in my memory against the powerful Trial Lawyers' Lobby.

Mr. Speaker, that ain't bad.

But none of these, in my mind, is as important to Americans as what we've achieved today.

This is an historic accomplishment, one that has been too long in coming.

It's a pity it didn't happen three years ago. It could have, but some wanted to over-reach.

I want to thank my friend, Mr. DINGELL, who has worked so hard for so many years in fulfillment of this goal.

I want to thank the chairman of our Health Subcommittee, MICHAEL BILIRAKIS, and his ranking Democrat, HENRY WAXMAN.

But most of all, I want to thank our colleague from Illinois, DENNIS HASTERT, without whose singular efforts this day would never have happened.

In this Olympic week we've gone from the ''gridlock Congress'' to the ''gold medal Congress.''

This is a great day, Mr. Speaker. A great day for this 104th Congress, a great day for millions of American workers and their families.

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

Mr. CARDIN. Mr. Speaker, I thank my friend, the gentlewoman from Connecticut, for yielding me this time.

Mr. Speaker, let me first start by thanking my colleagues on both sides of the aisle, particularly my two friends on the Committee on Ways and Means, the gentlemen from California, Mr. STARK and Mr. THOMAS, for bringing forward a bill on health care reform.

Mr. Speaker, I support the Kennedy-Kassebaum bill, the bill from conference that is before us. This bill is not a panacea of health care reform, but it is a good bill, on balance, that expands access to health coverage for working Americans. When this bill is signed into law, it will ensure that if you have insurance, you can keep it. This is an important change from today's system. It will provide a new measure of health security for working Americans.

The conference report before us ensures that working Americans with preexisting conditions cannot be denied health insurance as long as they maintain coverage. In addition, it would prevent insurance companies from using genetic information to deny health coverage. It is absurd that today's genetic testing advances are being used by insurance companies to deny coverage. This bill will end that practice.

Mr. Speaker, let me just give one example of how a typical working family can benefit from the legislation before us. The bill will provide someone the freedom to leave IBM to start their own computer company, even if a member of that person's family is suffering from diabetes. Today that person would be unable to find an insurance company who would cover the family if they went out on their own. After passage of this legislation, that person would be able to pursue that career without the fear of putting their family's health in danger.

In addition to the health insurance reforms, the bill would equalize the tax treatment of health insurance premiums between the self-employed and major corporations. This change, based on legislation I authored, will benefit thousands of small business owners around our country.

Today's consideration of this bill is long overdue. It is an important step. However, it is by no means the final step or even a comprehensive solution to health reform. The bill fails to address affordability of health insurance. This is a vital issue which we must not overlook. We still have a long way to go. I urge my colleagues to continue to work together for comprehensive health care reform to extend health coverage to all Americans.

□ 1845

Mr. ARCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Kansas [Mr. ROBERTS], the distinguished chairman of the Committee on Agriculture.

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

Mr. ROBERTS. Mr. Speaker, as a cofounder and former chairman of the Rural Health Care Coalition, I rise in support of this bill. I thank Mr. ARCHER, Mr. BLILEY, Mr. THOMAS, Mr. GOODLING, and Mr. HASTERT for their leadership and perseverance.

Mr. Speaker, I rise in strong support of the conference report to H.R. 3103, the Health Insurance Portability and Accountability Act. This bill includes sensible, workable provisions to expand access to affordable health care insurance for America's families.

This legislation is especially important to my constituents in Kansas. Ten percent of Kansans lack any form of health insurance. These folks are generally small business owners or self-employed farmers and ranchers. This bill takes several steps to bring relief to these individuals and their families by expanding their insurance options.

first, this legislation will make health insurance portable. Under H.R. 3103, the 4 million Americans who are staying in their jobs just to maintain their health insurance benefits will finally be free to pursue other opportunities. This ''job lock'' is a real problem for not only the employer and the employee, but also for the economy. Today, too many working parents are afraid to pursue new opportunities, start a new career or become an entrepreneur because they don't want to lose the health insurance they now have.

Second, this legislation will limit the preexisting condition requirements that currently prevent 21 million Americans from getting health insurance coverage. I have heard horror story after horror story about families that have lost everything just because their insurance company won't cover Dad with his heart condition or the new baby who was born with diabetes.

Third, this legislation will make health insurance affordable. Individuals who lose coverage through their employer will now be able to purchase affordable health insurance on their own. This legislation will also bring some well-deserved relief by increasing the tax deduction for health insurance for self-employed individuals, including the small business owners, farmers, and ranchers in Kansas, from the current 30 percent to 80 percent. This increase in deductibility is something that my colleagues and I on the Rural Health Care Coalition have been working toward for years.

Finally, this legislation takes the first step to make health insurance accountable through a limited medical savings accounts demonstration project. It's time that we all took an active role in the health care decisions that affect our daily lives and pocketbooks. Medical savings accounts will put families in control of their health care. In Kansas, which is home to over 65,000 small businesses, these MSA accounts provide the opportunity for individuals to choose where to spend hard-earned health care insurance dollars.

My colleagues, the time has finally come. We have agreed on real reform that will get at the root of one of the most serious flaws in our health care system. I applaud Chairman ARCHER and all those who have worked tirelessly on this effort and I urge my colleagues to join me in support of the conference agreement.

Mr. ARCHER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania [Mr. GOODLING], the chairman of the Committee on Economic and Educational Opportunities.

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

Mr. GOODLING. Mr. Speaker, I rise in support of the conference report on H.R. 3103, The Health Insurance Portability and Accountability Act of 1996. This is truly an historic occasion which rivals the passage of ERISA (the Employee Retirement Income Security Act of 1974) upon which the foundation of this health insurance reform legislation is based.

The provisions in the conference report relating to portability and health insurance accessibility are structured similarly to those in the House passed bill and the ERISA Targeted Health Insurance Reform legislation originally reported by the Committee on Economic and Educational Opportunities. Under the new portability protections, employees can no longer be told that their plan will not cover them because of a preexisting medical condition when they are continuously insured. Small employers can no longer be told by insurers that health insurance is not available to their employees because of the risks of their jobs or their previous claims experience. In sum, employees will no longer have to fear, when they leave their job or take a new job, that they or their loved ones will lose access to health insurance.

This legislation will actually increase the choice of health insurance coverage offered to American workers, but without taking away the coverage they currently enjoy. These choices includes high deductible health plans and medical savings accounts for which the employees of small employers and the self-employed will be newly eligible.

Former employees who have exhausted their access to employer coverage will also be given important new rights to acquire health insurance in the individual market even though they or a dependent may have a preexisting medical condition.

Health coverage will also be made more available and affordable by granting millions of self-employed businessmen and businesswomen the right to deduct their health insurance costs on a basis similar to corporations. When fully phased in, these Americans will be able to deduct 80% of their premium costs.

Both public and private health plans will be better protected from unnecessary costs under the provisions of Title II, which are designed to prevent health care fraud and abuse and to recover any losses in connection with such plans.

The conference agreement is a solid step forward in securing increased health insurance accessibility, affordability and accountability for American workers and their families.

I would be remiss, however, if I did not mention my disappointment that the conference report does not include two important reforms designed to expand coverage and reduce health insurance costs. Malpractice reform was dropped as a concession to the White House in order to move the legislation along. I reject the idea that reforms of malpractice awards are unnecessary and will continue to insist we address this issue in the future.

Also, by omitting the small business pooling provisions under Subtitle C of the House bill, I believe this Congress has missed an important opportunity to extend more affordable coverage to the millions of uninsured employees working for our country's small businesses who today do not have health insurance coverage. These provisions would have built upon the ERISA cornerstone of this Nation's employee benefits law to allow employers, particularly small employers, to achieve economies of scale by joining together to form either self-insured or fully-insured health plans. The number of uninsured workers will be a continual reminder that this mechanism for expanded health coverage is needed and should be included at the earliest possible time.

Nonetheless, the legislation does preserve without change the ERISA preemption cornerstone which has fueled the marketplace dynamics that have recently reduced health insurance cost inflation, at least in the large group market. Also reflected in the new preemption section of this Act (adding section 704 to ERISA) is the need for national uniformity regarding the procedures and reporting required to make the portability mechanism work for all the employee health benefit plans covered under the legislation.

The participants and beneficiaries of ERISA covered health plans can also look to the uniform remedies under that Act to enforce their rights to the portability, preexisting condition, enrollment, renewability and nondiscrimination requirements applicable to both ERISA plans and insurers under ERISA Part 7. Identical provisions apply to church plans (but only under the Internal Revenue Code) and to governmental plans and insurers (under the Public Health Service Act). Section 104 makes it clear that these identical provisions are to be interpreted, administered and enforced so as to have the same effect at all times, regardless of the agency having primary authority with respect to a particular entity or plan.

Finally, I consider this legislation particularly forward-looking in its response to several issues of importance to all Americans. First is the growing long-term care needs of the elderly and disabled. In this connection, the legislation gives individuals and employers a strong new incentive to plan ahead for long-term care expenditures. Also, lest it be overlooked, the legislation addresses another issue that all may one day face, and that is the extent to which the genetics of each one of us may determine our future health status and, thus, our ability to obtain health insurance coverage. In this regard, the legislation prohibits a group health plan or insurer from excluding an individual from enrolling (or continuing to be enrolled) under a group health plan based on genetic information. In addition, genetic information is not to be treated as a preexisting medical condition in the absence of a diagnosis of the condition related to such genetic information.

In conclusion, the Health Insurance Portability and Accountability Act includes vital health insurance protections for American workers and their families. These health insurance portability and accessibility consumer protections are the common sense reforms that Americans have said they need and that Republicans have attempted to enact over the past several congresses. They could have been enacted earlier but were sacrificed on the altar of big government.

In contrast, these common sense reforms were fashioned to avoid the pitfalls of the Clinton plan—that is, the elimination of ERISA health plans, one-size-fits-all mandated benefits and price controls that lead to health care rationing. Rather than trying to create a new health care system, the Health Insurance Portability and Accountability Act seeks to build on those elements of the Nation's employment-based system that work well—namely the fully-insured and self-insured group health plans under ERISA—while at the same time making the important changes to the current system on which there is a consensus. After nearly three decades of debate on health insurance reform the time has come to pass this landmark legislation and seek the President's signature.

Mrs. KENNELLY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I rise today in strong support of a simple premise—when Americans leave or lose their job, they should not lose access to health insurance. The legislation before us will now make that simple guarantee the national standard.

However, I urge Members to resist the temptation to oversell this legislation as a panacea. Many Americans who cannot afford health insurance will still face financial barriers even after this legislation is enacted.

I would also like to express my strong support for two other provisions in the bill—favorable tax treatment for—long-term care health insurance—and accelerated death benefits. I have worked on both of these issues for many years.

Providing incentives for people to protect themselves against the costs of long-term care will not only safeguard the family savings for millions of Americans, but it may also reduce future Medicaid costs. And allowing the terminally ill to receive the proceeds of their life insurance tax free will assure access to health care for those individuals. I only wish the committee had also included vital consumer protections to prevent the terminally ill from being taken advantage of during a very vulnerable time.

I urge Members to support this effort to make health coverage more available—and to help the chronically ill and terminally ill pay their medical bills.

Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. CLAY].

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

Mr. CLAY. Mr. Speaker, I will vote for the conference report on H.R. 3103 because it will make a significant improvement in the lives of many and a modest improvement in the lives of millions more.

The conference report will provide important protection to individuals who have been laid off or have retired and are trying to purchase health insurance for themselves.

It will allow workers to maintain their health coverage when they change jobs, even if they or a family member have a chronic health condition.

The report will require insurance companies and HMO's to sell policies to small businesses. They will no longer be able to pick and choose the companies they want to sell insurance to.

Insurance companies and employers will not be able to deny coverage, drop coverage or change more just because an individual has a medical condition.

While I will vote for the conference report, it has serious shortcomings that, quite frankly, were completely avoidable.

The shame of it all is that the Republicans took the Senate bill—a perfectly good bill that passed the Senate by a vote of 100 to 0—and made it weaker. They added an unnecessary, unproven and ill-conceived tax break that will only benefit special interest insurance companies and affluent taxpayers. The Republicans have sugarcoated this tax break by calling it health reform. But, it is nothing more than another tax break.

Republicans, by dropping important protections for mentally ill individuals, have missed a great opportunity to break new ground in the protection of one of the Nation's most vulnerable groups. Given the Domenici-Wellstone amendment in the Senate, the Conferees, if given the chance, could have developed a sensible compromise that would have provided significant protection for mentally ill persons. But the conferees were never given the chance. A Bipartisan compromise on mental health parity was never in the cards. It was largely for this reason that I refused to sign the conference report.

Accordingly, I urge my colleagues to support the motion to recommit. It will restore important protections for the mentally ill.

Mr. Speaker, I support this bill, but not the process that got us to this point. It is wrong that the House Republicans made health reform a partisan issue. The 40 million individuals who are uninsured and the million of others who are locked into their jobs because of chronic health conditions deserve better.

Mr. ARCHER. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California [Mr. THOMAS], chairman of the Subcommittee of Health of the Committee on Ways and Means.

Mr. THOMAS. Mr. Speaker, I yield to the gentleman from Hawaii [Mr. ABERCROMBIE] for the purpose of engaging in a colloquy.

Mr. ABERCROMBIE. I thank the gentleman from California [Mr. THOMAS] for yielding and for engaging in this colloquy which is very important to the people of Hawaii.

Mr. Speaker, the question I have for this colloquy is, does H.R. 3103 adversely affect the integrity and purpose of the existing Hawaii Prepaid Health Care Act of 1974?

Mr. THOMAS. I tell the gentleman that H.R. 3103 does not adversely affect Hawaii's current exception, which is in fact the Health Care Act of 1974. In addition to that, the whole question of MSA's that has been discussed is a tax question, and that also does not affect Hawaii's system. The new MSA pilot program is an opportunity and not a mandate affecting employer or individual health insurance plans. I am pleased to say that Hawaii can go its own way.

Mr. ABERCROMBIE. I thank the gentleman from California.

Mr. THOMAS. Mr. Speaker, I would take my own time to mention briefly that I have listened to several Democrats, and I assume we will hear from several more. Their basic message is: You woulda, coulda, shoulda.

I just find it totally ironic. All you have to do is just come with me 3 short years ago. I was not the chairman of the Subcommittee on Health and Environment then. I was the ranking member. The gentleman from California [Mr. STARK] was the chairman. What the Democrats did when they had a majority in the House and the Senate and had a member of their own party in White House is put absolutely nothing on the floor of this House; absolutely nothing on portability; absolutely nothing increasing penalties on waste, fraud, and abuse.

The Democrats talk woulda, coulda, shoulda, about a product.

I want to address myself to my Republican colleagues here. I do not want us to vote against the conference report because minority leader DASCHLE joined us in a press conference praising the work product working positively between the House and the Senate. And I do not want my Republican colleagues to vote against this conference report because the senior Senator from Massachusetts [Mr. KENNEDY] signed the conference report and said some very nice words about all of us working very hard to produce a good product.

I do want my colleagues to vote for this conference report because a name has not been mentioned on this floor who not only deserves to be mentioned but deserves to be praised. That is the senior Senator from Kansas, the chairwoman. NANCY KASSEBAUM is who this legislation belongs to. I think it is a very appropriate capping of an illustrious career to take this positive document and place it before us.

So despite all of the rather petulant-sounding woulda, coulda, shoulda from those people who owned the House, the Senate and the presidency and put nothing on this floor, I would just like to say it was a real pleasure working with chairman of the Committee on Ways and Means, the gentleman from Texas [Mr. ARCHER], and the staff members on that committee who worked extremely hard: Chip Kahn, Kathy Means and Elise Gemeinhardt.

It was a real pleasure working with the Committee on Commerce, Chairman BLILEY, Subcommittee Chairman BILIRAKIS, with Howard Cohen and Melody Harned.

It was a real pleasure working with Chairman GOODLING, Subcommittee Chairman HARRIS FAWELL, and Russ Mueller as a hardworking staff; with Chairman HYDE of the Committee on the Judiciary, and Diane Schacht working very hard.

All of those people should be proud. They delivered. We delivered. We have on this floor a conference report that makes a real change in the lives of millions of Americans. We make health care more affordable, more available, and we did it without a government takeover of health care, which was what they were trying to get on the floor. Thank goodness enough Democrats, who made up the majority at that time, said no. And thank goodness enough Democrats today will support this excellent conference report, we will send it to the President, and the president will sign it.

Mr. STARK. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. YATES].

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

Mr. YATES. Mr. Speaker, I rise in support of the conference report.

It carries at long last—it should have been passed years ago. Unfortunately, its time had not yet come because of the strong opposition of special interests.

I'm pleased that it provides mobility in coverage and requires overlooking ill-health problems. It is a first step—there is much more that has to be done—in the field of mental health, for example.

I commend those who brought this bill before the Congress. I look forward to working with them to enforce the opportunity of providing much better access to health care to the people of America.

I intend to support the motion to recommit because that can be one way to make the bill better. If that fails I intend to support the bill.

Mr. STARK. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. DINGELL].

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

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Mr. DINGELL. Mr. Speaker, I enjoyed the remarks of my good friend from California. I was so delighted to hear him. It ranks with the conversion of St. Paul. I have not seen any lightning bolts, and I have not observed him riding a jackass, but I do want to say that my Republican colleagues have finally come around and supported Kennedy-Kassebaum. Wonderful. Great news.

Having said that, I commend the gentleman for having had the scales removed from his eyes, and I urge him to support the same kind of glorious advances in other issues. It would be helpful.

I also would say to him that he was talking about the days when the Democrats ran the Congress and now the days when the Republican run the Congress. This is the way things go, but I would say that the gentleman from California has an urgent and an important responsibility in this place and that is to pay the bills.

I was just thinking the other day how nice it would be if my office rent were paid on time, if my suppliers were paid on time, if my telephone bills were paid on time, and if the bills of the other Members on both sides of the aisle were paid on time. And perhaps if the gentleman would just diminish to a small degree these wonderful partisan speeches which he makes and concentrate on paying the bills of the House, how much better this whole operation would be. Then we could address the way the content of legislation is being considered, rather than engaged in these kinds of small pickety pickety polemics in which we have just engaged.

Mr. Speaker, I will be delighted to yield to the gentleman, but I do have a few other words which will be helpful to him and I know he wishes to hear, so I would yield later.

Mr. Speaker, this has been a very curious process, and it will be noted my name does not appear on the conference report, even though I do urge my colleagues to vote for the bill. My colleagues on the other side of the aisle have chosen to move this legislation at this late time, after long waits, with such speed that we were not able to confirm that the bill's language accurately reflected the agreements reached.

Nevertheless, I will take faith that the language truly reflects the bipartisan agreement which Senator KENNEDY so admirably defended. I trust that at least some of the advocates of this legislation have carried out their responsibilities, as they have said, and I do intend to support the conference report.

The bill makes some small, but important steps forward. The portability provisions and the provisions against preexisting conditions will benefit about 25 million Americans. That leaves, however, I would tell my good friend from California, and I am delighted to see him standing because I want him to hear this, some 40 million Americans who do not have health care. I know that he will want to do something other than to just turn them over at some future time to a system which is not providing them health care.

This bill will ensure that people who change jobs can get health coverage from a new employer without preexisting condition restrictions. This will provide peace of mind for workers who lose their jobs by assuring them they can purchase health coverage without devastating penalties and restrictions.

While this legislation does good things, at least one of the things that it does needs to be examined. My good Republican friends have tucked away a couple of nice little provisions here which will hinder the fight against health care fraud and abuse. They will allow repeatedly negligent providers to escape civil monetary penalties, and they will require an unprecedented and indeed most curious advisory opinion process for an intent-based criminal statute, something which I have never seen before.

American taxpayers will now also be asked to pay for inflated claims submitted by doctors and hospitals who are grossly negligent in the billing process. The Congressional Budget Office says that these provisions will cost American taxpayers tens of millions of dollars. What a blow for economy struck by this particular provision!

The advisory opinion requirement is opposed by the Attorney General, the Inspector General of HHS and by the National Association of Attorneys General.

We may now reflect on whether this is good or not and, indeed, we may realize that at some time soon we will regret having included these provisions, and we may again need to address the problems of fraud and abuse which we are creating with this particular language.

Mr. Speaker, I am pleased we are passing this legislation today. I only hope that we can come back soon and continue the process to provide health care for the 40 million Americans who have no health care at all, and who live in raw terror of cancer or emphysema or stroke or heart attack or other illnesses for which they know there is no medical care available.

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

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

Mr. THOMAS. Mr. Speaker, we know to err is human, to forgive divine. I am going to try to elevate the gentleman. I thank him for his vote on the conference report, and in the 105th Congress this new majority will work with him to remove and eliminate those errors that we know he will point out to us, and we appreciate his presence.

Mr. DINGELL. Mr. Speaker, reclaiming my time, I want to thank my good friend for that. It is always a pleasure to deal with him.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from the State of Nebraska [Mr. CHRISTENSEN], a member of the Committee on Ways and Means.

Mr. CHRISTENSEN. Mr. Speaker, I thank the chairman for yielding me this time.

Listening to the last Speaker talk, I am reminded about, and looking at the Clinton care, the Government takeover of our health care system, almost 2 years ago, when they thought they had the answers to the health care problems in America.

What was their solution? Well, their solution was taking one-seventh of our GDP, taking control of it and putting together a national health care board, regional health alliances, corporate health alliances, putting an ombudsman in here, and having employer mandates involved.

What is our solution? Our solution is private health care, putting together a medical savings account, free market solutions so that we would not have a Government takeover of the health care system as the Democrats have done.

Mr. Speaker, I salute the chairman for his leadership in this area.

Mr. STARK. Mr. Speaker, may I inquire as to the time remaining on both sides?

The SPEAKER pro tempore (Mr. NEY). The gentleman from California [Mr. STARK] has 14¾ minutes remaining, and the gentleman from Texas [Mr. ARCHER], has 15 minutes remaining.

Mr. STARK. Mr. Speaker, I yield 2 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 thank the gentleman from California for yielding me this time, and I rise enthusiastically to support a bipartisan piece of legislation, Kennedy-Kassebaum, might I emphasize, that brings to the American public a real health reform that deals with portability and preexisting conditions.

Yesterday I received a call from a local businessperson in my district who was saddened and disturbed, wondering whether this legislation had yet passed because his wife was moving to another position and had a preexisting disease. I am gratified to be able to make that call now and to indicate that we are doing the right thing.

I am glad to say that we are dealing with long-term care insurance and accelerated death benefits that demonstrate the understanding of the Senate and House on some of these issues facing a segment of our citizens often ignored or forgotten. Now AIDS patients can receive their life insurance benefits tax free and actually receive the aid they have paid for to ease their suffering before they depart this world.

Equally so, let me say that I am gratified we now end the health benefit tax discrimination against the self-employed, allowing the same deduction that America's corporations get. Although it is not 100 percent, it is only 80 percent by the year 2006, it is in the right way.

Let me tell my colleagues why I am a little disturbed. I am saddened this bill is silent on the needs of millions of mentally ill Americans, and I hope that we will be able to return to this bill and provide relief for them.

I am also saddened, or at least disturbed, that we would burden physicians with overly burdensome fraud provisions, and I believe we should reconsider. We should get rid of fraud, waste, and abuse, but it certainly should not be at the expense of making criminals of physicians that provide us good health care across the Nation.

I am saddened that the last minute special interests found that they could extend a patent for the drug Lodine, which hurts millions of Americans who now cannot get low-cost generic drugs because of this extension.

I do, however, want to thank the bipartisan effort of my colleague from Texas, Chairman ARCHER, and the gentleman from California, Mr. STARK, and all those who have worked so hard on this legislation, to be able to say that now we can tell America and they have the potential of good health care, and certainly we will remember those who are attacked with preexisting conditions.

Mr. Speaker, I rise to offer my full support for this conference report. Regardless of whatever else this Congress has failed to do, passage of this conference report is of the utmost importance and necessity. Every portion of this legislation will have a positive impact on the lives of millions of Americans and I applaud the sometimes strained but ultimately successful bipartisan efforts to see this bill through during this session.

The immediate effect of this bill will be tremendous. Yesterday, I received a call from a businessman who lives in my district. He was worried because his wife will soon be changing jobs and they were concerned that a recent potential medical condition would not be covered by the new policy unless this bill was soon enacted. He is a prime example of the good that this legislation will bring about, making sure that individuals and families do not fall through the health insurance cracks and suffer physical, mental, or financial distress.

I believe that the provisions dealing with long-term care insurance and accelerated death benefits demonstrate the understanding of the Senate and House of some of the issues facing a

segment of the citizenry often ignored or forgotten. Now, AIDS patients can receive their life insurance benefits tax free and actually receive the aid they have paid for to ease their suffering before they depart this world.

And I am glad to see that this body is moving toward ending the health benefit tax discrimination against the self-employed. Why should these individuals not get the same deduction as America's corporations? Although the deduction is not 100 percent and although the 80 percent is not reached until the far-away year of 2006, it is a first step in the right direction. Maybe another day will allow us to increase this rate and implementation of this idea, but for now, I will celebrate along with thousands of self-employed individuals in my district and across the country.

While I am saddened that this bill is silent on the needs of millions of mentally ill Americans, some relief must be given. Further, the overly burdensome fraud provisions against physicians should be reconsidered and we must fix that in a later review of the bill. Also a last-minute special interest extension of a patent for the drug Lodine hurts millions of Americans who now cannot get low-cost generic drugs that would do the same thing—this must be remedied.

This legislation has been a long time in coming and is something that should have been done many years ago. No longer will people be trapped in undesirable jobs because they or a member of their family suffer from a medical condition. And no longer will spirited entrepreneurs be wrongly penalized for their courage and chutzpah in striking out on their own. Mr. Speaker, this is a landmark day for the millions we represent and for this Congress as well. Support this report and in doing so, support the needs of the American people.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GEKAS].

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

Mr. GEKAS. Mr. Speaker, I thank the gentleman from Texas for yielding me this time.

A few months ago I was going store to store visiting constituents in the lovely town of Effron, PA, in Lancaster County, the target of many, many thousands of tourists during the course of a year, where the cloisters and the people who man them and woman them daily do their routines.

One lady stopped me and we started talking about health care. I will not name her, I will call here Mrs. Calabash. Mrs. Calabash asked me what would happen if her husband, who was presently employed, would lose his job; were there any prospects for making sure that health care coverage would follow him into the search for a new job.

I told her we are working on it, Mrs. Calabash, and before this year is out, I told here we were going to be voting on portability, the transferability of insurance coverage, access to insurance coverage, for someone like her husband.

Mrs. Calabash thanked me, and now here at last on this particular evening I will be able to fulfill my promise to her. Portability, which never was accomplished by a previous congress, which was not even contemplated until the Republican Congress undertook the leadership of this House, now is at hand.

All I can say is I am happy to report that to Mrs. Calabash. This one is for you, Mrs. Calabash, and now, good night, Mrs. Calabash.

Mr. STARK. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. RICHARDSON. Mr. Speaker, I thank the chairman and the ranking member.

Mr. Speaker, this bill tears down one of the biggest barriers that stand between Americans and health insurance coverage. I am glad to be part of legislation and of passing legislation that guarantees millions of Americans insurance coverage as they move from job to job. This bill also prevents discrimination against those individuals with preexisting conditions. This is a bipartisan effort that deserves enormous commendation.

Unfortunately, Mr. Chairman, this bill has left 5 million Americans with mental illness behind. I had offered the House amendment in the Committee on Commerce to this bill to guarantee those with mental illness the same coverage as a person with any other illness. Unfortunately, it was ruled out of order.

Those mental health provisions, however, were included in the health insurance reform bill in the other body. This conference report fails to include mental health parity language and, therefore, to provide important protections for mental illness.

Mental illness is just as serious as hearth disease or cancer, yet insurers have for years not offered complete coverage for the treatment of mental illness. Nearly one out of four adults suffer from some kind of severe mental illness in the United States each year, yet 95 percent of the major insurance companies in our country have limited coverage for psychiatric care.

Left untreated, mental illness can lead to some of our Nation's most pressing social problems. For example, 32 percent of the Nation's homeless suffer from some type of mental disorder, 12 million children suffer from some type of mental disorder also.

Mr. Speaker, let us pass this bill, but in the future we must address the issue of mental health parity. I am disappointed we did not do so when we had this opportunity, but perhaps in the next session of the Congress this should be a top priority and we should all do it in a bipartisan way. One out of five Americans is affected by this problem.

□ 1915

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Speaker, I spoke earlier this evening on the provisions against fraud in the bill. And to go back over these, they establish a national health care fraud control program and extend antifraud rules for Medicare and Medicaid.

There are a number of good things in this. If there is fraud and abuse in the system and a senior citizen would identify this, the Secretary can provide a reward to those seniors who have identified the problem.

I have practiced in the system. Unfortunately, there is some fraud and abuse in the system among all practitioners, and so I would enter into a colloquy with the gentlewoman from Texas [Ms. JACKSON-LEE] if she would care to enter into a colloquy, because I think that this bill is a reasoned approach to something that is very important to help reduce health care costs, and that is the fact that the Inspector General has identified fraud and abuse in the system.

One of the things that we have found is that in the bill when we are talking about criminal penalties, we are talking about knowing and willful, and so there is a high standard for practitioners to receive whatever type for criminal procedures. And then for civil procedures, there must be a negligent behavior and it must be an action that is in reckless disregard of the rules or of health.

So I would yield to the gentlewoman from Texas if she would care to tell me exactly what is in the bill in these areas that concerns her.

Ms. JACKSON–LEE. Mr. Speaker, if the gentleman would yield, I thank the gentleman for his kindness and I noted the distinction and certainly do appreciate at least one point that the gentleman from Iowa [Mr. GANSKE] made. I think we all can agree that we should attempt to eliminate fraud and abuse and certainly weed out from our practitioners any suggestion that they might manipulate the system.

Might I say that I look upon the medical profession as one over all whose chief responsibility is to service the needy public with respect to its health needs. I do believe that even though we have civil and criminal penalties distinguished, that we still have a criteria that raises much of what physicians may do to a criminal level, even though we have a standard of reckless abandonment or a higher standard of negligence. I think we can revisit it and still get a fraud and abuse and not have the high penalties that we have that would discourage many of our physicians who practice in the inner city and rural communities.

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

Mr. Speaker, I simply ask a question of the gentleman from Iowa [Mr. GANSKE]. I understood the gentlewoman from Texas to say that this bill would make criminals out of good doctors, and I would like for the gentleman to respond to that since he is a physician himself.

Mr. GANSKE. Mr. Speaker, if the gentleman would yield, the bill I think is fair. It addresses the issue of reducing fraud and abuse in the system, and yet it establishes fairness for practitioners.

In some of the original legislation, there were some concerns but they have been worked out among various groups, so that provider groups, I think they feel in general that as long as there are knowing and willful provisions in there, in the criminal sections of the fraud and abuse sections, that this is an acceptable standard and a fair standard.

Mr. ARCHER. Mr. Speaker, reclaiming my time, so the gentleman would say, then, that this would not make criminals out of good doctors?

Mr. GANSKE. Mr. Speaker, That is exactly my understanding of this bill.

Mr. STARK. Mr. Speaker, I yield 3 minutes to the gentleman from Washington [Mr. MCDERMOTT].

Mr. MCDERMOTT. Mr. Speaker, it is a rather unique bill where all the Democratic conferees come out here, did not sign the bill, hold their nose, and they are going to support it. I know why that is. There are 24 provisions that really are troublesome in this bill and the committee never met and dealt with them.

One is the whole question of mental health parity. What that issue means is that if the patient has a mental illness and their insurance plan pays 80 percent for surgery for cancer or a brain tumor or something else, they have to pay 80 percent on a mental health claim.

Right now most plans pay 80 percent on some kinds of things and 50 percent for mental illness. People with mental illness in this country are discriminated against by the insurance industry and the Senate voted it and the House refused to consider it and it has been left out of this bill. There will be a motion to recommit. I urge all of my colleagues to vote for that motion to recommit because that will reinsert parity for the mentally ill.

The gentleman from New Mexico [Mr. RICHARDSON] says one out of five people in this country are affected by mental illness and that is an issue that ought to be dealt with. There is no excuse for us letting the insurance companies discriminate against people simply because they have mental illness.

No worse, or equally bad, in this bill is the section on administrative simplification, which aroused the insurance companies to have an insurance data that can use your Social Security number. This is the day that we voted to give the insurance companies the right to use your Social Security number and gather all the information in a clearinghouse for which there is no privacy protection in this bill.

Now people want to think that it is called ''administrative simplification,'' but simply what it does is give the insurance companies the ability to shift information back and forth, use it against applicants for life insurance, auto insurance, homeowners insurance. Anything they want to do, they can do in this bill because there is not one single shred of protection of your privacy.

I raised this issue in the Committee on Ways and Means. The chairman of the subcommittee who stands up here and says, ''It is such a wonderful bill,'' said he would deal with it. It did not get dealt with. In fact, it went in the conference committee and came out worse. He is less protected.

Doctors could be required to give a patient data of encounters. That means if a patient goes to see the doctor and tells the doctor anything that has gone on in their life, the doctor could be compelled by the insurance company data system to release that information because there is nothing, nothing in here that protects the doctor-patient relationship.

I think people had real qualms on that conference committee about signing it because in many ways, although we help a few people with the whole issue of portability, if we read the bill we find that is not very good, that we are taking away people's privacy and we are discriminating against the mentally ill.

Mr. Speaker, I urge Members to vote for the motion to recommit.

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

Mr. Speaker, it is ironic to me as I listen to the arguments on the other side of the aisle from people who will vote for this bill in the end, make no mistake about it, most of them will vote for this bill because they know that it moves in the right direction. But when we first debated this bill on the floor of the House, what we heard from the other side of the aisle was, ''Do not add anything to Kassebaum-Kennedy. We want a clean bill. Do not expand it.'' And now they are saying we have not expanded it enough.

This seems to me as very, very strange, and what it appears is that it is the moment that counts, not the policies, not what we are doing. it is the moment. And if they cannot be satisfied at that moment about everything, they are going to complain.

We have a good bill here. It is a bill that, unfortunately, we had to drop malpractice out, but the trial lawyers' influence in the Senate caused that to have to be dropped out. That is too bad because that, unfortunately, drives up the cost of health care.

We had other provisions for small businesses that could unite nationally to have competitive insurance, and they forced that to be dropped out, but this is a good bill, Mr. Speaker.

Mr. STARK. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. BONIOR], the minority whip.

Mr. BONIOR. Mr. Speaker, it was more than a year ago when a bipartisan group first offered a bill to expand access to health care for millions of Americans, and over the past 18 months we have worked to build a bipartisan coalition to make modest changes so that if someone changed jobs, lost their job, has a preexisting condition, they will never lose their health insurance.

For 9 months, Bob Dole and NEWT GINGRICH and the Republican leadership would not let the Kennedy-Kassebaum bill to come to a vote on the House floor. It is not found in the Contract on America. It was not part of their priority. They refused to take any action until the President of the United States stood there in his State of the Union Address and called on them to make health care portable for this country.

When public pressure finally built to the point where Bob Dole had to act, last April, the Kennedy-Kassebaum bill passed, as my friend from Washington State said, 100 to nothing. It could have been sent to the President the next day and millions of working families would have been spared the pain and the misery of losing their health insurance. But instead, we had to deal with MSAs, medical savings accounts, even though every credible publication has said they are designed for the health and the wealthy.

What we have to understand is that this is about the lives of real people. Somewhere in America today, Mr. Speaker, there is a father who has been offered a better job to take care of his family, but he cannot take it because his son has diabetes and his health insurance will not go with him. Somewhere in America today there is a single mom who goes to bed every night praying that her kids will not get sick because she has a preexisting condition and she cannot get health insurance. No company will cover her.

These people are not strangers. Every one of us knows these people. We work with them. We worship with them. We see them in our grocery stores and in our school yards.

All over America today parents are working hard, sometimes working two jobs, three jobs to give their kids a better life. They deserve to have the peace of mind to know that if they change their job or they lose their job or if they have a preexisting condition they will never lose their health insurance.

This bill takes an important step in that direction, but it needs to go further. We should have accepted and it is a shame that we are not accepting the Wellstone-Domenici compromise. It is a provision that provides parity between lifetime limits for mental illness and lifetime limits for physical illnesses.

People with mental illness suffer enough. They should not be made to

feel ashamed when they ask for help. Many of them are struggling to understand what is happening to their minds and to their bodies. They struggle every day with a pain that is every bit as real and every bit as punishing as a physical ailment.

Many times it is not just the individual who is affected, it is the whole family. Just think of the pain of a young boy or a young girl or a parent, the pain they must feel as they watch their mother or their child or their father struggle with an illness that throws them into a darkness that is so deep there does not seem to be a way out.

Mental illness is hard enough to live with. They should not be forced to face the additional burden of discrimination under the law. They should be treated with the dignity and with the respect that they deserve. The Wellstone-Domenici compromise moves us in that direction.

Overall, this is a good bill, but we can make it better if we vote for the motion to recommit. I urge Members to stand with Senators WELLSTONE and DOMENICI. Say ''shame'' on the insurance companies that play games with people's lives. Support the motion to recommit and give all of our families the security that they deserve.

Mr. ARCHER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the gentleman has made the statement that every publication says that medical savings accounts are just for the healthy and the wealthy. The facts are that I do not know a one. The only comprehensive study that has been done was by the RAND Corporation and they said just the reverse. There was no adverse selection.

There is not one shred of evidence that I know of that MSAs are only for the healthy and the wealthy, but we can say anything we want to on this floor. Clearly, it does not have to be supported by evidence.

Let me also say that it is ironic to me that on the one hand the statement is made, all we want was Kassebaum-Kennedy, do not add anything to it. That is what the President said right in this room in his State of the Union Address. Do not add anything. Now they are complaining because something has not been added to it.

They had the opportunity then. They take a position today totally contrary to what they took in the debate when this bill was before the House.

They had the opportunity to offer a motion to recommit with mental health parity in it. What was their motion to recommit? Kassebaum-Kennedy of the do not expand it, do not change it. Do not give anything else to any additional people.

□ 1930

Do not do anything on fraud and abuse. Do not do anything on malpractice. Do not do anything to help small business get lower premium costs for their employees. Do not give MSAs where the individual can control their options. Now they want to add more.

I guess consistency, I remember many years ago when the chairman of the Committee on the Judiciary stood in the well and said, consistency is the hobgoblin of small minds. Perhaps he was right, but I believe consistency is important.

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

Mr. STARK. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon [Mr. DEFAZIO].

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

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

Mr. Speaker, I plan to vote for the conference report to H.R. 3103 because it provides needed relief for Americans by guaranteeing portability of health insurance and limiting pre-existing condition exclusions. This is an important step in improving access to health care for individuals who were previously denied coverage. I am pleased to see the Congress come together to ensure these minimal protections. However, I remain disturbed by important provisions left out of the conference report and by harmful provisions in the bill which need to be corrected.

Mr. Speaker, for the past 3 months I have been trying to persuade my colleagues to include the Senate provisions on parity of mental health coverage in the final version of H.R. 3103. These provisions were inserted in the Senate version of the health insurance reform bill by an overwhelming vote of 68 to 32. While the Senate conceded to a compromise on the controversial House-passed medical savings accounts provisions, there was no comparable compromise on the mental health parity provisions. These is absolutely no relief in this bill for the millions of Americans who suffer from mental illnesses. It is with great sadness that I am voting for health care legislation which completely ignores this vulnerable segment of our population.

I want my colleagues and the American people to know that I'm not going to give up on this issue. We have a majority of Senators who have gone on record supporting parity coverage for mental illness. I was joined by over 100 Members of Congress, from both political parties, in a letter to conferees supporting the Senate provisions. We will continue the fight against discrimination by insurance companies of people with mental illness and I believe we will ultimately achieve a victory.

In addition, I am very concerned about a provision in the conference report that threaten the continued privacy of our medical records. As Americans we cherish our fundamental right to privacy. Over the past few decades we have seen this right chipped away by technological advances we could never foreseen. We have all seen how legislation ensuring the continued right to privacy has not kept up with these advances. This conference report strikes another blow at our privacy by requiring administrative simplification of medical records without providing adequate protections. The bill imposes national standards for the collection and distribution of data for billing purposes and requires the use of a ''unique identifier'' for medical records. Shockingly, it does not prohibit the use of Social Security numbers for this identifier. If Social Security numbers are used for medical records' access virtually anyone will be able to screen our most private medical history. This must be addressed either through corrective legislation or Administrative action.

Mr. Speaker, I'm not going to vote against this bill and deny relief to so many Americans just because of these concerns. But, I'm distressed that we are being forced to swallow these anti-privacy provisions and I think its shameful that the leadership has left out so many of our needy citizens who need adequate insurance coverage. I urge my colleagues to take my concerns to heart and work with me in the future to correct these serious flaws.

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

Under the rules, my motion to recommit is not debatable. I would urge that my colleagues on both sides of the aisle support the motion to recommit the Kennedy-Kassebaum agreement to conference, a conference which has never existed, and to work out an acceptable mental health amendment along the lines of the Domenici-Wellstone mental health parity compromise.

The gentleman from Texas is right. We asked them not to load up the original Kennedy-Kassebaum bill with Christmas tree giveaways to the drug companies, giveaways to Golden Rule Life, all of whom are big contributors to the Republican Party. But as long as that has been done and Members on this side are going to vote for the bill, I pose the question on the motion to recommit as to why the Republicans would deny mental health benefits at no cost. You have to explain that to every family who has a mental health illness in the family.

For relatively no or little cost at all, you are denying mental health coverage to millions of Americans. I do not know why you do that. There is no good reason. There is no good reason at all except if you are trying to bail out the insurance companies because most of your staff used to be lobbyists for them.

But what I am suggesting to you is that for less than 16 cents a thousand dollars of premium you can add mental health benefits to every employee in this country. Why you would deny that escapes me. Why you would not take away the fear that somebody with a mental health illness would get the same treatment that somebody with a physical illness is, to me, obscene just to deny that for whatever reason.

There has been no good reason offered to deny these benefits. Private insurance premiums would rise less than sixteen one-hundredths of a percent; $5 a year in deductibility. Yes, you will have different opinions from the health insurance industry for whom your staff have been captives, but the truth is that if you were willing to provide fair coverage and willing to go against the interests of the big contributors to your campaigns, you would do the right thing for the American people.

You will have to face every mental health group in this country, who will say it is the Republicans who have denied mental health coverage to millions of American workers for the sake of big campaign contributions. That, to me, is an obscenity that I would not want to face in the political arena.

The small businesses that you have helped have been limited. The bailing out of one drug company, which is also in the motion to recommit, is another example of payoffs from big drug companies. Is there no humanity?

Your health bill was yesterday, when you denied access to any help to a million children. That was your health reform. Now you are going to deny mental health coverage to the Americans who need it. All I can say is it is a shame, it is a travesty. Yes, people will vote for the limited expansions you give to less than 400,000 people a year, but no, why would you deny mental health coverage to these people?

Vote for the motion to recommit. You can do the right thing back in conference quickly and then your bill might have some credibility.

Mr. ARCHER. Mr. Speaker, I yield myself 30 seconds in order to engage in a colloquy with the gentleman from California. I understand the gentleman from California wishes to ask a question about what possible impact this bill might have on Medicare beneficiaries.

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

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

Mr. STARK. Mr. Speaker, if the distinguished gentleman is referring to the MSA section of the bill, title III, subtitle (a), it is my understanding that Medicare beneficiaries are not permitted to open an MSA account. Is that the gentleman's intention?

Mr. ARCHER. Yes, Mr. Speaker, no Medicare beneficiaries are permitted to enroll in MSA accounts.

Mr. STARK. Mr. Speaker, I thank the gentleman.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, I am using this time during debate because, as the gentleman from California [Mr. STARK] said, there is no time to debate the motion to recommit. I have just seen the motion to recommit, and he was speaking about the mental health provision. I do think Members need to understand just what has gone on here, notwithstanding the absolutely outrageous statements that the gentleman from California made, and perhaps he got carried away with his own ''eloquence.''

To review the bidding, there was no mental health provision in the bill that passed the House. We tried to work it out. There was no compromising. Folks were not willing to give on the Democratic side.

On the Senate side, there was an amendment that was accepted by a voice vote and immediately following the passage of the bill, 100 to nothing, the chairwoman and the ranking member, Senator KASSEBAUM and Senator KENNEDY and others, went to the mike and said, ''We are probably going to take this out in conference.'' Because everyone knew the amendment that was passed was simply an unworkable piece of legislation.

We sat down in conference and read it and realized it was totally unworkable. However, the House, not having any provision, said, ''Senate, work it out. We will accept whatever you can work out. It was your provision; you folks come to an agreement. We will accept what you can work out.''

One of the major discussions throughout the conference was the Senators talking among themselves about what the mental health provision was going to be. The chairwoman from Kansas offered Senator DOMENICI the agreed-upon mental health provision and the Senator said, ''I choose nothing.''

It was the Senate's choice, notwithstanding the vitriolic statements from the gentleman from California. What is in the bill is the Senate's choice. It was a Senate provision. The conferences said, let the Senate work its will.

What is before this House is a conference report containing the Senate's will on mental health. That is what is in front of us. The motion to recommit to change the Senate's will is opposed by this gentleman and opposed by everybody on this side because that is not everything that is in the motion to recommit. The gentleman has other provisions he chose not to speak about. Vote ''no'' on the motion to recommit.

Mr. ARCHER. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. HASTERT], who played such a big role in working this conference report to where we could get it on the floor.

Mr. HASTERT. Mr. Speaker, I thank the gentleman very much for the time.

It wonders me when I listen to some of the arguments on the other side that insurance companies are holding down the mental health parity issue. I will tell my colleagues, the insurance companies would love to have mental health parity because they would like to have those premiums coming in.

The gentleman from Washington, who says it is terrible that we do not have mental health parity in the bill, I guess if I was a psychiatrist I would think it was terrible also. But that is a provision that we do not have in the bill.

I will tell Members why. There are two groups of people who lose when we put mental health parity in this bill. I am talking about billions of dollars of cost, not millions, not thousands, not hundreds, but billions of dollars of cost.

First of all, to people who buy insurance policies, if mental health parity is in that bill, it would cost the moms and dads, the middle-class workers in this country an increased insurance cost which would be astronomical, so there is a good reason that that is not in the bill.

The second good reason is that the employers who provide health care and mental health care to their employees all of a sudden would have a choice. Your choice is, Mr. Employer, that you will start to increase your health care costs astronomically because you are including a provision in here that has never gone through a committee in this House, did not go through a committee in the Senate, but somebody would like to throw it in. What happens, the employer says, ''I always provided mental health for my employees, but the cost is so high I am not going to do it anymore.''

Who loses out? The people that lose out in that provision are the people who for years were able to cover themselves with mental health policies but now, because of a provision that was put in in the Senate at the last minute, without debate or anything else, on a whim, was knocked out in conference committee.

Who wins because of that? People who have to pay the bills, my colleagues, not the gentleman from California, who advocated a big Government health care takeover just 3½ years ago or 4 years ago, or the gentleman from Washington, who advocated that we do the Canadian health care plan where the Government does everything and we lose control of what happens in health care in this country.

So, Mr. Speaker, there is a reason things happen around here, a good reason. I think we have a bill before us today that has some provisions in it.

I, again, was wondering why my good friend who is the minority whip from Michigan, he said we are just denying moms and dads this ability to cover themselves. I remember distinctly that my good friend from Michigan denied the Rowland-Bilirakis bill from coming forward in this House 3½ years ago, when we would have given portability to moms and dads who wanted to move to better jobs, that wanted better opportunity. But they were denied that because some Members in this House wanted to present a big Government takeover of health care, and they were afraid that the Rowland-Bilirakis bill would undercut that.

It is 3½ years later, Mr. Speaker. There is a bill here that will give people portability in health care. It will give the doctor the ability to tell his patient what the cost of a service is. That patient can choose, with his medical savings account, whether he wants to go to this doctor or that doctor or that doctor because he knows what something costs. He knows what the problems are and he gets straight answers because he makes that decision, not a third party payer someplace.

To the gentleman from California, that is going to save health care costs in this country billions and billions of dollars, something that you wanted to

deny when you wanted big health care to take over in this country. The barber in Illinois that told me awhile back that he wanted deductibility for the cost of his health care from his income tax, we do that in this bill. We do a lot of good things for people. It is a good bill, and I think it deserves the support of this body.

I thank the chairman and the chairman of the Committee on Ways and Means and the chairman of the Committee on Commerce and the Senate staff and all our staff who worked to make this thing happen.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. STARK

Mr. STARK. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. NEY). Is the gentleman opposed to the conference report?

Mr. STARK. In its present form, yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. STARK moves to recommit the conference report on the bill H.R. 3103 to the committee on conference with instructions to the managers on the part of the House, to do everything possible, within the scope of the conference, (1) to modify Section 305 of the Senate amendment relating to mental health insurance parity so as to improve mental health care insurance while minimizing any impact on the cost or availability of health insurance plans, and (2) to produce a conference report which confines itself to the differences between the bill as passed by the House and passed by the Senate.

□ 1945

The SPEAKER pro tempore (Mr. NEY). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. STARK. 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.

Pursuant to the provisions of clause 5 of rule XV, the chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the question of agreeing to the conference report.

The vote was taken by electronic device, and there were—yeas 198, nays 228, not voting 7, as follows:

[Roll No. 392]

YEAS—198

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

NAYS—228

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Bono
Brewster
Bryant (TN)
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
Davis
Deal
DeLay
Diaz-Balart
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Goodlatte
Goodling
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Upton
Volkmer
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Zeliff
Zimmer

NOT VOTING—7

Brownback
Dickey
Ford
Lincoln
McDade
Wilson
Young (FL)

□ 2003

Messrs. SAXTON, SKELTON, and VOLKMER changed their vote from ''yea'' to ''nay.''

Mr. JEFFERSON and Mr. HALL of Texas changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. (Mr. NEY). The question is on the conference report.

Pursuant to House Resolution 392, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 2, not voting 10, as follows:

[Roll No. 393]

YEAS—421

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TN)
Bryant (TX)
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
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
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
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
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 (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Zeliff
Zimmer

NAYS—2

Stark
Williams

NOT VOTING—10

Bateman
Brownback
Diaz-Balart
Dickey
Ford
Graham
Lincoln
McDade
Wilson
Young (FL)

□ 2015

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DIAZ-BALART. Mr. Speaker, on rollcall No. 393, I was inadvertently detained and missed the rollcall vote. Had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. BATEMAN. Mr. Speaker, on rollcall No. 393, I am advised I was not recorded as voting. Since I was present on the floor, I do not know why. Had I been recorded, I would have voted ''aye.''

PERSONAL EXPLANATION

Mr. GRAHAM. Mr. Speaker, on rollcall No. 393, I was attending a committee markup. Had I been present, I would have voted ''yea.''

MAKING IN ORDER AT ANY TIME CONSIDERATION OF CONFERENCE REPORT ON H.R. 3517, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1997, AND CONFERENCE REPORT ON H.R. 3845, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1997

Mrs. VUCANOVICH. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider conference reports to accompany the bills H.R. 3517 and 3845, that all points of order against both conference reports and against their consideration be waived, and that both conference reports be considered as read when called up.

The SPEAKER pro tempore (Mr. NEY). Is there objection to the request of the gentlewoman from Navada?

There was no objection.

CONFERENCE REPORT ON H.R. 3517, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1997

Mrs. VUCANOVICH. Mr. Speaker, pursuant to the previous order of the House, I call up the converence report on the bill (H.R. 3517) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Tuesday, July 30, 1996, at page H8958.)

The SPEAKER pro tempore. The gentlewoman from Nevada [Mrs. VUCANOVICH] and the gentlemen from North Carolina [Mr. HEFNER] each will control 30 minutes.

The Chair recognizes the gentlewoman from Nevada [Mrs. VUCANOVICH].

GENERAL LEAVE

Mrs. VUCANOVICH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to accompany H.R. 3517, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Nevada?

There was no objection.

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

Mr. Speaker, The conference report we present to the House today for military construction, family housing, and base closure recommends a total appropriation of $9.9 billion. This represents a $1.2 billion, or 10-percent, decrease from last year. The conference report is $50 million below the House-passed level and is within the subcommittee's revised 602(b) allocation.

Mr. Speaker, the House conferees had more than 200 differences to resolve, representing over $1 billion. We have done so in an equitable manner. At the same time, we held to our priorities and provided an additional $195 million for troop housing and $271 million for family housing above the President's request.

Overall, the agreement recommends $4 billion for items related to family housing; $2.5 billion for the implementation of base realignments and closures; and $3.2 billion for military construction.

Mr. Speaker, the projects to be implemented with this appropriation are still subject to authorization. We have worked closely with the National Security Committee in crafting this bill. This cooperation has been invaluable and I understand they support this agreement.

As always, I want to express my appreciation to all members of the subcommittee and especially our ranking member, Mr. HEFNER, for this cooperation in crafting this agreement. It has been done in a bipartisan manner and is an equitable compromise.

This bill represents an investment program that has significant payback in economic terms and in better living and working conditions for our military personnel and their families. I urge my colleagues to support this conference report.

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

MILITARY CONSTRUCTION APPROPRIATIONS BILL, 1997 (H.R. 3517)

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
Military construction, Army	633,814,000	434,723,000	603,584,000	448,973,000	565,688,000	-68,126,000
Rescission	-6,385,000			-2,028,000	-2,028,000	+4,357,000
Total, Military construction, Army (net)	627,429,000	434,723,000	603,584,000	446,945,000	563,660,000	-63,769,000
Military construction, Navy	554,636,000	525,346,000	724,476,000	642,484,000	707,094,000	+152,458,000
Rescissions	-6,385,000		-12,000,000	-11,300,000	-11,300,000	-4,915,000
Total, Military construction, Navy (net)	548,251,000	525,346,000	712,476,000	631,184,000	695,794,000	+147,543,000
Military construction, Air Force	587,234,000	603,059,000	678,914,000	704,689,000	754,064,000	+166,830,000
Rescissions	-15,150,000			-2,100,000	-2,100,000	+13,050,000
Total, Military construction, Air Force (net)	572,084,000	603,059,000	678,914,000	702,589,000	751,964,000	+179,880,000
Military construction, Defense-wide	640,357,000	812,945,000	772,345,000	771,758,000	763,922,000	+123,565,000
Rescissions	-41,866,000			-7,000,000	-7,000,000	+34,866,000
Total, Military construction, Defense-wide (net)	598,491,000	812,945,000	772,345,000	764,758,000	756,922,000	+158,431,000
Total, Active components	2,346,255,000	2,376,073,000	2,767,319,000	2,545,476,000	2,768,340,000	+422,085,000
Department of Defense Military Unaccompanied Housing Improvement Fund			10,000,000		5,000,000	+5,000,000
Military construction, Army National Guard	137,110,000	7,600,000	41,316,000	142,948,000	78,086,000	-59,024,000
Military construction, Air National Guard	171,272,000	75,394,000	118,394,000	224,444,000	189,855,000	+18,583,000
Rescission	-6,700,000					+6,700,000
Total, Military construction, Air National Guard (net)	164,572,000	75,394,000	118,394,000	224,444,000	189,855,000	+25,283,000
Military construction, Army Reserve	72,728,000	48,459,000	50,159,000	75,474,000	55,543,000	-17,185,000
Military construction, Naval Reserve	19,055,000	10,983,000	33,169,000	49,883,000	37,579,000	+18,524,000
Military construction, Air Force Reserve	36,482,000	51,655,000	51,655,000	67,805,000	52,805,000	+16,323,000
Total, Reserve components	429,947,000	194,091,000	294,693,000	560,554,000	413,868,000	-16,079,000
Total, Military construction	2,776,202,000	2,570,164,000	3,072,012,000	3,106,030,000	3,187,208,000	+411,006,000
Appropriations	(2,852,688,000)	(2,570,164,000)	(3,084,012,000)	(3,128,458,000)	(3,209,636,000)	(+356,948,000)
Rescissions	(-76,486,000)		(-12,000,000)	(-22,428,000)	(-22,428,000)	(+54,058,000)
NATO Security Investment Program	161,000,000	197,000,000	177,000,000	172,000,000	172,000,000	+11,000,000
Supplemental appropriation	37,500,000					-37,500,000
Total, NATO	198,500,000	197,000,000	177,000,000	172,000,000	172,000,000	-26,500,000
Family housing, Army:						
Construction	116,656,000	75,013,000	176,603,000	189,319,000	158,503,000	+41,847,000
Operation and Maintenance	1,335,596,000	1,212,466,000	1,257,466,000	1,212,466,000	1,212,466,000	-123,130,000
Total, Family housing, Army	1,452,252,000	1,287,479,000	1,434,069,000	1,401,785,000	1,370,969,000	-81,283,000
Family housing, Navy and Marine Corps:						
Construction	525,058,000	403,726,000	532,456,000	418,326,000	499,886,000	-25,172,000
Operation and Maintenance	1,048,329,000	1,014,241,000	1,058,241,000	1,014,241,000	1,014,241,000	-34,088,000
Total, Family housing, Navy	1,573,387,000	1,417,967,000	1,590,697,000	1,432,567,000	1,514,127,000	-59,260,000
Family housing, Air Force:						
Construction	297,738,000	231,236,000	304,068,000	291,464,000	317,507,000	+19,769,000
Operation and Maintenance	849,213,000	829,474,000	840,474,000	829,474,000	816,509,000	-32,704,000
Total, Family housing, Air Force	1,146,951,000	1,060,710,000	1,144,542,000	1,120,938,000	1,134,016,000	-12,935,000
Family housing, Defense-wide:						
Construction	3,772,000	4,371,000	4,371,000	4,371,000	4,371,000	+599,000
Operation and Maintenance	30,467,000	30,963,000	30,963,000	30,963,000	30,963,000	+496,000
Total, Family housing, Defense-wide	34,239,000	35,334,000	35,334,000	35,334,000	35,334,000	+1,095,000
Department of Defense Family Housing Improvement Fund	22,000,000	20,000,000	35,000,000	20,000,000	25,000,000	+3,000,000
Homeowners Assistance Fund, Defense	75,586,000	36,181,000	36,181,000	36,181,000	36,181,000	-39,405,000
Total, Family housing	4,304,415,000	3,857,671,000	4,275,823,000	4,046,805,000	4,115,627,000	-188,788,000
Construction	(943,224,000)	(714,346,000)	(1,017,498,000)	(903,480,000)	(980,267,000)	(+37,043,000)
Operation and Maintenance	(3,263,605,000)	(3,087,144,000)	(3,187,144,000)	(3,087,144,000)	(3,074,179,000)	(-189,426,000)
Family Housing Improvement Fund	(22,000,000)	(20,000,000)	(35,000,000)	(20,000,000)	(25,000,000)	(+3,000,000)
Homeowners Assistance Fund	(75,586,000)	(36,181,000)	(36,181,000)	(36,181,000)	(36,181,000)	(-39,405,000)

MILITARY CONSTRUCTION APPROPRIATIONS BILL, 1997 (H.R. 3517) — continued

	FY 1996 Enacted	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
Base realignment and closure accounts:						
Part II	964,843,000	352,800,000	352,800,000	352,800,000	352,800,000	-612,043,000
Part III	2,148,480,000	971,925,000	971,925,000	971,925,000	971,925,000	-1,176,555,000
Part IV	784,569,000	1,182,749,000	1,182,749,000	1,182,749,000	1,182,749,000	+398,180,000
Total, Base realignment and closure accounts	3,897,892,000	2,507,474,000	2,507,474,000	2,507,474,000	2,507,474,000	-1,390,418,000
Grand total:						
New budget (obligational) authority	11,177,009,000	9,132,309,000	10,032,309,000	9,832,309,000	9,982,309,000	-1,194,700,000
Appropriations	(11,253,495,000)	(9,132,309,000)	(10,044,309,000)	(9,854,737,000)	(10,004,737,000)	(-1,248,758,000)
Rescissions	(-76,486,000)	.....	(-12,000,000)	(-22,428,000)	(-22,428,000)	(+54,058,000)

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

I rise today in support of the military construction appropriations conference report, which was signed by all the conferees, and has strong bipartisan support.

I also want to compliment the distinguished chairwoman of the Military Construction Subcommittee for her fine work. Mrs. VUCANOVICH has worked hard to produce a good bill that responds to needs of our service men and women, and she has done so in a bipartisan fashion. She will be missed on both sides of the aisle. Our service people and their families will also miss Mrs. VUCANOVICH, who worked so very hard for their well being.

The bill contains almost $10 billion in total funding and responds to the highest priority requirements of the Joint Chiefs and administration.

There has been a significant reduction in funds for military housing with all the base closures, bottom up reviews and 5-year plans. I am very pleased that the conference agreement continues our bipartisan effort to address the quality-of-life issues for both enlisted personnel and families of military members, including facilities in North Carolina. It may not seem that glamorous to fund barracks, family housing and child care centers, but if you have had any exposure to the military way of life, you know that providing a decent place to live is an important factor in military readiness.

This bill also takes care of many other critical needs of the Department including the base closure construction and clean-up requirements, critically needed medical facilities, major new homeporting facilities and other operational upgrades. I'm pleased to see the report includes funding for both a hospital and a clinic badly needed at Fort Bragg, as well as completing an important land acquisition there.

It is an excellent bill and I urge all Members to support this bipartisan conference report.

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

Mr. Speaker, this is a very good bill. We are happy with the end product that we have here. I would just like to take this time to tell the gentlewoman from Nevada [Mrs. VUCANOVICH], the chairman, that we are going to miss her in this body and congratulate her and the staff on a job well done on this military construction bill. It is a very good bill. It enhances the quality of life for our military personnel.

Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland [Mr. HOYER].

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

Mr. Speaker, I want to rise as well and express my admiration and respect for the gentlewoman from Nevada [Mrs. VUCANOVICH], the chairman of this subcommittee. She has done an outstanding job both as a member of the Subcommittee on Military Construction of the Committee on Appropriations, and as chairman of that subcommittee. I had the privilege of serving with her as a member of that subcommittee for a number of years. Her leaving the House will be a loss not only to the House, but to the men and women of the Armed Services for whom she has done a great deal in terms of quality of life and in terms of assuring ourselves that from a military infrastructure standpoint we have facilities that are adequate not only to protect the quality of life for our men and women in the Armed Services, but also to protect our readiness.

I wanted to rise, Mr. Speaker, and pay tribute to her. This will be probably the last time, at least in terms of a sole bill, and hopefully this bill is going to be signed relatively soon, that she will be presenting this legislation. As one who has had the opportunity to work with her, she has been a credit to this institution and a credit to her State and a credit to our country.

I also want to say, of course, that the gentleman from North Carolina, BILL HEFNER, the ranking member, who has been the chairman of this committee, worked very closely with the gentlewoman from Nevada [Mrs. VUCANOVICH] himself, is someone who has been a leader on behalf of the quality of life of our men and women in the Armed Services. I rise in strong support of this legislation and congratulate both the chairman and the ranking member on their leadership in this effort.

Mr. BLILEY. Mr. Speaker, I rise today in strong support of H.R. 3517, the military construction appropriation conference report. I want to especially commend chairwoman VUCANOVICH for the good work, and to let her know that this House will sorely miss her.

Contained in the conference report is funding which will allow the army to finish the planning and design work, and to purchase the land for the construction of a new national ground intelligence center (NGIC) in Charlottesville, VA.

The NGIC's mission is to produce scientific, technical and general military intelligence on foreign ground forces. The NGIC currently occupies six geographically separate buildings in Charlottesville. By all accounts, these facilities are woefully inadequate to fulfill the NGIC's vital mission. In 1986, an army corps of engineers facility requirement review concluded that the Charlottesville facilities ''are grossly inadequate in virtually every parameter measured.''

There are critical management inefficiencies and costs associated with operating an intelligence organization spread out over six locations. In addition, the main building in downtown Charlottesville has serious structural and environmental safety shortcomings, as well as electric power and mechanical deficiencies.

For many years, the army has been working to build a suitable facility to house the NGIC. A number of studies—including the BRACC—have determined that relocation of the NGIC outside of Charlottesville is neither operationally nor economically feasible.

Once again, I applaud chairman Vucanovich for her leadership is helping to give the NGIC the facility that it so urgently needs.

Mr. FAZIO of California. Mr. Speaker, I rise in support of the Military Construction Appropriations Conference Report for fiscal year 1997. I would like to thank the chairwoman of this committee, BARBARA VUCANOVICH, who has once again moved this bill swiftly through the Appropriations Committee and the conference committee, and I am sad to say will be doing it for the last time. I want to wish her well and would like to personally thank her for the service that she has provided to this important subcommittee and this institution. I would also like to thank the ranking member of the Subcommittee, BILL HEFNER, for his help and assistance in bringing this legislation to the floor.

This bill provides nearly $10 billion in fiscal year 1997 for military construction, family housing and military base closures. This bill continues this House's commitment to funding initiatives that upgrade the quality of life for the men and women of the armed forces and their families.

Mr. Speaker, I would like to highlight a few important projects in the bill that are important to the Air Force bases in my district.

The first project is the ongoing renovation of the dormitories at Travis AFB. This bill provides funding for one dormitory scheduled for construction this year, and funding to speed up construction of a second dorm at Travis. Additionally, this bill includes $8.63 million for the construction of 70 multi-family housing units for enlisted personnel stationed at Travis. This project goes a long way to improve Travis' housing situation. The construction of the dormitories are part of a base-wide project to upgrade and improve base housing in order to meet Air Force requirements.

This bill also provides funds to replace Travis' underground fueling system. The system was designed to provide a quick and efficient way to refuel two jets at one time. Travis currently relies on an underground system from the 1950's, which often fails because of electrical shorts which occur after rainstorms. The new fuel system is safer and more efficient than the fuel trucks on the runway. It will also put an end to the occasional leaks which are so bad for the environment.

These upgrades are a clear sign that Travis is, and will remain, vital to Air Mobility Command's mission.

Mr. Speaker, this bill also provides for three projects at Beale AFB: the closure of Landfill No. 2, the CARS Deployable Ground Station Support Facility and 56 units of family housing.

Funding for the closure of Landfill No. 2 will allow the base to comply with California standards governing landfills. Currently, Beale is out of compliance with California law.

The bill also will provide for the construction of a new home for the Contingency Airborne Reconnaissance System [CARS] Deployable Ground Station [DGS]. The DGS is an important mission that provides Air Force commanders with a satellite downlink that provides critical information from the battlefield. The current facility is stationed in mobile trailers and is unable to adequately support this mission. Failure to provide adequate support for this function would significantly degrade CARS operational capability to provide theater commanders worldwide with dynamic, responsive intelligence support for battlefield management and execution.

Finally, funding is provided for 56 family housing units on base. Funding for the 56 units of family housing at Beale is the second phase of a multi-year plan to eventually replace 1,700 family housing units on base. The new housing will significantly improve the quality of life for those stationed on base. Current housing facilities are substandard and are in need of being replaced.

Mr. Speaker, each of the initiatives I have outlined will help maintain Travis AFB and Beale AFB as critical defense assets and as integral parts of their respective communities. The projects that I have indicated are important to the ongoing missions at each base.

In closing, I want to reiterate my support for this important bill that provides for the quality of life for our troops and is vitally important to maintaining military readiness.

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

Mrs. VUCANOVICH. Mr. Speaker, I appreciate the kind words from the gentleman from Maryland. It has been a great honor to serve this body and to carry this bill.

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

The SPEAKER pro tempore (Mr. HAYWORTH). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to the provisions of clause 7 of rule XV, the yeas and nays are ordered.

Pursuant to clause 5, rule I, further proceedings on this question are postponed until the end of consideration of the conference report on the bill, H.R. 3845.

CONFERENCE REPORT ON H.R. 3845, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1997

Mr. WALSH. Mr. Speaker, pursuant to the previous order of the House, I call up the conference report on the bill (H.R. 3845) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1997, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of earlier today.)

The SPEAKER pro tempore. The gentleman from New York [Mr. WALSH] and the gentleman from California [Mr. DIXON] each will control 30 minutes.

The Chair recognizes the gentleman from New York [Mr. WALSH].

GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to accompany H.R. 3845, and that I may include tabular and extraneous material.

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

There was no objection.

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

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

Mr. WALSH. Mr. Speaker, I will be very brief. The conference agreement we bring to the House this evening is essentially the same bill that was passed by this House 2 weeks ago. Our conference agreement includes $719 million in Federal funds and is within our 602(b) allocation in both budget authority and outlays. In District funds, we retain the ceiling of $5.108 billion on total operating expenses, and we were successful in getting a deficit cap reduced to $74 million instead of $99 million, as proposed by the consensus in the Senate bill.

Mr. Speaker, I want to thank the members of the subcommittee for their hard work. This is a good conference agreement. I urge the Members to support it.

Mr. Speaker, this evening we have before the House the conference agreement on H.R. 3845, the District of Columbia Appropriations Act for fiscal year 1997. It is essentially the same bill that was passed by this House 2 weeks ago with a few exceptions that I will highlight in a moment.

Our conference agreement includes $719 million in federal funds and is within our 602(b) allocation in both budget authority and outlays.

In Federal funds, the $719 million agreed to by the conferees is $1 million above the amounts recommended in the bill as passed by the House and Senate. The efforts of the gentleman from California [Mr. DIXON], the ranking member on our subcommittee, resulted in this $1 million being added to our bill for the control board to contract with private entities to inspect, flush, and repair the drinking water distribution system in the District. There is a strong Federal interest in assuring that those who visit, live, and work in the Nation's Capital have safe water to drink.

In District funds, we retain the ceiling of $5.108 billion on total operating expenses for fiscal year 1997, and we were successful in getting the deficit cap reduced to $74 million instead of $99 million as proposed in the consensus budget and the Senate bill.

Mr. Speaker, there are four items I want to mention briefly.

First, on the abortion issue, the Senate receded to the House language that no appropriated funds, Federal or local, are available for abortions except to save the mother's life, or in cases of rape or incest.

Regarding the domestic partners provision, the House language was agreed to by the conferees and provides that no funds, Federal or local, are to be used for a registration system or to implement or enforce the District's Domestic Partners Act.

Mr. Speaker, our subcommittee is concerned about deficit spending by the District government and borrowing long term to finance those deficits. We are urging the Mayor, the Council, and the control board to hold spending to the level of revenues collected. The District cannot spend its way to prosperity; nor can it borrow its way to prosperity.

And lastly, we have included an important provision regarding the Chief Financial Officer. Language in section 142 makes clear that all financial personnel in the executive branch of the District government, including all independent agencies and excluding the legislative and judicial branches, are under the exclusive control of the CFO. The CFO is making progress. It has been reported that the time delay in making vendor payments has been reduced from months to between 30 to 45 days. This is good progress.

I would like to thank the members of the sbucommittee for their hard work on this bill—the gentleman from Texas [Mr. BONILLA], the gentleman from Georgia [Mr. KINGSTON], the gentleman from New Jersey [Mr. FRELINGHUYSEN], the gentleman from Wisconsin [Mr. NEUMANN], the gentleman from Mississippi [Mr. PARKER], the gentleman from California [Mr. DIXON], the ranking member on our subcommittee and my predecessor as subcommittee chairman, the gentleman from New York [Mr. SERRANO], the gentlelady from Ohio [Ms. KAPTUR], and the ranking member of the committee, the gentleman from Wisconsin [Mr. OBEY].

I want to especially thank the full committee chairman, the gentleman from Louisiana [Mr. LIVINGSTON], for his extraordinary efforts on this bill. He took time to participate in our markups and meetings while still tending to other important appropriations matters.

Each of these Members is to be commended. I also want to thank the House and Senate staff as well as my personal staff for their hard work.

Mr. Speaker, at this point in the RECORD, I will insert a tabulation summarizing the conference action.

[The tabulation referred to follows:]

FY 1997 DISTRICT OF COLUMBIA APPROPRIATIONS ACT (H.R. 3845)

Appropriation	FY 1996 Enacted	FY 1996 Distribution by Control Board	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
Federal Funds							
Federal payment to the District of Columbia	660,000,000	660,000,000	660,000,000	660,000,000	660,000,000	660,000,000	---
Federal contribution to retirement funds	52,070,000	52,070,000	104,140,000	52,070,000	52,070,000	52,070,000	---
Reimbursement of inauguration expenses	---	---	5,702,000	5,702,000	5,702,000	5,702,000	5,702,000
Federal contribution for repair of drinking water system	---	---	---	---	---	1,000,000	1,000,000
Total, Federal funds to the District of Columbia	712,070,000	712,070,000	769,842,000	717,772,000	717,772,000	718,772,000	6,702,000
District of Columbia Funds							
Governmental Direction and Support	149,130,000	141,339,000	109,810,000	115,663,000	115,663,000	115,663,000	-33,467,000
Economic Development and Regulation	140,983,000	128,180,000	135,704,000	135,704,000	135,704,000	135,704,000	-5,279,000
Public Safety and Justice	963,848,000	969,972,000	1,041,281,000	1,041,281,000	1,041,281,000	1,041,281,000	77,433,000
Public Education System	795,201,000	790,567,000	758,815,000	758,815,000	758,815,000	758,815,000	-36,386,000
Human Support Services	1,855,014,000	1,701,460,000	1,685,707,000	1,685,707,000	1,685,707,000	1,685,707,000	-169,307,000
Public Works	297,568,000	288,059,000	247,967,000	247,967,000	247,967,000	247,967,000	-49,601,000
Washington Convention Center Transfer Payment	5,400,000	5,400,000	5,400,000	5,400,000	5,400,000	5,400,000	---
Repayment of Loans and Interest	327,787,000	327,787,000	333,710,000	333,710,000	333,710,000	333,710,000	5,923,000
Repayment of General Fund Recovery Debt	38,678,000	38,678,000	38,314,000	38,314,000	38,314,000	38,314,000	-364,000
Interest on Short Term Borrowing	9,698,000	18,420,000	34,461,000	34,461,000	34,461,000	34,461,000	24,763,000
Presidential Inauguration Expenses	---	---	5,702,000	5,702,000	5,702,000	5,702,000	5,702,000
Certificate of Participation	---	---	---	7,926,000	7,926,000	7,926,000	7,926,000
Human Resources Development	---	---	---	12,257,000	12,257,000	12,257,000	12,257,000
Cost Reduction Initiatives	---	---	-21,375,000	-47,411,000	-47,411,000	-47,411,000	-47,411,000
Pay Renegotiation or Reduction in Compensation	-46,409,000	---	---	---	---	---	46,409,000
Rainy Day Fund	4,563,000	---	---	---	---	---	-4,563,000
Incentive Buyout Program	19,000,000	---	---	---	---	---	-19,000,000
Outplacement Services	1,500,000	---	---	---	---	---	-1,500,000
Boards and Commissions	-500,000	---	---	---	---	---	500,000
Government Re-Engineering Program	-16,000,000	---	---	---	---	---	16,000,000
Total, operating expenses	4,545,461,000	4,409,862,000	4,375,496,000	4,375,496,000	4,375,496,000	4,375,496,000	-169,965,000

Appropriation	FY 1996 Enacted	FY 1996 Distribution by Control Board	FY 1997 Estimate	House	Senate	Conference	Conference compared with enacted
District of Columbia Financial Responsibility and Management Assistance Authority	3,500,000	3,150,000	3,400,000	3,400,000	3,400,000	3,400,000	-100,000
Enterprise Funds:							
Water and Sewer Enterprise Fund	242,253,000	231,004,000	221,362,000	221,362,000	221,362,000	221,362,000	-20,891,000
Lottery and Charitable Games Enterprise Fund	229,950,000	229,778,000	247,900,000	247,900,000	247,900,000	247,900,000	17,950,000
Cable Television Enterprise Fund	2,351,000	1,766,000	2,511,000	2,511,000	2,511,000	2,511,000	160,000
Starplex Fund	6,580,000	6,547,000	8,717,000	8,717,000	8,717,000	8,717,000	2,137,000
D.C. General Hospital	58,299,000	58,092,000	52,684,000	52,684,000	52,684,000	52,684,000	-5,615,000
D.C. Retirement Board	13,440,000	12,417,000	16,667,000	16,667,000	16,667,000	16,667,000	3,227,000
Correctional Industries Fund	10,516,000	8,827,000	3,052,000	3,052,000	3,052,000	3,052,000	-7,464,000
Washington Convention Center Enterprise Fund	32,557,000	32,557,000	42,596,000	42,596,000	42,596,000	42,596,000	10,039,000
Total, Enterprise Funds and Other	599,446,000	584,138,000	598,889,000	598,889,000	598,889,000	598,889,000	-557,000
Personal and Nonpersonal Services Adjustment	-150,907,000	---	---	---	---	---	150,907,000
Total, Operating Expenses - All Funds	4,994,000,000	4,994,000,000	4,974,385,000	4,974,385,000	4,974,385,000	4,974,385,000	-19,615,000
Capital Outlay:							
General Fund	62,562,000	62,562,000	75,923,000	46,923,000	75,923,000	46,923,000	-15,639,000
Water and Sewer Fund	39,477,000	39,477,000	---	---	---	---	-39,477,000
Total, Capital Outlay	102,039,000	102,039,000	75,923,000	46,923,000	75,923,000	46,923,000	-55,116,000
Total, District of Columbia Funds	5,096,039,000	5,096,039,000	5,050,308,000	5,021,308,000	5,050,308,000	5,021,308,000	-74,731,000
Intra-District Funds	-165,339,000	-163,087,000	---	---	---	---	165,339,000
Revised Total, District of Columbia Funds	4,930,700,000	4,932,952,000	5,050,308,000	5,021,308,000	5,050,308,000	5,021,308,000	90,608,000

(NOTE. - Amounts recommended in the bill exclude intra-District funds whereas amounts in this table for departments and agencies include intra-District funds for comparison purposes with fiscal year 1996 which also included intra-District funds at the department and agency level.)

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

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

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

Mr. DIXON. Mr. Speaker, the gentleman from New York is correct. This bill is substantially the same that left the House. I can certainly support it. I would like to thank the gentleman from New York and the Senator from Vermont for their cooperation in this matter. It made the bill and the conference go smoothly. I pay particular thanks to the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the full Committee on Appropriations, for we were able to provide another $1 million for the District of Columbia to clean the water pipes. This is an issue that not only affects the residents of the District and Federal employees, but tourists and citizens that come from around the country. I want to thank the gentleman from Louisiana [Mr. LIVINGSTON] for that effort.

Mr. Speaker, I rise in support of the conference agreement on the fiscal year 1997 District of Columbia appropriations bill.

I want to congratulate the gentleman from New York, Mr. WALSH, and Senator JEFFORDS who chairs the D.C. Appropriations Subcommittee in the Senate, for their fine work in moving this bill in record time. Unlike last year when agreement on the 1996 bill was not reached until 7 months after the start of the fiscal year, this year we have reached a bipartisan agreement 2 months before the start of the 1997 fiscal year.

This conference agreement is a fair and balanced agreement on the 14 differing items between the House and Senate bills. The agreement adopts the $5.1 billion consensus budget submitted by the District and the Control Board, but also caps the projected budget deficit at $74 million. This cap will put the District on a faster path toward a balanced budget, while giving the District and the Control Board the flexibility to determine precisely what additional spending reductions can be made without disrupting vital city services.

The conference agreement also strengthen's the ability of the District's chief financial officer to supervise and reorganize the financial personnel of the District's executive and independent agencies. These are the individuals who will be responsible for maintaining strong financial controls and accountability within the District's bureaucracy. The conference agreement makes it clear that Congress intends that these individuals serve under the direction of the chief financial officer.

Mr. Speaker, with regard to the funding restrictions on abortion and domestic partners, the agreement continues the restrictions implemented in the fiscal year 1996 bill without change. I continue to believe that these provisions abridge the rights of the citizens of the District to make their own judgments about these matters through their own elected representatives. I hope that we can remove this intrusion into home rule in the future.

I am delighted that the conference agreement also includes $1 million in funding to comply with the Environmental Protection Agency's recommendation that the District move swiftly to address the causes of elevated bacteria levels in the District's drinking water. The District has had five violations of Federal water quality standards in the past year, and simply does not have the staff or resources to address this problem in a timely fashion. The funds in this bill will enable the Control Board to move swiftly to hire a private contractor to flush the District's drinking water system of bacteria and other pollutants, while the city develops a longer term plan to ensure that drinking water in the District remains safe.

Mr. Speaker, overall, this conference agreement is a good agreement. I support it and urge its adoption.

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

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

Mr. Speaker, I would also like to thank the gentleman from California [Mr. DIXON], who served as chairman of this subcommittee, now serves as ranking member, for his cooperation, for his staff's cooperation. It was a remarkable feat to complete this bill in less than 3 weeks. It is due in no small part to the cooperation we received from the Democrat side and from the Senate.

Mr. TORKILDSEN. Mr. Speaker, I rise today to urge my colleagues from both sides of the aisle to join me in support of the Health Coverage Availability and Affordability Conference Report.

Statistics show that under current law, up to 25 million Americans across the country are denied health insurance coverage because of pre-existing conditions. Additionally, some 4 million workers remain ''job-locked'' because of the lack of health insurance portability. This is unacceptable.

It is inconceivable that, under current law, people with pre-existing medical conditions—whose need for quality health care can be immediate—can be denied health insurance. People should not have to live in fear that a change in jobs, or job loss, could deny them continued health coverage.

This bill is a bipartisan and common-sense solution. It doesn't solve every problem, but it is a shining example of what can be accomplished through compromise.

The key to health care reform is choice. Americans should be free to choose what type of insurance they want—and which doctors they wish to see. Medical Savings Accounts are one of the most innovative new choices in health care, and it is encouraging that the House and Senate were able to reach a compromise to institute MSA's on a 4-year trial basis. While MSA's clearly are not right for everyone, they are a bold new approach to health care reform. MSA's are one more choice for people who need health insurance.

This Conference Report is also a major win for the self-employed, in that it increases the percentage of their health insurance expenses that they can deduct from 30 percent to 80 percent. Under current law, the self-employed are permitted to deduct a mere 30 percent of their health insurance costs, while corporations can deduct 100 percent. This is unfair. People who are self-employed should not be discouraged from buying insurance because they are forced to pay a de facto tax penalty. We must eventually increase this deduction to the 100 percent enjoyed by corporations, but for now, 80 percent is a great improvement.

The Health Coverage Availability and Affordability Act does not involve a government take-over of health care. It does, however, solve specific problems in the current system and institutes new ideas to help all Americans—young and old—obtain health coverage.

I urge my colleagues on both sides of the aisle to support the bill and pass this much-needed reform.

Mr. FAZIO of California. Mr. Speaker, I rise to express my strong support for the conference agreement before us.

The health insurance reform conference agreement will help tens of millions of Americans keep their health insurance when they switch jobs, regardless of their health condition. In addition, the conference agreement contains an increase in the deductibility of health insurance for the self-employed.

This conference agreement addresses several fundamental problems in our Nation's health insurance system. First, if an employee who has been covered by an employer's health plan for at least 18 months loses his or her job, or switches to a job that doesn't provide insurance coverage, that employee will be able to buy insurance without exclusions for pre-existing medical conditions from any firm in the state that sells insurance.

I believe that this agreement represents an important first step in reforming our Nation's health care system. The General Accounting Office has found that about 21 million Americans are uninsured because of pre-existing conditions. The common-sense portability provisions contained in this bill will make a real difference in the lives of these uninsured workers.

So, too, will the provisions governing the deductibility of health insurance costs for the self-employed. Greater deductibility means that those who already are insured will find it more affordable. Those who lack coverage will more easily be able to budget for this necessary expense.

Greater deductibility also ensures greater fairness in our tax code. Corporations have long enjoyed full deductibility for their employee's health insurance. This provisions will narrow the gap between the self-employed and corporate employers, thereby reducing operating expenses for America's small business men and women and increasing the number of working families covered by health insurance.

I am glad that the conferees, particularly Senator KENNEDY and Congressman ARCHER, were able to negotiate a compromise on the medical savings accounts (MSA's) issue. The compromise agreement on MSAs reflects the concerns that I, and many others, had about the scope of MSA coverage. In addition, the compromise requires that Congress re-visit the MSA issue in four years to determined whether it should be extended or curtailed.

This conference agreement presents us with an opportunity to enact health care insurance reform legislation that will benefit millions of hard-working Americans. I urge my colleagues to vote YES on the conference agreement.

Mr. REED. Mr. Speaker, I rise in support of passing meaningful and essential health care reform today.

The conference agreement on H.R. 3103 is a positive first step to expanding access to health insurance for Rhode Islanders and

Americans across the nation. This legislation prohibits insurance companies from dropping coverage when an individual changes jobs or denying coverage because of a pre-existing condition. In addition, this bill increases the tax deduction for the self-employed from 30 percent to 80 percent by 2006.

Enactment of this common-sense health reform legislation has been delayed several months due to the insistence by the Republican Majority to attach many controversial provisions, including Medical Savings Accounts (MSA's), to the bill. The conference agreement contains a compromise that would make MSA's available to a limited population for four years. While I am concerned about the potential impact of this provision on our health care system, I am pleased that Congress must pass new legislation to continue or expand this MSA demonstration project.

I am also disappointed that the conference agreement does not contain the Domenici-Wellstone amendment adopted during Senate consideration of this legislation. This amendment would have required insurers and health plans to provide coverage for mental illness equal to that provided for physical health conditions. It is my hope that future Congresses will address this essential issue.

The steps to correct our health care system in H.R. 3103 is minimal, but needed reform which will alleviate the anxiety and suffering of many hard working families. However, more needs to be done to make health coverage affordable and available to more Americans. I remain committed to enacting comprehensive, systemic health care reforms in order to slow cost increases in health care services and ensure that all Americans have access to the quality health care they need.

Ms. PELOSI. Mr. Speaker, I rise in support of the conference report on the Kennedy-Kassebaum health care legislation. While I would have much preferred the bill adopted by the Senate, the advantages of this conference agreement outweigh the drawbacks.

This bill will be very helpful to Americans with preexisting conditions who may need to change jobs. It will allow them to move from one group insurance plan to another without coverage being excluded because of a preexisting condition. It will also allow people who lose their jobs to buy individual insurance without exclusion because of a preexisting condition.

The bill contains an important provision which states that the results of genetic testing cannot be used as a finding of a preexisting condition. This is an important first step in protecting individuals from discrimination based on new genetic testing made possible by advances in biomedical research.

The bill also expands on a provision important to me and my district. Several years ago, I introduced legislation which became law extending continuation group health coverage under COBRA to individuals found to be disabled at the time that they stopped working. Under the provision, these disabled individuals could remain in group coverage for 29 months—the time it takes to qualify for Medicare coverage. This bill improves this benefit by extending continuation coverage for those that become disabled during their initial COBRA coverage until they are covered under Medicare.

In addition, this bill includes an important provision which allows individuals with terminal illness to receive accelerated death benefits—often called viatical settlements—as tax-exempt benefits rather than income. This provision would apply to settlements received after December 31, 1996.

I am disappointed in the conference agreement for what this bill does not do. It does not make health insurance more affordable. In fact, the medical savings accounts portion of the bill—by taking the healthy and wealthy out of the insurance pool—may make health insurance more expensive.

In addition, this bill does nothing about the ability of insurance companies to exclude types of treatment or cap coverage. The bill also eliminates the Domenici-Wellstone mental health parity provision and even a scaled-back compromise to expand mental health coverage. Responding to these needs is also part of what should be done to provide health care security.

While this bill will help about 400,000 Americans with preexisting conditions who will benefit from the portability provisions, it will do nothing for uninsured Americans. The number of uninsured is projected to increase by another million in the next year. The welfare bill, passed by the House yesterday, will add even more people to the ranks of the uninsured.

Mr. Speaker, I urge a ''yes'' vote. Yet I am also compelled to comment on how much this bill has been weakened from the Kennedy-Kassebaum bill adopted by the Senate. We have a long way to go before achieving true health care reform.

Mr. MATSUI. Mr. Speaker, I would like to express my disappointment with the failure of the conferees to include a provision addressing the ongoing blatant insurance discrimination against the treatment of mental illness.

Millions of American men, women, and children, from every ethnic, economic, and age group, suffer from mental illness. We have made great progress in recent years in diagnosis and effective treatment of these debilitating and sometimes life-threatening illnesses. Yet persons with mental illness must struggle every day not just with their illness itself, but also with the refusal of the Nation's insurance industry to end discriminatory coverage of their treatment.

There is no reason for this discrimination, other than stigma and ignorance. Study after study has shown that parity coverage would save lives and money. The National Mental Health Advisory Council reported to Congress in 1993 that parallel treatment of severe mental and physical illness would actually save the national economy more than $2 billion every year.

In April, the Senate adopted by a vote of 68–30 an amendment offered by Senator DOMENICI and Senator WELLSTONE which specified that insurance plans had to impose the same limits on mental illness as physical illness in areas such as patient cost sharing, drug coverage, hospital stay duration, and annual and lifetime caps. It did not prevent businesses from managing mental or physical health care. All it said was that insurers must apply the same restrictions on mental health care as they do to physical health care.

During conference, Senators DOMENICI and WELLSTONE scaled back their proposal to require equal coverage only for lifetime and annual caps. The Congressional Budget Office estimated that the revised proposal would cost employers no more than .16 percent in additional premiums—literally pennies per day. This cost amounts to 3 cents per day per employee, or about $7 per year. It could have been completely offset by a negligible increase in the annual deductible, so that businesses would have paid nothing.

Unfortunately, House Republican conferees rejected even the modest proposal for parity on annual and lifetime caps. There is, as a result, nothing in the conference agreement to specifically address the fair treatment of persons with mental illness. This is unacceptable. More than two-thirds of the Senate voted for mental illness parity, and 116 Representatives endorsed the Senate amendment.

Mr. Speaker, this Congress and the Republican conferees had a real opportunity to make a modest but meaningful effort to reduce insurance discrimination against persons with mental illness. That they chose to do nothing at all is a lamentable rebuff to the millions of Americans who suffer from mental illness. We have to do better.

Ms. HARMAN. Mr. Speaker, I rise today on behalf of moderation and bipartisan cooperation and in strong support of the Health Coverage Availability conference report.

After months and months of gridlock, we finally have before us a solid health care compromise. This legislation shows what is possible if we put partisanship behind us and work from the sensible center for the betterment of our country.

Over the last decade, thousands of high-skill, high-wage workers in California's South Bay have lost their jobs because of defense downsizing. While many successfully found new employment, some cannot obtain medical insurance for themselves and their families because of preexisting health conditions. This bill generally prohibits insurers from excluding coverage of preexisting conditions and ensures that individuals would not lose their health insurance coverage when they move from one job to another.

The conference report's bipartisan character is particularly apparent in the section authorizing medical savings accounts. I'm pleased with the language establishing an MSA trial program. This way we can collect accurate evidence on how MAS's affect the quality and scope of health coverage for everyone.

Mr. Speaker, if we govern together from the sensible center, we will be successful. If we resort to partisan bickering, we are doomed to failure. Americans want and deserve a Congress that works. This conference report is evidence that it can.

Mrs. LOWEY. Mr. Speaker, I rise in support of the Kennedy-Kassebaum health insurance reform bill. While not perfect, this bill is a major step toward improving the health security of hard-working Americans and their families.

Mr. Speaker, Democrats have been working on this issue for a long time. Senator KENNEDY and his colleague, Senator KASSEBAUM, introduced their bill nearly a year ago today. The President endorsed the plan in his State of the Union address in January. Democrats in both Houses have been fighting for it ever since. The time has come to finally enact these reforms.

Mr. Speaker, we all know that the days of having a 40-year career at a single company are over. Americans today change their jobs often, but can't take their health insurance with them. Too many hard-working Americans and

their families have faced a troubling threat—if they change or lose their job, they lose their health insurance. That is wrong. This bill will give more Americans the peace of mind that they will continue to have access to health insurance, regardless of their job situation.

In addition, this health reform bill will: prevent insurance companies from denying coverage to Americans because they are sick; help seniors suffering from Alzheimer's and other chronic illnesses to afford the cost of long-term care; allow the self-employed to deduct more of their health insurance costs; and create a demonstration project to determine whether tax-preferred medical savings accounts are a promising way to control costs and protect patients' choice of doctor.

While I strongly support this bill, I am extremely disappointed that it does not ensure that mental health benefits are treated like other health benefits. The Senate unanimously supported mental health parity and nearly 100 of my colleagues in the House expressed their strong agreement. Sadly, it is not included in this bill. Mental illness is no different from physical illness. It should no longer be stigmatized.

I hope we can work to end discrimination against mental illness. For now, we must pass this bill—for it is a step forward for millions of American families. I urge my colleagues to support this health insurance reform bill.

Mr. BUNNING. Mr. Speaker, I rise in support of the Health Coverage Availability and Affordability Act and urge my colleagues to vote for it. It is a good bill.

Two years ago, when the First Lady's massive health care reform proposal was being considered and rejected by Congress, two things became clear. It was obvious that there was virtually no public support for a dramatic increase in the Government's involvement in our health care system. But it also became clear that there were quite a few health care issues on which there was widespread agreement.

This bill is the result of that consensus. It contains many of the reforms that are really needed in our health care system—reforms that people really want. It contains the reforms that we can all agree on. This bill does what is doable in health care reform.

The key element of this bill is something I have been working on for several years—legislation to ensure portability of health care insurance. Currently, too many people are locked out of health coverage because they have some sort of chronic health problem or preexisting condition. Our bill will solve the problem by eliminating preexisting condition exclusions for people with prior health insurance coverage. This is a long overdue change.

The Health Care Availability and Affordability Act does some other worthwhile things too. It will also improve access to health insurance by raising the health care deduction for self-employed from 30 to 80 percent, and by allowing small businesses to form insurance pools to get better rates for their employees. It will allow tax deductions for long-term health care coverage; allow terminally ill patients to receive tax-free accelerated death benefits from their insurance companies and create an exciting new concept called medical savings accounts.

I'm very excited about the potential for medical savings accounts. These accounts will allow people to set money aside in tax exempt accounts to use for medical expenses. Later, unused funds remaining in the accounts could be used for other purposes. What better incentive could you ask for to make people better shoppers and wiser users of health care? The medical savings account is a great idea.

Unfortunately, because the President objected to the MSA concept, we had to scale back the availability of these accounts in this bill. In the final bill, MSA's will be allowed on a 4-year test basis and be limited to 750,000 policies. But I am confident that in less than 4 years, medical savings accounts will prove themselves and Congress will clearly recognize their value and expand their availability.

This is a good bill. It doesn't solve all our health care problems but it contains many worthwhile reforms and it is doable. I urge my colleagues to vote for it.

Mrs. COLLINS of Illinois. Mr. Speaker, HIPAA, HIPAA, Hurray. HIPAA stands for the Health Insurance Portability and Accountability Act, the short title of H.R. 3103 for which we now consider a conference report. Hurray. We finally have some health care reform. I say ''some,'' because we still have a long way to go, but in this week of the 1996 summer Olympics, we at least have gotten out of the starting blocks to provide improved access to health case financing for more Americans.

The portability provisions agreed upon in this conference report of H.R. 3103, will allow people who lose or change jobs to continue their health insurance coverage. Now, even with some preexisting condition, health insurance plans can only limit for so long a person's waiting period before treatment for a preexisting condition could be covered—and, no longer can pregnancy, birth, and adoption be considered prohibitions to immediate coverage. These are good steps toward universal access and health insurance coverage for all Americans, which I have long advocated.

It looks like we finally have some relief from the special interests that control the health care delivery and financing system in this country that left over 37 million American uninsured for health care. It has been well documented that it is hard-working middle-income families who were being squeezed out of decent health coverage. In this time of rampant corporate layoffs, losing your job or even changing jobs can mean a devasting loss of health insurance coverage for you and your family.

Small businesses with 25 employees or less often found group coverage either unaffordable or unavailable if any of their workers were determined to be part of a high-risk category. Under this agreement, the small group employer market will be opened up. Title I of this conference bill provides for guaranteed availability of coverage to employees in the small group market. In layperson language, that means that each insurer that offers coverage in a small group market will have to make all health insurance policies available to all small employers and will have to accept for enrollment every eligible individual within the same employer—no longer will health insurance companies be able to pick and choose, or discriminate, who will be allowed to have health insurance.

Especially at a time of growing economic insecurity and instability, we have been challenged to find ways to address these problems—to make health coverage easier to buy and keep. That has been my primary goal in my efforts to reform the health care financing system in America today. I believe that we must be vigilant on a wide variety of concerns to help ensure that any health care reform product that is passed by Congress satisfies certain criteria. Some of the important objectives include universal coverage, comprehensive benefits, strong cost containment, and guaranteed access to high quality care for low-income, unemployed, and part-time employed people. Also, it is critical that the unique health needs of women, minority, and elderly populations are addressed. There should additionally be some expansion of long-term care insurance market.

So, there is more work to be done to provide fair and open access to health care for all children, individuals, and families. Until and unless Congress can achieve meaningful health care reform to provide for universal access to health care financing, there must be Medicaid eligibility for the unemployed, uninsured families who receive public assistance.

Mr. Speaker, I am disappointed that the provisions for mental health parity did not survive the conference because I believe that every person has a right to receive comprehensive physical and mental care under health care financing. Many States provide for mental health care coverage in their health insurance plans and I believe that the Federal Government will eventually recognize the value for it and will ensure national uniformity in that area.

The health care reform covered in this conference agreement is a good start. I urge my colleagues to support this conference agreement.

Mr. COLLINS of Georgia. Mr. Speaker, I rise to support this health care bill that will make health care more available and affordable for millions of Americans.

This is a health care bill the American people have wanted for years. And this Congress was able to accomplish this without a Government takeover of health care.

Two key provisions of this reform bill will eliminate health coverage exclusions based on pre-existing conditions and expand the portability of health care insurance plans for workers.

American workers will no longer have to fear losing their health care coverage if they change jobs. And, people can change jobs without losing their health insurance even if they have a pre-existing condition. These are major breakthroughs in health care.

We created Medical Savings Accounts to allow small business employees and the self-employed to make tax deductible contributions to a savings account if they choose to purchase a high deductible health plan.

We increased to 80 percent the tax deduction self-employed individuals can claim for health insurance. We included tax deductions for nursing home and home health care insurance and approved accelerated death benefits which will provide Americans more access to health care.

Finally, the legislation fights fraud and abuse in the health care industry by creating new criminal penalties and by increasing funding for prosecutions and investigations.

I am pleased to learn that President Clinton announced he will sign this historic health reform legislation even though he had previously threatened to veto the measure.

This legislation is good, sound health care policy. It provides a comprehensive approach

to providing market-based health care reform that avoids the explosion of government bureaucracy.

Mr. COSTELLO. Mr. Speaker, I rise in support of the conference agreement on the Health Coverage Availability and Affordability Act. While this bill is not perfect, I am pleased we have reached a bipartisan compromise on this important legislation. The conferees improved the House-passed bill and I am hopeful this body will now pass this conference report so it may be sent to the President. By passing this bill, we will help millions of Americans relieve their anxiety about maintaining health insurance if they become unemployed or change jobs.

This bill makes great strides toward protecting the health insurance converge of workers who face job-lock because of a fear of losing medical benefits. By increasing portability, the Congress is extending coverage to millions of working Americans who might otherwise lose their health care benefits.

This bill makes modest, basic changes to our health care system. It increases the portability of health insurance by prohibiting insurance companies and Health Maintenance Organizations [HMO's] from denying health care coverage to workers who move to another company or lose their jobs. Under the legislation, insurers may not exclude coverage for pre-existing medical conditions for more than 1 year.

The bill also raises from 30 percent to 80 percent the share of health insurance costs that the self-employed could deduct for tax purposes. While I believe that health insurance costs for the self-employed should be 100-percent deductible, this provision is an important step in giving small business entrepreneurs and family farmers more economic security.

In addition, the legislation establishes a test pool of Medical Savings Accounts where for 4 years up to 750,000 Americans who usually have high-deductible insurance policies could instead contribute to these accounts. These contributions could be used to pay medical expenses, but unused funds could accumulate or remain the property of the contributor. I am pleased we are giving MSA's a test run to see if, in fact, such savings accounts are equitable to everyone in insurance pools. I have strong reservation about jumping to such a large scale program without knowing if MSA's will work.

These incremental yet important reforms are the first step in fixing our health care system. We must next work on providing adequate and affordable health care for the uninsured and underinsured. This bill will help reduce the number of uninsured Americans and allow Congress to better target insurance reform in the future.

Mr. CASTLE. Mr. Speaker, I rise in strong support of the Health Coverage Availability and Affordability Act. This historic agreement will address the health insurance needs of millions of Americans. Those who want to change jobs, or who find themselves stricken with a costly illness, or who find themselves unemployed, will still be able to purchase affordable health insurance for themselves and their families.

The magnitude of the health insurance problem today is substantial—millions of Americans are without health insurance—39.7 million non-elderly Americans, or 17 percent of non-elderly Americans, were without health insurance in 1994. This is in spite of the fact that the United States spends far more per capita on health care than any other major nation—according to 1993 estimates, national health expenditures totaled $884 billion, or 13.4 percent of the gross domestic product.

There are many reasons for this high rate of uninsurance. Increasing numbers of health insurance companies refuse to insure those with pre-existing medical conditions or who work in high-risk jobs. Health care costs have driven up the cost of insurance, making it unaffordable. Rates for small businesses and the self-employed are extremely high due to their small risk pools. State mandates sometimes load up policies with unnecessary or unwanted benefits. Medical malpractice laws drive up the need for defensive medicine and expensive liability insurance for doctors.

I am delighted that the Congress was able to work in a bipartisan way to achieve important health insurance reforms to address some of these problems. This bill is a composite of sensible ideas which will have a substantial impact on hard working Americans who seek to retain or obtain health insurance coverage.

The conference report retains the best of the House and Senate proposals. It addresses the availability of health insurance by making sure health insurance is available for individuals moving from group to group or group to individual coverage. These portability provisions will provide important protections for the American people. It also guarantees the availability of insurance coverage to employees in the small group market, and assures people in group health plans that they cannot be excluded from coverage or from renewing their coverage based on their health status.

The issue of affordability is addressed by strong anti-fraud and abuse provisions—which are particularly important given that an estimated 1 in every 10 health care dollars is spent on fraud or abuse. Some of the reforms include establishing a national health care fraud and abuse control program to coordinate Federal, State, and local law enforcement to combat fraud with respect to health plans; establish a Medicare Integrity program; increase criminal penalties for fraud and abuse violations under Medicare and Medicaid; establish a program to encourage individuals to report suspected cases of fraud and abuse in the Medicare Program; among others

In addition, the bill includes administrative simplification provisions which should also reduce costs. Uniform standards for health information would enable the private sector to reduce paperwork—which accounts for an estimated 1 in every 10 health care dollars spend—make it easier to identify fraudulent claims, and make it easier for consumers to compare health plans and services. And it raises the health insurance deduction for self-employed individuals form 30 percent to 80 percent by the year 2006, and provides tax incentives for the purchase of long term care.

The conference report also includes an important innovation—Medical Savings Accounts. I am extremely pleased that the conferees agreed to a demonstration program. Medical Savings Accounts hold considerable promise, as they can make consumers more cost-conscious and thereby reduce health care costs. MSA's give consumers a clear inventive to take a more active role in their health care.

But before MSA's should be implemented on a grand scale, I think it makes sense to ensure MSA's don't have negative unintended consequences regarding the health insurance market or the health care choices that consumers make. For example, I imagine that none of us wants to see consumers forgoing all preventive care in order to build up their medical savings accounts. That is why the idea of a demonstration program is such a reasonable one.

This bill will make health insurance more affordable for millions of Americans. It will expand the opportunities Americans have to secure health care for their families, and will provide protection in these uncertain economic times. Health insurance reform is an idea whose time has finally come, and I hope this bill will pass with a wide bipartisan margin.

Mr. POSHARD. Mr. Speaker, I rise in strong support of the Kennedy-Kassebaum health insurance portability conference agreement, because this bill represents a bipartisan approach to providing health insurance portability to millions of Americans. For too long, workers and their families have been denied continued access to affordable and quality health insurance coverage simply because they lose their job or are found to be suffering from a pre-existing illness. This bill guarantees those individuals health coverage.

The bill also provides a long overdue increase in the deductibility of health insurance costs for this Nation's self-employed. I know that in my very rural congressional district, hundreds of farmers and their families have been shut out of being able to afford health insurance, because they were not able to deduct the cost of insurance at the same rate as corporations. While this bill does not level the deduction, it does move the deduction from 30 to 80 percent. This increase will provide the financial incentive to give farmers, the self-employed, and their families the ability to afford quality health care insurance.

Additionally, Americans have not had the opportunity to enroll in medical savings accounts. Coupled with catastrophic insurance to cover serious illnesses, these private, tax deductible accounts will pay for routine medical expenses. Medical savings accounts will encourage prudent choice by individuals in selection more cost-effective health care services. I believe the agreement's medical savings account pilot program will demonstrate the necessity of providing not only small business owners and employees with this choice, but all Americans.

For those living and working in the 19th Congressional District, this bill will:

Make it easier for people to keep their health insurance coverage should they leave or lose their job;

Prohibit health insurance companies from denying health coverage to individual with a pre-existing illness;

Require insurance companies to offer at least two health insurance plans comparable to that of the companies' other plans to people shifting from group to individual coverage;

Create a 4-year pilot program to test medical savings accounts on small business owners and employees;

Increase the deductibility of health insurance premiums for the self-employed to 80 percent from 30 percent;

Establish tax incentives to encourage the purchase of insurance for long-term care; and

Tackles fraud and abuse within the health care system.

As Co-Chair of the House Rural Health Care Coalition, I know this bill addresses many of the challenges we are facing in rural communities throughout America. I think our families and our businesses can look forward to meaningful changes in the way they purchase and use health insurance. This is a major step forward—but we must not forget the fact that millions of Americans are still without health insurance, and health care costs continue to climb.

We have demonstrated here today that by working together we can accomplish what many believe are far off goals. I encourage my colleagues on both sides of the aisle to use this bipartisan agreement as an example as we continue to overcome the many other challenges facing our nation's health care system, this Congress and the American people.

Mr. HALL of Texas. Mr. Speaker, I rise today in support of H.R. 3103, a health care reform bill that represents more than 6 years of hard work on the part of many Members of Congress, beginning with Senator Bentsen in the 102d Congress and continuing through the 103d Congress and now the 104th.

I've had the opportunity to work on health care reform over the past 4 years through the Commerce Committee and through The Coalition. Many of the provisions in the bill that we are considering today were included in previous work, and I want to commend my colleagues for finally bringing this legislation to the floor of the House for consideration.

Health care is one of the most important concerns of Americans, and this bill will help alleviate some of their greatest fears. Americans who want to pursue other job opportunities or who lose their job are now free from the worry of losing their health insurance, and those with pre-existing conditions are no longer faced with the nightmare of being unable to secure insurance coverage.

In addition, taxpayers will be able to purchase long-term care insurance and deduct this as a medical expense. Terminally and chronically ill citizens will be able to receive life insurance benefits prior to death without paying taxes on them. And some citizens will have the opportunity to try an alternative to traditional health insurance in the form of medical savings accounts, which I support.

Mr. Speaker, these are important reforms that will offer much-needed relief to all Americans. I believe that it will be one of the most important accomplishments of this Congress, and I urge my colleagues' support.

Mr. STOKES. Mr. Speaker, I rise in support of the long-awaited health insurance reform bill, H.R. 3103, entitled the Health Care Coverage Availability and Affordability Act. This measure was first introduced in the Senate by our colleagues, Senators KENNEDY and KASSEBAUM, over a year ago, on July 13, 1995. Yet, for political reasons, the majority would not let the measure move through the legislative process.

In fact, it is possible that the measure would not have moved at all—if it had not been for President Clinton's leadership and commitment to meaningful health care reform. Each of us in this Chamber and in the Senate recalls President Clinton calling for the passage of the bill in his State of the Union Address in January.

While the majority acknowledged the President's instruction, their choke hold on the bill continued. In fact, because of continuing unnecessary roadblocks, the bill was not even voted on until late March.

It is because of the President's and the Democrats' continued pressure and steadfast commitment to meaningful reform that we can stand here today to vote on the conference to the health insurance bill.

While I am extremely concerned that H.R. 3103 does not include the mental health parity provisions which were in the Senate bill and which we know the American people want, and desperately need, and in fact which many of us had fought hard to have included in the measure for, we can be pleased that the bill increases the portability of health insurance, and gives families increased security with regard to maintaining their health care coverage. We can also be pleased that H.R. 3103 does address pre-existing health conditions. H.R. 3103 frees the American people from job lock, as the measure denies health insurance companies and HMO's from denying health care coverage to workers who change jobs and/or lose their jobs. These are critical provisions which those of us on this side of the aisle have worked tirelessly to secure.

More specifically, with regard to ''group-to-group portability,'' the bill prohibits health insurance companies and HMO's from excluding coverage for pre-existing conditions for more than 1 year for individuals with a health condition for which medical advice, diagnosis, or treatment was given within 6 months prior to the individual becoming insured. The bill provides that this 12-month period be reduced by the period of time the individual was continuously covered by a group health plan in their previous job.

With regard to ''group-to-individual portability'', the conference agreement provides that certain individuals who previously had group coverage would be able to obtain individual health coverage. Under the agreement, insurance companies would be required to offer a choice of the two most popular policies they sell, or a choice of two policies that spread the risk.

With respect to long-term care, H.R. 3103 permits a tax deductibility of long-term care expenses, and allows those suffering from terminal and chronic illnesses to receive life insurance benefits prior to death without paying any taxes on such benefits.

However, with regard to the medical savings account provision, I remain extremely concerned as well. While I and many of my colleagues on this side of the aisle agreed with the Senate position that the measure should not include MSA's, the conference report does include a trimmed-back House proposal.

Instead of allowing for blanketed MSA's as the majority in the House had hoped, H.R. 3103 instead provides for a 4-year test period for medical savings accounts, and sets the number of participants allowed in the program to not exceed 750,000. Only businesses of no more than 50 employees and/or the self-employed individuals are permitted to participate in the program.

This is definitely one of those provisions where the phase ''buyers beware'' must be taken literally. After the 4-year period expires, people who participated in the MSA project could continue. However, no new accounts could be permitted unless new legislation was enacted to expand the time limit or to increase eligibility.

While I understand that the President is expected to sign the bill, it is incumbent upon each of us to follow the MSA provision very carefully, as it is expected to increase the cost of health care not reduce it. It is also incumbent upon each of us to continue to work to ensure adequate coverage for mental health.

Mr. Speaker, while H.R. 3103 definitely is not comprehensive health insurance reform, millions of Americans will benefit from the measure including small businesses and the self-employed. Serving as the line in the sand from where we can begin to make real inroads to meaningful health care reform, H.R. 3103 jump starts meaningful reform which is critically needed to ensure millions of Americans health care coverage that is accessible, affordable, and secure. While H.R. 3103 is not perfect, it is workable and I look forward to working with my colleagues to help further the enactment of meaningful health insurance reform. Vote ''yes'' on H.R. 3103.

Mrs. LINCOLN. Mr. Speaker, I rise today in support of the conference report for the Health Coverage Availability Act. This important legislation will address the millions of Americans who lose their insurance coverage because of job loss or because they suffer from a preexisting condition.

Families in my home State of Arkansas have grown increasingly anxious about the availability, portability, and cost of their own private health coverage. And who would blame them? Consider these staggering statistics:

There are over 40 million Americans without health insurance.

Over 1 million working Americans have lost health insurance in the last 2 years alone.

Over 80 million Americans have preexisting conditions that could make it difficult for them to maintain health coverage when they change jobs.

The legislation before us today will help ease some of the fears and concerns our constituents face. The bill would prohibit insurance companies from denying health care coverage to workers who move to another company, or who lose their jobs or become self-employed. The conference report also bars insurers from excluding coverage for preexisting illnesses for more than a year.

And I am extremely pleased to see that it would raise the amount of health insurance premiums self-employed people can deduct from their Federal income taxes from the current 30 percent to 80 percent. As many of you may know, I introduced the Health Insurance Equity Act which increases this deduction to 100 percent. Although the increase to 80 percent is substantial, I will continue to work to see this deduction increased to 100 percent. I believe that the small businessmen and farmers, who are the backbone of the district I represent, deserve the same tax benefits allowed larger businesses.

I am proud that this body has come together in a bipartisan fashion to produce this legislation that is worthy of our support. This conference report before us makes positive steps towards ensuring that the millions of Americans who are in need of health insurance will be able to afford and keep it.

Mr. CRANE. Mr. Speaker, in the last Congress, President Clinton set out to reform health care by taking decision making power away from the individual and placing it in the hands of a centralized bureaucracy. As a member of the Ways and Means Health Subcommittee, I am proud to be a part of the Congress that today is taking important steps towards reforming our health care system by taking power away from the bureaucrats and giving it back to individuals.

For example, the creation of Medical Savings Accounts [MSA's] will give individuals more rights and more responsibilities regarding their health care. I have been a strong supporter of MSA's, and I am pleased that Senate Democrats have agreed with the House and included MSA's in the conference report.

It should be noted that this is not a perfect bill by any means. I find it unfortunate that malpractice reform was dropped, I believe the MSA experiment is too restrictive, and I am concerned about the impact that guaranteed issue will have on the market as a whole. While there are unquestionably further improvements that can be made in our system and even in this bill, we are taking a major step forward.

When coupled with preexisting condition and portability reform, I believe MSA's and other provisions in this compromise represent a dramatic, but carefully measured reform of our health care delivery system. It is one that should be approved by Congress, applauded by pundits, welcomed by the American public, and signed by the President.

Mr. LAZIO of New York. Mr. Speaker, I rise today in strong support of the conference report to H.R. 3103, the Health Coverage and Affordability Act of 1996, of which I am a cosponsor.

Today, we are taking a long overdue step to help working class families across America, and in my home district of Long Island to acquire and keep their health care coverage.

For far too long, many Americans have worried that losing a job or having a preexisting condition would jeopardize the portability of their health insurance.

Because of this bill, workers will continue to have coverage if they change or lose their job—even with preexisting conditions.

As a result of our efforts today, health care will become more affordable. H.R. 3103 tackles the problem created by rampant fraud and lawsuit abuse that drives up the cost, and will increase penalties for those who commit fraud and abuse. Importantly, this bill also increases the health insurance deduction for self-employed individuals from 30 percent to 80 percent by 2006, and allows taxpayers to make tax-deductible contributions to a medical savings account.

An important feature of H.R. 3103 which Representative NANCY JOHNSON and myself championed, is a provision which will eliminate discrimination based on genetic information. This would allow thousands of men and women to undergo genetic testing needed to preserve their health without fear of losing their health insurance or not being able to acquire it. This protection is essential for the women of Long Island, where instances of breast cancer are among the highest in the country. With H.R. 3103 in place, these women can be tested for BRCA–1, a gene linked to the disease, without fear of losing the insurance needed to meet their medical needs. Hopefully some of this testing may provide information regarding the cause of this disease, or a potential cure.

I urge my colleagues to support this bill and these reforms which will ease some of those worries of families who are already being squeezed by high taxes and falling wages by ensuring availability, affordability, and accountability to those who received health care through their jobs. The American people deserve this and we owe it to them to pass it by a wide bipartisan margin.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to the provisions of clause 7 of rule XV, the yeas and nays are ordered.

Pursuant to clause 5 of the rule I, further proceedings on this question are postponed until the end of the vote on the conference report on H.R. 3517.

CONFERENCE REPORT ON H.R. 3517, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. The pending business is the vote on the conference report on H.R. 3517.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to the provisions of clause 7 of rule XV, the yeas and nays are ordered.

This vote will be followed by a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 396, nays 26, not voting 11, as follows:

[Roll No. 394]

YEAS—396

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cummings
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
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
Flake
Flanagan
Foglietta
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Greene (UT)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Martinez
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
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns

Traficant
Velázquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
White
Whitfield
Wicker
Williams
Wise
Wolf
Woolsey
Wynn
Young (AK)
Zeliff
Zimmer

NAYS—26

Barrett (WI)
Brown (OH)
Bryant (TX)
Campbell
Collins (IL)
Collins (MI)
Conyers
Cooley
Frank (MA)
Gutierrez
Johnston
Kleczka
Klug
Lewis (GA)
Lofgren
Markey
Nadler
Owens
Roemer
Royce
Sensenbrenner
Stark
Upton
Waters
Weller
Yates

NOT VOTING—11

Brownback
Chapman
Dickey
Ford
Gunderson
Hilliard
Lincoln
McDade
Studds
Wilson
Young (FL)

☐ 2047

Messrs. BRYANT of Texas, OWENS, AND LEWIS of Georgia changed their vote from ''yea'' to ''nay.''

Mr. FATTAH and Mr. MINGE changed their vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Without objection, House Resolution 497 is laid on the table.

There was no objection.

CONFERENCE REPORT ON H.R. 3845, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore (Mr. HAYWORTH). The pending business is the vote on the conference report on H.R. 3845.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to the provisions of clause 7 of rule XV, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 330, nays 91, not voting 12, as follows:

[Roll No. 395]

YEAS—330

Abercrombie
Ackerman
Armey
Bachus
Baker (LA)
Baldacci
Ballenger
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Calvert
Camp
Canady
Cardin
Castle
Chabot
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Cox
Coyne
Crane
Cremeans
Cubin
Cummings
Cunningham
Danner
Davis
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Doyle
Dreier
Dunn
Durbin
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Fox
Franks (CT)
Franks (NJ)
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gonzalez
Goodlatte
Goodling
Gordon
Graham
Green (TX)
Greene (UT)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Heineman
Herger
Hilliard
Hinchey
Hobson
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee (TX)
Jacobs
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
Knollenberg
Kolbe
LaFalce
Lantos
Largent
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDermott
McHale
McHugh
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moran
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Peterson (FL)
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schiff
Scott
Seastrand
Serrano
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stark
Stokes
Stupak
Tanner
Tate
Tauzin
Tejeda
Thomas
Thompson
Thurman
Torres
Towns
Traficant
Velazquez
Vento
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Zeliff

NAYS—91

Allard
Andrews
Archer
Baesler
Baker (CA)
Barcia
Barr
Barton
Brewster
Browder
Burton
Buyer
Callahan
Campbell
Chambliss
Chenoweth
Coble
Collins (GA)
Combest
Condit
Cooley
Cramer
Crapo
DeFazio
Dellums
Doggett
Duncan
Everett
Fowler
Frank (MA)
Frelinghuysen
Gillmor
Gilman
Goss
Hall (TX)
Hamilton
Hancock
Hefley
Hefner
Hilleary
Hoekstra
Inglis
Klug
LaHood
Laughlin
Lazio
Leach
Lofgren
McInnis
Meyers
Mica
Miller (CA)
Moorhead
Nadler
Owens
Pelosi
Peterson (MN)
Petri
Pickett
Ramstad
Roberts
Roemer
Roukema
Royce
Salmon
Sanford
Scarborough
Schaefer
Schroeder
Schumer
Sensenbrenner
Shadegg
Shays
Solomon
Stearns
Stenholm
Stockman
Stump
Talent
Taylor (MS)
Taylor (NC)
Thornberry
Thornton
Tiahrt
Torkildsen
Torricelli
Upton
Volkmer
Weller
Williams
Zimmer

NOT VOTING—12

Brownback
Chapman
Dickey
Edwards
Ford
Gekas
Gunderson
Lincoln
McDade
Studds
Wilson
Young (FL)

☐ 2059

Messrs. INGLIS of South Carolina, TORKILDSEN, and COLLINS of Georgia changed their vote from ''yea'' to ''nay.''

☐ 2100

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GEKAS. Mr. Speaker, on rollcall No. 395, I happened to be on the telephone at the time that the final vote was being taken. Had I been present I would have voted ''aye.''

CONTINGENT PERMISSION FOR LEATHER BOUND VOLUME ON SPECIAL ORDER IN TRIBUTE TO THE LATE HON. HAMILTON FISH, JR.

Mr. RANGEL. Mr. Speaker, I ask unanimous consent that that portion of the CONGRESSIONAL RECORD for July 25, 1996, where Members were allowed to pay tribute to our colleague, the late Hamilton Fish, that that portion be leather bound for distribution for Members and the family of Hamilton Fish and that former members be given notice an opportunity to insert their tribute into the leather bound books.

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

There was no objection.

The SPEAKER pro tempore. With the concurrence of the Joint Committee on Printing.

LEGISLATIVE PROGRAM

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

Mr. ARMEY. Mr. Speaker, let me first advise the Members, and I do understand how hard we are all working,

we are all anxious to complete our work to make our departures for our August recess work period.

At this time I can only advise Members, to the best of my knowledge, we should expect additional votes this evening within the hour. At any point during the evening, when I find information by which I can advise otherwise, I will ask for time to do so. But my best advice at this point is we must be prepared to stay for additional votes tonight, and I will keep Members informed.

I want to also express my appreciation to the Members on both sides of the aisle for your patience with these times being as they are.

PERMISSION TO ENTERTAIN MOTIONS TO SUSPEND THE RULES ON WEDNESDAY, SEPTEMBER 4, 1996

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that notwithstanding clause 1 of rule XXVII, the Speaker may entertain motions to suspend the rules on Wednesday, September 4, 1996.

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

Mr. FROST. Mr. Speaker, reserving the right to object, I do not intend to object. I would, however, like to clarify with the distinguished majority leader our understanding of what the procedure will be on Wednesday, September 4, with regard to suspensions.

It is our understanding that his office will supply us with the final list of suspensions he intends to consider on September 4 by noon on August 21st. We have requested this information from him in order to notify our Members in advance just what bill will be under consideration so that our Members who are interested in debating the bills could arrange to be here. It is our understanding that no additional bills will be added to this list without the unanimous consent of the minority.

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

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

Mr. ARMEY. Mr. Speaker, the gentleman is absolutely correct in the way he has stated it. We will supply that list by the 21st of August noon, and that indeed no other suspension would be brought up except by additional unanimous consent. And I would, again, like to express my appreciation for the leadership on the minority side of the aisle for their cooperation in working with us on this.

Mr. FROST. Mr. Speaker, I thank the majority leader, and I withdraw my reservation of objection.

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

There was no objection.

ORDER OF BUSINESS

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

Mr. SOLOMON. Mr. Speaker, as I understand it, the next item of business will be the rule on the defense authorization conference report. It is my intention to only use 2 or 3 minutes and then, when the manager on the Democrat side has done the same, we would then yield back our time and expedite this rule without a vote.

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

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

Mr. FROST. Mr. Speaker, I cannot assure the gentleman that it will only be 2 or 3 minutes. It will not be the full time. We do have a request by the gentleman from New Mexico for a colloquy. We also have a request by the ranking member on the Committee on Commerce for the opportunity to speak. But we will move along as quickly as we can.

Mr. SOLOMON. Mr. Speaker, a minimum amount of time on both sides.

CONFERENCE REPORT ON H.R. 3230, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 498 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 498

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3230) to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1997, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. SOLOMON] is recognized for one hour.

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

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

Mr. Speaker, House Resolution 498 provides for the consideration of the conference report to accompany H.R. 3230, the National Defense Authorization Act for fiscal year 1997.

The rule waives all points of order against the conference report and against its consideration. It further provides that the conference report shall be considered as read.

The waiver includes a waiver of the 3-day layout rule, as the report was filed only Tuesday. This was necessary so that the House could complete consideration of this measure before the August recess tomorrow. Further, the report has been available in committee offices so Members and staff have had ample time to review it.

Mr. Speaker, this is a fair rule that provides for expeditious consideration of this critically important legislation. I urge support of the rule. I will not bother to get into the details of the bill. It has been debated at considerable length. We all know the contents.

Mr. Speaker, I urge prompt action on the rule, and I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from New Mexico [Mr. RICHARDSON], our ambassador at large, for the purposes of engaging in a colloquy.

Mr. RICHARDSON. Mr. Speaker, I rise for the purpose of entering into a colloquy with the gentleman from Colorado [Mr. SCHAEFER], the chairman of the Subcommittee on Energy and Power.

As the gentleman knows, the Waste Isolation Pilot Plant in New Mexico will have a direct impact on many of our constituents in that State. While I support amending the land withdrawal act, I would like to clarify some aspects of this amending language.

First, I have concerns about designating November 1997 as the opening date for the facility. If new health and safety problems arise prior to start-up, I want to be assured that resolving these concerns will take precedence over the opening date.

Secondly, the issue of proper oversight is an important one. I want to ensure that the EPA will have a full capability to provide for the safe operation and regulation of WIPP.

Finally, I am concerned about the exemption from RCRA no-migration standards. As the gentleman knows, I have advocated for the implementation of an independent review of EPA's decision to strike the RCRA no-migration rules, possibly by the National Academy of Sciences. I want to be assured that the deletion of RCRA no-migration standards will not result in a degradation of environmental standards at WIPP.

Let me say that I appreciate the work of the gentleman. The work of the gentleman from New Mexico [Mr. SKEEN] in responsibly moving this language forward. I do support the provisions affecting WIPP, but would appreciate any comment he has on these matters.

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

Mr. RICHARDSON. I yield to the gentleman from Colorado.

Mr. SCHAEFER. Mr. Speaker, I truly thank the gentleman from New Mexico, and it has been a great pleasure working with him on this particular situation. I do appreciate his concerns. A timely opening of WIPP is very important. It is equally critical that the facility opens and operates in a very safe manner.

First, the 1997 opening date is not a hard, statutory requirement, but is

contained in a sense of Congress statement. Both EPA and DOE feel that this date is achievable. Obviously the health and safety issues are very, very important, and language has been included to reflect that the site should meet all applicable health and safety standards before disposal operations commence.

This subtitle closely mirrors legislation already approved by the full Committee on Commerce and preserves a strong regulatory role for EPA at WIPP. The facility is also regulated by several other entities, including the State of New Mexico. The combination of these different regulators provides for a broad oversight and regulatory base.

Finally, I can understand the gentleman's concerns about the no-migration standard. As he knows, I have always felt that the Federal Government should be held to the same environmental standards accepted by any other entity in America. This legislation does meet that test. There will be no loss of environmental protection, no impact on human health and safety, and no reduction of the overall safety standards under this language.

The EPA is confident that this regulatory regime will provide and protect human health and the environment. I would like to enter into the RECORD correspondence from EPA which does express this view.

I do so much appreciate the gentleman's concern for his constituents, as I would, and his cooperative work on the subtitle. I also want to recognize the very valiant efforts of the gentleman from New Mexico [Mr. SKEEN], without whose help we would not be here today. Again, I appreciate the gentleman's support and his allowing me to clarify these matters.

Mr. Speaker, I include for the RECORD the following correspondence:

ENVIRONMENTAL PROTECTION AGENCY,
Washington, DC, May 15, 1996.

Hon. TOM UDALL,
Attorney General of New Mexico,
Santa Fe, NM.

DEAR MR. UDALL: The purpose of this letter is to follow-up on our telephone conversation of April 1, 1996, and respond to your letter of April 4, 1996, regarding the Environmental Protection Agency's (EPA) role in the regulation of the Waste Isolation Pilot Plant (WIPP).

The Administration is presently formulating its position on H.R. 1663, the ''Skeen-Schaefer Bill'' amending the WIPP Land Withdrawal Act (Pub. L. 102–579). I appreciated hearing your views about the legislation and am pleased we had the opportunity to discuss these important issues. The Agency believes that the amended H.R. 1663 is a sound bill and makes critical improvements over its antecedent. As you are aware, the Skeen Bill, as originally proposed, severely limited EPA's regulatory oversight of WIPP and, we believe, did not provide adequate protection of human health and the environment. Mr. Schaefer's amendments retain EPA as the independent regulator of the WIPP, eliminates extraneous requirements, and leaves intact the provisions of the 1992 WIPP Land Withdrawal Act (LWA) that require EPA to certify whether the WIPP facility will comply with the disposal regulations in accordance with public rule-making procedures.

You specifically expressed concern about the impact of the proposed legislation on the WIPP certification process. In particular, that review of individual chapters of the Department of Energy's (DOE) compliance application by EPA would require the Agency to commit to a position on the sufficiency of each chapter without public input. While it is true that EPA will review individual chapters prior to receipt of the full application, the Agency will make no determination on the adequacy of any part of the application until: 1) EPA has received the full application from the department; and 2) public comments have been considered. In fact, the Agency has received the first of these chapters and placed it in the certification docket (No. A–93–02) on May 1, 1996. We will be providing written comments to DOE on these chapters. The written comments will also be placed in the public dockets.

You also raised concerns about the effect of the proposed legislation on the public's opportunity to provide comment on DOE's application. As in the past, EPA will continue to foster an open public process. As you will note in the final compliance criteria (40 CFR Part 194), EPA will hold two 120-day public comment periods after it receives DOE's full compliance application. The proposed legislation will not affect the process established in the compliance criteria. Furthermore, EPA never planned for or created any process for formal public comment on the completeness of the application. Therefore, since DOE is providing the Agency with individual chapters prior to submission of the full application, the public will have an additional opportunity to comment on, and additional time to review, the individual chapters, via EPA's public docket.

Additionally, you were concerned that the proposed H.R. 1663 removes the ability of the Administrator to enforce compliance of the WIPP with any law, regulation or permit requirement described in §9(a)(1) of the LWA. We feel that EPA's ability to ensure compliance with these environmental laws is not compromised by removal of this provision since: 1) the environmental laws described in the LWA contain their own enforcement provisions; and 2) 40 CFR Part 194 imposes requirements that DOE perform remedial actions if the administrator determines WIPP to be in non-compliance with the transuranic waste disposal standards.

Further, with regard to H.R. 1663, you expressed concern about the WIPP being used as a repository for transuranic wastes that did not result from a defense activity. The proposed legislation does not alter the definition of exposure or capacity limits of either remote- or contact-handled wastes set forth in the LWA. If EPA were to certify the WIPP, this provision would allow for disposal of a relatively small amount of waste from a site in West Valley, NY. If WIPP were capable of accepting this waste within the capacity limits of the LWA, it would be imprudent to needlessly spend taxpayer money for a site similar to WIPP for such a small amount of transuranic waste simply because the process which generated the waste was not defense related.

Lastly, I am disappointed that you have elected to bring a legal challenge against EPA's WIPP compliance criteria published on February 9, 1996. The EPA considered the views of all interested parties, including the comments and suggestions made by your office, in deciding the contents of the final criteria. As you know, EPA held two public comment periods totaling 135 days, and conducted a series of public hearings in New Mexico. Ultimately, the Administrator of EPA, exercising her independent judgment, determined the contents of the final criteria. We believe EPA's criteria are sound and will effectively protect public health and the environment.

I want to assure you that EPA will keep communication lines open as it undertakes the public rulemaking proceeding to certify whether the WIPP facility will comply with the final disposal regulations. We recognize the importance of this matter to you and all of the residents of New Mexico.

If you have questions regarding this letter or any other concerns, please contact Frank Marcinowski of my staff at (202) 233–9310.

Sincerely,

MARY D. NICHOLS,
Assistant Administrator for Air and Radiation.

Mr. RICHARDSON. Mr. Speaker, I thank the gentleman. I support the provisions affecting WIPP.

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

Mr. Speaker, I rise in support of this rule and this conference report, which authorizes the programs which provide for our Nation's defense which is our common defense. In these uncertain times, which, as we all know, grow more dangerous every day, it is of vital importance that this component of our country's protection continues to be strong. Our foreign enemies—those who seek to disrupt and ultimately destroy our democratic way of life—must know of our commitment to a strong and capable military able to protect this great Nation. This conference report is a positive step in insuring that our military capability remains strong and vigilant and I urge its adoption.

Mr. Speaker, the conferees have wisely dropped contentious social issues from this agreement, and in doing so, have taken the proper course of action in ensuring that this authorization can be signed into law by the President. While the funding levels are still significantly higher than those requested, I feel confident that this is a bill that can be signed. The increases in funding levels are not for frivolous projects, rather they provide for faster acquisition of important weapons systems which had been planned for purchase in later years.

The agreement does not contain provisions from last year's vetoed bill which had required the deployment of a national missile defense system by the year 2003, nor does it contain language which might have been a violation of the 1972 Anti-Ballistic Missile Treaty. As Members know, these issues, among others, provoked a veto in 1993, and their exclusion this year certainly enhances the chance that this agreement will become law.

This agreement contains provisions which will require that the U.S. Government live up to its obligations. The bill contains a 3-percent pay raise for military personnel and increases housing allowances. The agreement addresses a long and shamefully overlooked matter by authorizing the award of the Medal of Honor to African-Americans who served in World War II and who distinguished themselves by performing with gallantry above and beyond

the call of duty. The agreement also contains language which will finally recognize the sacrifice and heroism of those Vietnamese nationals who participated in special operations in North Vietnam or Laos on behalf of the United States Government and who were subsequently captured and imprisoned by the Communist Vietnamese.

I am particularly pleased that the conference agreement contains $1.5 billion for continued development and acquisition of six V–22 Osprey tiltroter aircraft, as well as funds for the acquisition of six additional F–16 fighters. The conference agreement includes $2 billion in funding for research and development for the next-generation tactical fighter, the F–22. Also provided is $2.4 billion for the acquisition of nine C–17 transport aircraft. All these aircraft are important components in our national defense system and the conference is to be commended for funding them in this agreement.

Mr. Speaker, this is a fair rule and a good bill and I urge their adoption.

□ 2115

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. DINGELL].

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

Mr. DINGELL. Mr. Speaker, I rise in opposition to the rule and to the conference report. I do so mainly because this bill could let the Nation's largest polluter, the Federal Government, more specifically the Department of Defense, the Department of the Interior, GSA, and the Department of Energy off the hook. Under this provision, section 334 would directly amend CERCLA, otherwise known as Superfund, a law that is squarely within the jurisdiction of the Committee on Commerce.

If my colleagues have defense or other Federal establishments within their district, they better be very careful before they vote for this legislation. The legislation will change current law to allow the Federal Government to transfer contaminated property that it owns prior to the completion of the required cleanup of the property.

Remember, this is contamination with high-level hazardous wastes, high-level nuclear wastes and other terribly dangerous substances. This provision may actually delay the cleanup of contaminated Federal properties. This provision will impose upon citizens of this country the possibility or even the probability that there are no adequate or enforceable assurances that the cleanup will be completed by the party who buys the property in a timely manner and in a way which is protective of the human health and environment. The provision should be of particular concern to all of my colleagues who have Federal properties in their district.

This is a defense authorization bill, and, if they vote for it, my colleagues should be aware that this provision applies not only to defense facilities but also properties owned by the Department of Energy, the Department of the Interior and any property under the controls of the General Services Administration. Unfortunately, this provision has not been subject to hearings or examination by the authorizing committees, and no one knows exactly the level of peril which is imposed upon the people of this country.

Equally important is the fact that it has no discernible support except amongst the Federal polluters, and it is interesting to note that people who address the question of pollution of our environment, and who are concerned about protecting the citizens of this country from dangerously contaminated and environmentally degraded areas have expressed particular concern.

The Department of Defense has provided no examples of the need for the sweeping provisions in section 334, but the attorneys general of the States of Michigan, Washington, New Mexico, Texas, Minnesota, and Colorado have written to express their strong opposition to this provision. On behalf of its quarter-million members, the Natural Resources Defense Council has also opposed this provision. Amongst other concerns, these writers question the glaring absence of criteria for determining the suitability of contaminated Federal lands for transfer and the enforceability of cleanup requirements. Indeed the level of cleanup required is in question, insofar as whether the cleanup would be adequate to protect the health and the environment of people who would be affected and who live in the neighborhood.

I urge a rejection of the rule, and I urge a rejection of the conference report.

Mr. FROST. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. BORSKI].

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

Mr. BORSKI. Mr. Speaker, I rise in strong opposition to the rule and the conference report on the Defense Authorization Act.

Mr. Speaker, I rise in strong opposition to the rule and conference report on the Defense Authorization Act for fiscal year 1997. I do so principally because it could allow Federal agencies to abdicate their responsibility to clean up hazardous waste sites and address other toxic conditions that they created. It could dump onto States, local governments, and the public the burden of cleaning up federally created toxic waste sites. This includes some of the Nation's most contaminated hazardous waste sites created by the Department of Defense and Department of Energy.

Section 334 of the conference report would fundamentally change current law by allowing the Federal Government to transfer contaminated federally owned Superfund sites before completing cleanup necessary to protect human health and the environment.

Supporters of the provision may claim that it contains safeguards to ensure that the Federal Government will perform cleanups after transferring its contaminated property to other persons. However, serious questions have been raised by State Attorneys General and other stakeholders as to the adequacy and enforceability of the supposed safeguards to ensure that timely and protective cleanups will occur after the Federal Government no longer owns the property it contaminated.

I am particularly concerned that this far-reaching and significant amendment to the Superfund law is being made without any consideration of its ramifications by the two committees of jurisdiction, the Transportation and the Commerce Committees, and without consideration of the views of States, communities, and the public. Letters of opposition from the Attorneys General of the States of Michigan, Minnesota, Colorado, California, Texas and Washington, and from the National Association of Attorneys General and the Natural Resources Defense Counsel, evidence the public's grave concerns with this provision. Moreover, there has been no demonstration of any need for the provision.

If this provision becomes law, Congress will have eliminated any certainty that federally created toxic waste sites in our communities will be cleaned up in a timely and protective manner. This provision goes in the wrong direction. The Federal Government should be leading the way in cleaning up toxic waste sites. Instead, we are making it easier for the Federal Government to avoid the cleanup responsibilities that we expect of private interests.

This provision should be removed from the conference report and considered by the committees of jurisdiction with the appropriate hearings and markups.

Mr. Speaker, I also am very troubled by an amendment made in conference to another provision in the report. The House bill required the Navy to develop and implement a program to monitor the ecological effects of organotin, a highly toxic ingredient in paints used on Navy vessels. I agree that it is appropriate for the Navy to study the environmental impacts of toxic materials it uses on its vessels. However, section 333 of the conference report adds a provision shifting to the Environmental Protection Agency the obligation to pay such sums as are necessary for the Navy to develop and implement its program. This raid on EPA's budget to supplement the astronomical budget of the Department of Defense is entirely unacceptable.

Finally, Mr. Speaker, I would like to note my understanding that section 324 of the conference report, which amends the Act to Prevent Pollution from Ships, is not intended to limit the Navy's efforts in continuing to develop and implement more efficient and environmentally beneficial garbage disposal technologies.

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

Mr. SOLOMON. Mr. Speaker, I have no further requests for time, I yield back the balance of our time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. SPENCE. Mr. Speaker, pursuant to House Resolution 498, I call up the conference report on the bill (H.R. 3230), to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HAYWORTH). Pursuant to House Resolution 498, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Tuesday, July 30, 1996, at page H 8985).

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. SPENCE] and the gentleman from California [Mr. DELLUMS] each will control 30 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. SPENCE].

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

Mr. SPENCE. Mr. Speaker, in an effort to expedite these proceedings, it will be my intention to limit my remarks and also those of the other members of our committee who are going to speak. I know everyone is anxious to get to a vote in a hurry, and so we will do our best to get there. There will be about two speakers we have to her from to carry on a colloquy and some important things to be said, but aside from that we are going to try to limit our remarks.

Mr. Speaker, we have a good conference report. As a matter of fact, there is $1.1 billion less in spending in that bill that passed the House. Like all conference reports, there were concessions on both sides in order to arrive at a conclusion.

The Department of Defense, I have been in touch with them. Secretary Perry supports this report.

I want to thank all of the members of the committee and the panel, panel chairmen for all they have done to bring this report to us and especially the staff who have worked hard and long into the wee hours of the morning to enable us to get to this point this soon. We have set a record, I think, for bringing this report back in the period of time, and so I am going to also thank the ranking minority member, the gentleman from California [Mr. DELLUMS] for his cooperation. We could not have been here otherwise without that.

Like the House-passed bill, the conference report takes a balanced approach toward addressing the numerous quality of life, readiness, and modernization problems our military is facing today. The bill provides for military personnel and their families who represent the heart of the all-volunteer force. It enhances core military readiness by increasing funding for a number of underfunded key readiness and training programs. And like last year's bill, it once again makes great strides in addressing many of the serious problems plaguing the administration's inadequate modernization program to ensure that our troops of tomorrow maintain the technological edge they enjoy on the battlefield today.

The conference report itself is consistent with the Fiscal Year 1997 Budget Resolution and provides $265.6 billion in budget authority for Department of Defense and Department of Energy programs. It authorizes approximately $1.1 billion less in defense spending than the House-passed bill, and represents a real decline in spending of approximately 2.1 percent over current levels. The fact that this bill authorizes defense spending at a level that is $11.2 billion greater than the President's request yet still reflects spending decline, speaks volumes about the extent to which the President's defense budget is underfunded.

On the major issues the conference has to address—issues such as abortion, depots, gays in the military, theater missile defense demarcation, ABM Treaty multilateralization among others—this conference report clearly represents a compromise among many interested parties, including the administration. On balance, this conference report strikes a good balance between many competing and conflicting interests and deserves the support of all members.

I will leave discussion of the many important initiatives in the conference report to my colleagues on the National Security Committee who have worked very hard over the past several weeks—and really since this process started back in February—to get this conference report to the floor this week. In particular, I would like to recognize the diligence, dedication and cooperation of the subcommittee and panel chairmen and ranking members.

As always, I would also like to thank the gentleman from California, the committee's ranking member, for his cooperation. While we may disagree on the substance, my colleague's support of the committee institutionally and his support for the process improves the work we all do.

Finally, Mr. Speaker, let me thank the staffs of the National Security Committee and the Senate Armed Services Committee. They have worked tirelessly all year so that we could have this conference report before the House and Senate prior to the August recess. They have done an outstanding job on a large and complex piece of legislation—and in record time.

Mr. Speaker, raising and maintaining the military is one of Congress's most fundamental responsibilities. This conference report reflects the seriousness with which the National Security Committee takes its responsibility. As a result, it has strong bipartisan backing in both the House and the Senate as well as the support of the Secretary of Defense so I urge all of my colleagues to vote ''yes.''

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

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

Mr. Speaker, we too will attempt to expedite the process although I do have a few Members who choose to speak and exercise that option to do so.

Mr. Speaker, I Rise in opposition to the conference report on the National Defense Authorization Bill for fiscal year 1997.

First, let me say that the process by which this bill was shaped this year was much improved over last year. My colleagues will remember that the president warned that if certain actions were not taken on the fiscal year 1996 bill, that he would have to veto it, and that is indeed what happened.

This year, several of the major concerns of the administration were attended to as this bill was worked out in conference. For instance:

The section that would require unilateral enactment of the ''demonstrated capability'' standard for U.S. compliance with the ABM treaty, along with the prohibition on the use of funds to apply any other standard was dropped.

The section that would require Senate approval of any succession agreement adding new parties to the ABM treaty was dropped.

The section that would again, Mr. Speaker, require the discharge of servicemembers who are HIV-positive was dropped.

The section that would reinstate the total ban on gay men and lesbians in the military was dropped.

However, Mr. Speaker, the President has also warned that there are other problems with the bill—foremost among them a spending level authorized by this bill which in this gentleman's opinion is too high.

Also:

The section that would repeal the provision in law that prevents servicewomen from obtaining safe abortions at military treatment facilities overseas was dropped from the bill in conference.

The section that prevents the sale of constitutionally protected literature on military bases was retained in the bill.

As onerous as these and some other provisions in the bill are, and a number of my colleagues in the context of the discussion and debate on the rule alluded to many of them, I believe that the President will in the end sign this bill.

Mr. Speaker, as I said, I oppose this conference report. I do so primarily because the funding level that is authorized by this bill is a substantial and unnecessary increase over what was requested by the administration for defense spending in the coming fiscal year. I believe that this authorization bill in its entirety takes this country's military spending, trends and policy initiatives in the wrong direction. The overall budget represents increased military spending on items not requested by either the administration or the service chiefs.

This is not only unwarranted, Mr. Speaker, it is shortsighted. It will only lead to large cuts in defense in the outyears as the funding tails associated with these programs come due. As a consequence, we are insuring that we will soon be faced with the decisions that will result in either cuts in the quality of life programs combined with reductions in force structure or cuts in planned modernization programs which

will have to be done in midstream resulting in more cost to the taxpayers.

Ironically, Mr. Speaker, and I would reemphasize ironically, this will be causing the very situation we all agreed that we meant to prevent; that is, the work that Members thought had been accomplished over the last 2 years will eventually be negated because of this spending binge.

With these remarks, Mr. Speaker, I respectfully reserve the balance of my time.

Mr. SPENCE. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WELDON]

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

□ 2130

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank my friend and chairman of the committee for yielding time to me.

Mr. Speaker, I thank both the chairman and the ranking member for their cooperation in bringing forth what I think is an excellent bill that we all should get behind and support. It is an excellent bill because it deals with the quality-of-life issues, issues involving pay raise, cost of living, housing, child care, and all those things that are important for our military personnel around the world.

It also deals with our readiness problem to make sure our troops are properly prepared.

Mr. Speaker, I rise today, however, to ask for the support of our colleagues because it deals in a real way with the two major threats that I think we face over the next several years: that caused from terrorism, and that caused from the proliferation of missiles and weapons of mass destruction.

Mr. Speaker, we fully fund increases in the area of terrorism, far above what the administration requested. Long before incidents were occurring in this country, as we have seen this year, it was this Congress, led by this chairman, who had the foresight to put additional funds into chemical and biological technology, into efforts to allow us to better train those civilian personnel around the country who have to respond and better prepare our military. We deal with terrorism in this bill, and it is a very important priority for us.

Secondarily, we fully fund missile defense technologies, national, theater, cruise, and space-based sensors. In addition, Mr. Speaker, we fund the Nautilus Program for Israel; even though the administration never requested dollars for that program, we fully fund it to make sure that Israel is secure. Unlike the past requests of the administration where they tried to zero out funds for the high-energy laser program, we continue the funding.

In the R&D area, we maintain our technology base with a robust funding profile. We put money in for dual-use technology and capabilities. We fund the new ocean partnerships initiative, with the Navy in the lead.

But I am disappointed in two instances, Mr. Speaker. We should have had the ABM provisions in here dealing with multilateralization and with the demarcation issue. But all is not lost, because in the compromise with the Senate we remained silent. We took out our language and they took out their language.

What does that mean, Mr. Speaker? That means prevailing law is the case. When this administration attempts to amend the ABM Treaty, they must bring back those changes to the appropriate bodies of this institution, the Congress, to achieve support and ratification.

So when this administration tries to dumb down our capabilities through demarcation negotiations in Geneva or through the multilateralization of the ABM Treaty, the Senate will have a rightful role to play in approving those changes before they in fact become law. So all is not lost.

I applaud once again my chairman for the outstanding job he has done for our subcommittee chairman. I think we have a good bill here that everyone should get behind. It may not be perfect, but it certainly deals with the needs of those men and women who are serving our country today.

Mr. DELLUMS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Mississippi [Mr. MONTGOMERY].

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

Mr. MONTGOMERY. Mr. Speaker, I rise in support of this conference report. I do hope the President of the United States will sign the bill. There are parts of this legislation that he did not like, and they were taken out. In the conference with the Senate, there were areas that I had a particular interest in. They were dropped in the conference. So I accept, Mr. Speaker, that you never get all you want in these massive bills. I think it is still good legislation.

Mr. Speaker, I have only served on two committees most of the time that I have been in the Congress, which is the Committee on Veterans' Affairs and the Committee on National Security. I have enjoyed working on both of these committees and am very proud of the excellent veterans programs we have, better than any other Nation, for our veterans. With the defense bill today, we still have the strongest defense force in the world.

Mr. Speaker, this will be the last time I will be involved in the defense bill. I want to thank the gentleman from California [Mr. DELLUMS] on my side of the aisle, for his courtesies over the many, many years. I say the same for the gentleman from South Carolina, FLOYD SPENCE, our chairman, for his fairness; and to my colleagues and staffers on our committee, I thank them for the help and understanding they have shown to me.

Mr. Speaker, it has been a wonderful ride for me over the last 28 years. I support this legislation.

Mr. SPENCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado [Mr. HEFLEY].

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

Mr. HEFLEY. Mr. Speaker, I rise in strong support of the conference agreement on H.R. 3230, the National Defense Authorization Act for Fiscal Year 1997.

This bipartisan legislation will make significant improvements in our military installations and facilities.

The conference agreement would add $850 million above the President's request for military construction and military family housing programs. When the bill left the House, it strongly emphasized needed enhancements of the quality of life for military personnel and their families. The conference agreement on military construction reflects the philosophy of the House position.

Sixty percent of the added funding above the line will be dedicated to military housing and other quality of life improvements. Earlier this week, the Subcommittee on Military Installations and Facilities which I chair, held a hearing on the quality of life issue. The senior enlisted officers of the military services testified about the link between the quality of life for military personnel, retention, and readiness.

We also heard from a very articulate group of dedicated military spouses who spoke about the practical problems they face in military life. No one who heard their stories could ever suggest that the additional housing, child care centers, and other improvements contained in this bill are not a wise use of our resources.

With this bill, we will commit an additional $201 million to the President's request of $562 million for troop housing. For just over 3,000 military families, we will provide an additional $266 million to construct new quarters or improve existing units—a 39 percent increase to the request. For child development centers, the bill would add $30 million for nine needed centers in addition to funding the $6 million construction cost for the two centers requested by the Administration.

This bill also funds important facilities improvements to enhance the operational and training requirements of the active forces as well as the reserve components.

I am grateful for the strong bipartisan support for the military construction portion of this authorization conference report, led by the ranking member of the subcommittee, SOLOMON ORTIZ. I am also particularly pleased that Chairman VUCANOVICH and Mr. HEFNER with the Appropriations Committee have successfully brought back an appropriations conference report that supports this bill.

I urge my colleagues to support H.R. 3230.

Mr. SPENCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana, [Mr. BUYER].

Mr. BUYER. Mr. Speaker, I rise in strong support of this conference report. I want to recognize that while there are many good things in this bill, I am disappointed by two items contained in the bill, one of which I know

many of us have had discussions here with regard to and we will take up in separate legislation regarding the missing persons, the MIA issue, Missing Personnel Act.

The other issue is concerned with the provision contained in the cooperative threat reduction portion of the bill. While I agree with measures that reduce the threat posed by weapons of mass destruction, I am concerned about the language in the bill that provides emergency powers to the military. I believe this additional exception to the Posse Comitatus Act represents a further drift toward increased military involvement in domestic law enforcement activities.

Mr. BARR of Georgia. Mr. Speaker, will the gentleman yield?

Mr. BUYER. I yield to the gentleman from Georgia.

Mr. BARR of Georgia. Mr. Speaker, I appreciate the distinguished gentleman from Indiana, a member of the conference, yielding for a colloquy.

Mr. Speaker, I understand that the gentleman worked to remove very disturbing legislative language from the conference report that weakens posse comitatus protections. The language constitutes a serious erosion of the historic and firmly held belief in our country that our military should not become involved in domestic law enforcement.

This principle is enshrined in posse comitatus provisions in our criminal code. However, in the conference report, the military is, in certain situations, given the power to make civilian arrests, conduct searches and seizures, and gather domestic intelligence. While these powers are limited to situations involving weapons of mass destruction, they are extremely troublesome because they are unnecessary and directly involve the military in domestic law enforcement.

I fought hard to have these provisions removed, and I know that the gentleman from Indiana did the same. I regret that the conference report retains the Senate language, which was never presented to this House for proper consideration. It is my understanding, however, we will be working together at the earliest opportunity to have these ill-conceived provisions removed.

Mr. BUYER. Reclaiming my time, Mr. Speaker, I want to assure the gentleman from Georgia that in subtitle A under ''Domestic Preparedness,'' section 1313, military assistance to civilian law enforcement officials in emergency situations involving biological and chemical weapons, there is an exception that is granted to the military that they are not authorized to participate in the following actions: Number one, arrest; number two, any direct participation in conducting a search or seizure of evidence to a violation of this section, or direct participation in the collection of intelligence for law enforcement.

But this goes beyond that, Mr. Speaker. Subsection 382(2)(b) is the section on which I want to work with the gentleman in the next military defense bill to remove that provision from this bill, and I want to salute the gentleman from Georgia's leadership to strike the proper balance between individual civil liberties and the protection of an American citizen's rights, along with the Posse Comitatus Act and its restraints upon the U.S. military's involvement in domestic law enforcement.

I encourage Members to vote for this bill. We will work toward that end.

Mr. BARR of Georgia. I appreciate the gentleman's support.

Mr. DELLUMS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Missouri [Mr. SKELTON].

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

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

Mr. Speaker, for American uniformed personnel currently deployed overseas in contingencies such as Bosnia, Korea, the Sinai, and Saudi Arabia, I rise in support of this conference agreement, and urge my colleagues to work towards this passage.

This agreement addresses my personal concern about the way in which military personnel may be employed in the future. It contains necessary funding for today's readiness and quality-of-life matters and, no less importantly, accelerates critical military programs of tomorrow, allowing for purchases of new equipment sooner rather than later.

Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. HUNTER], the chairman of our Subcommittee on Procurement.

Mr. HUNTER. Mr. Speaker, I thank the gentleman for yielding time to me. Let me start out by thanking the gentleman for all the great work that he has done on this bill, the great leadership he has given us, and the fairness and decency with which he has conducted the entire oversight process. Let me also give kudos to my friend, the gentleman from California, Mr. DELLUMS, for being an outstanding minority Member in this process, and ranking member, and really sowing the seeds for the bipartisanship that we have had in this year.

I want to thank all of the subcommittee chairmen who worked this bill, because they are all great people; the gentleman from California, BOB DORNAN, the gentleman from New York, Mr. MCHUGH, the gentleman from Pennsylvania, Mr. WELDON, the gentleman from Colorado, Mr. HEFLEY, the gentleman from Virginia, Mr. BATEMAN, and all of their counterparts on the Democrat side, and my old friend and compadre, the gentleman from Missouri, IKE SKELTON, for the great bipartisanship that he displayed. I remember the meetings we had, some in his office, some in my office, working military issues.

Mr. Speaker, we undertook to do a few things in this bill that were important for the American people. We had hearings on the safety of our fighter aircraft that were crashed in a series of crashes beginning in January of this year. Both F–14s and AV–8Bs went down in high numbers. We had good oversight hearings and we came up with fixes and recommendations by the Navy and the Marines that we followed. We put those fixes into this bill. We spent a lot of time on ammunition. We came up with extra ammunition for the Marine Corps and Army. The gentleman from Missouri [Mr. SKELTON] and I want to see more ammunition for the Marine Corps and Army, but we will get that in the next session.

We armed the bombers. We thought it was important in this enormous investment in long-range strike capability to put the precision-guided munitions that served us so well in Desert Storm on those bombers. We did that.

We continued through with our reform of the submarine program to widen that qualitative edge that we have over other nations of the world. We did a lot of things to give the right kind of equipment to the men and women who wear America's uniforms.

The gentleman from South Carolina, FLOYD SPENCE, did a wonderful job putting this package together. There were some things we would rather have seen on the House side, some things that dropped out, but it was a compromise between the Senate and the House. We are going to work those other issues next year. I would urge a yes vote on this package.

Mr. DELLUMS. Mr. Speaker, I yield 5 minutes to my distinguished colleague, the gentleman from Virginia [Mr. SISISKY].

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

Mr. SISISKY. Mr. Speaker, I will add to what my colleague, the gentleman from California, said. This has been a great conference in a bipartisan way, for which I want to thank the chairman, the gentleman from South Carolina [Mr. SPENCE], and the ranking member, the gentleman from California [Mr. DELLUMS]. They did a wonderful job on a very complicated thing.

Tonight, Mr. Speaker, I am extremely concerned about section 1616 of the conference report. I am putting down my marker now, and the committee's marker, I think. This section would initiate a pilot program at unspecified DOD facilities, privatized-in-place by BRAC 1995. It places no limit on how many pilot programs there will be.

It allows Federal employees who work for the contractor to continue to accrue credit for years of Federal service in order to determine civil service retirement eligibility. I repeat again, working for the private contractor this would happen.

Although the conference report specifies that these calculations will not be used to determine the amount of their retirement, I worry about what this

may cost in the years to come. I know why this happened. It was not because of the House, the representatives. It was not our bill, and to a degree we were almost forced to accept this provision.

Although everyone assumes it applies to Louisville, which was the Naval Surface Warfare Center, my concern is that it will be a very costly provision that will not stop with Louisville or Indianapolis. GAO says this pilot program could cost over $511 million, which is over a half a billion dollars, in 11 years. That is with only several hundred employees.

What will happen when Texas and California want the same thing for employees at Kelly and McClellan? How can we say no? What will it cost when we include tens of thousands of employees? I see nothing in the legislation to limit this to Louisville. The way I see it, it would apply to every facility privatized in BRAC 1995.

The whole point of BRAC was to reduce excess infrastructure and overhead by privatizing in place and establishing portable benefits. We do precisely the opposite. We sustain excess infrastructure and keep the overhead. I am really disappointed that the Department of Defense did not take exception to this. Where are the savings? We would make a far greater contribution to national security by maintaining the status quo, protecting our Federal employees, and calling off wholesale privatization. By allowing the so-called pilot program to go forward, we ensure we will never attain the savings we were supposed to get from BRAC.

□ 2145

All of us worry about underfunded modernization in O&M accounts. But the conference report states, ''The military department concerns shall be liable for the portion of any estimated increase in unfunded liability of civil service retirement.''

We do not know where this is going. We do not know where it will stop, and we do not know what it will cost.

The conference report includes the GAO study. But directing GAO to do a study after the fact will not be enough to put the brakes on this policy. Once it gets going, the cost will not matter. Politically, it will be impossible to go back.

My other worry is that this is a backdoor way to push privatization by making it more palatable to Federal workers. I can safely say that I stand second to none in my concern about Federal employees, but this is a divide-and-conquer strategy if there ever was one.

In closing, the most unfortunate thing is that this bill is so good, has many other constructive features, and does so many other things we need to do for our military. I will support the conference report.

But section 1616 plants a seed that would threaten to overwhelm our ability to pay for national security in the years ahead. I ask Members to support the conference report, but be aware, section 1616 could create a long-term problem that could come back to haunt us in years to come.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentlewoman from Jacksonville, FL [Mrs. FOWLER].

(Mrs. FOWLER asked and was given permission to revise and extend her remarks.)

Mrs. FOWLER. Mr. Speaker, I rise in strong support of the fiscal 1997 Defense authorization conference report.

This bill builds on the actions this House strongly endorsed last year: Improving the quality of life or our military personnel and their dependents; enhancing the readiness of our military forces; ensuring that our combat equipment is appropriately modernized; and providing for additional structural reform at the Pentagon.

The bill provides $10.8 billion more than the President requested for fiscal 1997. However, this is not even enough to keep pace with inflation. Given the many threats to America's interests overseas and the number of operations other than war to which this administration has committed our forces, the funding levels in this bill are not only appropriate, but necessary.

I am especially pleased that H.R. 3230 keeps faith with our military personnel and families, in July I visited Bosnia, where our troops are doing an outstanding job under trying conditions. Like so many military members today, though, they are being called upon to leave their families behind more frequently, and for longer periods, than ever before. This bill increases military pay and other benefits and provides additional funds for family housing—improvements that are sorely needed if we hope to retain our best people over the long term.

I also want to note my appreciation that the conference chose to retain current law regarding depot maintenance and repair issues. I hope the Pentagon will take heed of this action and conclude at last that it ought not proceed with ill-conceived plans to privatize closing installations. The base closure process was designed to eliminate excess capacity. Efforts to evade this requirement for political gain are incompatible with National Security interests.

Finally, I want t thank our very able chairman, FLOYD SPENCE, his leadership in securing an excellent bill. I also want to thank the committee staff for the very hard work and dedication they contribute to this process.

Mr. Speaker, I urge my colleagues' support for this conference report.

Mr. DELLUMS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas [Mr. ORTIZ].

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

Mr. ORTIZ. Mr. Speaker, I rise in support of this conference report and would like to particularly lend my strong support and endorsement of the military construction title of the bill. I greatly appreciate the leadership of both sides of the aisle and in both Chambers for their commitment to compiling what I believe to be a truly bipartisan legislative package to address our Nation's military construction backlog.

The military construction portion of the bill places a very strong emphasis on quality of life initiatives and addresses our military's need for modernization. I am extremely pleased that we have been successful in protecting the priorities of the House by allocating the quality of life programs the bulk of additional funds which have been made available for military construction this year.

I think that it is important to point out to my good friends and colleagues that during the entire deliberation process, we were careful to fund those projects that were identified by the military services as a top priority.

Furthermore, this conference report continues our commitment to stretching housing dollars and increases the funds available for public-private partnership initiatives.

I think that this portion of the Defense authorization bill makes a strong statement of this Congress' bipartisan concern for our military and commitment to maintaining readiness and modernization.

The conference report is certainly not perfect, but on balance I believe that this is a good bill that emphasizes readiness and quality of life projects, and I congratulate the gentleman from Colorado, Chairman HEFLEY, the gentleman from South Carolina, Chairman SPENCE, and the gentleman from California, Mr. RON DELLUMS, our ranking minority member, for a job well done. I encourage my friends and colleagues to vote for this conference report.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. THORNBERRY].

Mr. THORNBERRY. Mr. Speaker, I want to highlight one part of this bill that deals with nuclear weapons. As far as the eye can see, our country will continue to rely on nuclear weapons for our security, and yet we face some very daunting challenges.

Our weapons and facilities are getting older, and we have decided not to engage in nuclear testing. We are going to have to have first-rate facilities, first-rate people and an efficient management structure to get through this time. This bill advances all three.

It is particularly important that we have clear lines of authority and clear lines of responsibility between each facility in the nuclear weapons complex and the headquarters in Washington without a lot of mid-level management getting in the way. There have been a number of outside organizations and internal reviews that have called for exactly this kind of reform, and yet this bill is the first time that it has actually taken place.

Each facility will report directly to Washington and will be a part of a

management council. This is a safety issue for the country, it is a good and efficient Government issue, and it is also a preparedness issue, and it is just one of the many ways that this bill helps make the country safer.

Mr. DELLUMS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia [Mr. PICKETT].

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

Mr. PICKETT. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in strong support of the conference report.

Mr. Speaker, the military personnel title provisions in the conference report to H.R. 3230 solidly support quality of life and readiness efforts. These provisions reflect Congress' continued support of our military service members through significant enhancements in these areas.

The bill includes a 3-percent military pay raise, as proposed in the President's budget, as well as a 4.6-percent increase in the basic allowance for quarters that will reduce out-of-pocket housing costs to service members by 1 full percent. To ensure our junior military members can afford safe and adequate housing in high-cost areas, a minimum variable housing allowance is provided, as well as other reimbursements so that military members are not forced to use their personal savings to offset the cost of a Government-directed move.

This conference report is another step toward providing active duty and retired service members and their families with accessible and quality health care. For example, it restores $475 million to the Defense Health program, a shortfall that, if not remedied, would have had serious adverse consequences for active-duty family members and retirees who have a difficult enough time already trying to obtain medical care in military facilities.

Additionally, it takes a significant step forward with regard to the issue of Medicare subvention by directing the Secretary of Defense and the Secretary of Health and Human Services to submit a plan for testing Medicare subvention to Congress and the President by September 6, 1996. The plan would establish a demonstration program enabling the Department of Health and Human Services to reimburse the Department of Defense for care provided to Medicare-eligible military retirees.

Other key initiatives of the military personnel provisions of the conference report to H.R. 3230 include: adding $20 million to the New Parent Support program to help new military families and parents deal with new stresses associated with the high military operating tempo. Challenging hate group activity in the armed services by directing the services to conduct human relations training designed to promote a sensitivity to hate group activity. Adding nearly $50 million more than the President's budget for the Army military personnel account to minimize the readiness impact of continued shortfalls in that account.

In addition to the personnel titles, the conference report to H.R. 3230, taken as a whole, represents a strong balance between people, readiness, and modernization. It will result in the continuation of a ready, able, and quality military force. I urge my colleagues to support the conference report.

Mr. SPENCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia [Mr. CHAMBLISS].

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

Mr. CHAMBLISS. Mr. Speaker, I rise in support of this bill. Let me say to my friend, the gentleman from Mississippi, Mr. SONNY MONTGOMERY, we will miss you and may God bless you.

I commend the chairman and the ranking member for working in a true spirit of cooperation throughout the process leading up to this bill, being passed in committee and through its conference.

I would also commend the work done by the bipartisan depot caucus which focused on the very difficult issue of defining the work to be done at the various service departs. The members of this caucus and the respective staff worked tireless hours and achieved a result that will be very beneficial to the men and women serving in our armed services.

Mr. Speaker, this bill, among other things, provides for a pay raise for the members of each branch of our military and also provides a significant benefit for members of the dental profession serving in the military, benefits like this will allow our armed services to continue to compete with the private sector for the very finest young men and women our country has to offer.

This is a good bill and I urge my colleagues to support it.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. WATTS].

(Mr. WATTS of Oklahoma asked and was given permission to revise and extend his remarks.)

Mr. WATTS of Oklahoma. Mr. Speaker, I am very pleased to rise in support of the National Defense Authorization Act for fiscal year 1997. This is a strong and substantive bill that bolsters and fortifies our national defense and greatly improves the quality of life for our Nation's servicemen and women. It also puts more money in veterans programs.

I want to especially congratulate the gentleman from South Carolina [Mr. SPENCE] who so ably crafted this legislation. Thanks to the chairman's leadership, we have the opportunity to vote for a very significant and strong bill today, or this evening. I also want to thank the gentleman from California, [Mr. DELLUMS], who in victory or defeat is always the consummate professional.

I am delighted with the quality of life improvements this bill makes. We must never forget the sacrifices that our service personnel make in our behalf, even in peacetime. I am especially pleased to see we are increasing impact aid by $35 million over the President's request for zero funding.

This bill strengthens America's state of readiness in a still dangerous world. I stand in favor of H.R. 3230, and I urge my colleagues to vote in support of this very important legislation.

Mr. DELLUMS. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from California [Ms. HARMAN].

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

Ms. HARMAN. Mr. Speaker, I want to thank the gentleman from California [Mr. DELLUMS] for so many years of courtesy and professionalism. It is an honor to serve on the committee with him, and also say to everyone how much I will miss the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. Speaker, I rise in strong support of the Defense authorization conference report which, though hardly perfect, moves us in the right direction.

This House has made some tough votes in recent days—particularly on welfare reform. As the Wall Street Journal said yesterday, we are ending welfare as we know it and creating welfare as we don't know it.

That is true of our national security as well. The cold war threat we knew has ended and a world we don't know has begun.

This bill, nonetheless, takes some important steps. First, the bill makes critical investments in key weapons and technology programs that our Nation will need in order to meet the expected war-fighting requirements of the next century. The dangers posed by a new range of regional threats and technologies are growing.

As we reduce forward-basing, we need weapons with which we can project force quickly and decisively—weapons which can deter aggression before we are required to deploy personnel and equipment. This bill includes funds for such weapons, like the B–1 and B–2 upgrades, the F/A–18 and the C–17. It also includes research funds for a robust national and theater ballistic missile defense system as well as technologies aimed at counter-proliferation and antiterrorism.

Many of these investments will, in the long term, also save money by reducing the ever increasing operation and maintenance costs of weapons systems that have been in use well past their designed life span.

Second, the bill includes an initiative which I helped author to re-organize the function and fund the development of cost-shared dual use technology—thus protecting our industrial base and reducing costs by developing products, technology, and processes that meet both defense and commercial needs.

As my colleagues know, we can not afford maintaining an industrial base that only meets unique military requirements. We need to diversify that

base and not only apply defense technologies to commercial use but, more importantly, use commercial technologies and products to meet defense needs. The dual-use technology provision in the bill will help achieve this important goal.

There are also missed opportunities. I strongly supported changing the 60–40 rule relating to military depots, in order to permit more private sector work at competitive rates. That opportunity was lost and, as a result, we are burdened for another year by costs that could have been directed to more critical needs, whether military, domestic, or deficit reduction. Another opportunity will present itself next year and I hope my colleagues will seize it.

We also need to aggressively reduce administrative overhead at the Pentagon. This bill takes some steps in that direction, but last year's mandate that the defense workforce be reduced has not been implemented. The bill before us again directs the department to implement these cuts. The bill also begins the process of streamlining, consolidating, and downsizing the inefficient headquarters organizations of the military departments.

We must do more to cut costs. We must privatize more non-core defense activities, accelerate procurement reforms, and rely on more dual use technologies, products, and processes.

But cutting is not enough: rethinking our roles and missions for the digital battlefield of the 21st century is imperative. I anticipate that we will reduce forward positioning and manpower requirements while making increased investments in intelligence gathering, deep strike capability, and new systems and technologies that increase lethality, reduce response time, and protect and enhance the survivability of our forces.

But we need to review and reassess our defense assumptions in a place and time when partisanship and election sound-bites are absent. Hopefully, that work can begin soon after the election is over.

I urge support for this conference report. It is not perfect, but it makes an important contribution to the difficult national security choices we face in the years ahead.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Maine [Mr. LONGLEY].

Mr. LONGLEY. Mr. Speaker, I want to salute both the chairman as well as the ranking member for their leadership during the past year. It has been superb. They have really set a standard.

I think that there is a lot that we can be proud of in this bill. I am certainly glad to see the retention of the depot language for the 60/40 split, but I am also proud that we have finally introduced the concept of multiyear procurement. We have expanded the concept from the C–17 program, which is going to see a procurement of 80 aircraft over the next 7 years, but we are also not cutting the budget, we are not increasing it, we are maintaining stable funding. A good part of that stable funding is being used to add to a multiyear procurement plan for Aegis destroyers, the result of which is going to be that over the next 5 years, if the plan is fulfilled, we will produce one more destroyer at $1 billion less in cost, or, if you will, 15 destroyers over 5 years for $1 billion less than it would cost us to buy 14 through normal procurement methods.

Again with the threats we face in the world, now is not the time to cut defense but at the same time through more efficient management we can stabilize the funding and get more value for our dollars.

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

Mr. FRANK of Massachusetts. Mr. Speaker I have a list:

Head Start; antiterrorism efforts at airports and elsewhere; NIH research; cops on the street; drug treatment programs; cleaning up hazardous waste sites; housing for the elderly; aid to college students, Pell grants, student loans; the Community Development Block Grant Program; child care; and earned income tax credit.

If we funded the Defense Department at what it asked, we could give each of these programs an additional $1 billion. Every one of these programs is $1 billion poorer because we decided to play Santa Claus to the Defense Department. We did not end welfare. We just transferred it. We transferred it to Western Europe and Japan. Our European allies spend an average of 2 percent of their gross domestic product on the military. We spend 4 percent. It is in this $11 billion gift we gave.

The greatest gift any nation ever gave to another is the free military defense we provide to Japan so it can keep its military spending at such a minuscule level. Every Member here who votes for this bill who has ever told someone, ''Gee, I would like to have given you more for child care in the welfare bill. I couldn't afford it.'' Or, ''Gee, I wish we could have cleaned up that hazardous waste site. We couldn't afford it.''

''Yes, Project Head Start is a good program, I wish we could do more.''

''Oh, I'm sorry you didn't get your cops on the street application. If we could only have increased it, you would have gotten more.''

''And elderly housing, boy, of course we could use more elderly housing.''

Would you also tell them that you spent it here? Do not tell them that you wanted to do that if you vote for this bill without telling them that you took $11 billion more than the Pentagon asked, which goes to help defend Western Europe against I do not know what, which goes to defend Japan against people they want to trade with, that is where this money went.

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So the next time we tell people we are sorry NIH was not bigger, we are sorry we did not do more on the earned income tax credit or child care or Cops on the Street, please also tell them that we gave $11 billion more to the Pentagon than they wanted. Please also tell them that programs like the Community Development Block Grant could have got another $1 billion, one-eleventh of that, and that would have been 25 percent of what they got.

If we have cut anything else, please give them the full picture about the $11 billion giveaway to Western Europe and East Asia.

Mr. SPENCE. Mr. Speaker, I yield 1½ minutes to the gentleman from New Mexico [Mr. SKEEN].

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

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

I rise in strong support of final passage of the 1997 national defense authorization bill because it is a step in the continuation of a national defense with which New Mexico plays a vital role.

Specifically, this bill is very important for remediation of our Nation's nuclear waste problem. The WIPP land withdrawal amendment contained in this bill is a long overdue piece of legislation which will cut through the bureaucratic red tape that has kept this vitally important project from opening. WIPP has been proven safe in every conceivable scientific fashion and is the beginning of the end of our Nation's nuclear waste problem.

We have worked long and hard to draft a piece of legislation which will address both the environmental and disposal concerns and this is it. Both the DOE and the EPA support this legislation.

It is time to quit wasting taxpayer dollars and time to permanently dispose of waste that is currently stored in aboveground containers on asphalt pads, and it is time to quit talking about what we cannot do and start going about what we can do.

We have complete confidence in the ability of DOE, EPA, and the State of New Mexico to open WIPP in a safe and timely manner.

I want to particularly thank the people of Carlsbad for their tireless work to make this project happen, and also a special thanks to the gentleman from New Mexico [Mr. RICHARDSON] for his support, and also to the gentleman from Colorado [Mr. SCHAEFER] for all the hard work and diligence, and to the chairman and his committee for presenting this thing and finally bringing this Gordian knot to the present, for slicing it open and getting on with the business of storing nuclear waste.

Mr. DELLUMS. Mr. Speaker, I reserve the balance of my time, until such time as the gentleman from South Carolina [Mr. SPENCE] reaches his last speaker.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Colorado [Mr. SCHAEFER].

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

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

Mr. Speaker, I would like specifically to address section 334 of the defense authorization conference report, which my good friend, the gentleman from Michigan, [MR. DINGELL] referred to earlier during the debate on the rule. This section amends the Superfund program with respect to the transfer to Federal facilities before contamination is remediated.

The general idea of section 334 is laudable: To assimilate polluted properties back into the community. However, without an ironclad assurance that States can enforce the ultimate cleanup of these sites, the good idea quickly becomes a curse to communities.

Attorneys General from Colorado, California, Texas, Washington, Minnesota, and New Mexico, to name a few, have warned about the possible implications of section 334. They are concerned that any cleanup assurances made by the Federal Government will be hollow and unenforceable.

Superfund does not contain an adequate waiver of sovereign immunity. Federal entities will initiate transfers and disappear and the liability will go back to private entities, and we cannot have this. I will introduce legislation next year to correct this.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. Mr. Speaker, I rise in strong support of this conference report and applaud the chairman and the ranking member for their leadership. The disagreements were of a substantive nature and not partisan.

The reason I support increasing the budget over what President Clinton asked for is because the need is very real. This report increases funding for the F–18 CD program, it increases funding for R&D on the next generation of Patriot missiles, and, importantly, it increases funding for the quality of life for our men and women in uniform.

People ask why do we need to increase funding over what President Clinton has asked for? Very simply, President Clinton has decided to send troops to Haiti and he has decided to send troops to Bosnia, and he has put them on heightened alert elsewhere around the world. Even though I did not support all of those actions, and perhaps others in the Chamber did not as well, it is imperative that we all support our troops with the training and equipment they need to complete their mission and to return them home safely.

That is why we have to add more money than President Clinton asked for. The Pentagon does not set its own budget request. This is what President Clinton asked for. We are adding more money to that.

Just as President Clinton signed the budget last year, I think he will sign the defense budget this year. We need it to support our troops. I urge every Member to support this report.

Mr. SPENCE. Mr. Speaker, I have no further requests for time, and even though I have the right to close, I will yield back the balance of my time and let the gentleman close out.

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

Very quickly, Mr. Speaker, first, I would like to point out to my colleagues that this is the last conference report for five of the distinguished members of this committee, and all five of these Members happen to be Members on the Democratic side of the aisle.

I would like to refer to them in order of their seniority, the gentleman from Mississippi, SONNY MONTGOMERY; the gentlewoman from Colorado, PAT SCHROEDER; the gentleman from Alabama, GLEN BROWDER; the gentleman from Texas, PETE GEREN; and the gentleman from Florida, PETE PETERSON, and simply say to them that they will be missed, thank them very much for the dignity of their service to this country and to this Congress and wish them well in the next phase that they enter into in life's process.

Second, Mr. Speaker, if Members will recall, last year we complained about the process, arguing that there was a lack of participation on the part of the minority members of this committee in the process. I would rise tonight to say that there was a quantum step forward and improvement in that area.

My colleagues did participate in the process, and though it was truncated, dictated by a very ambitious schedule, to the extent possible, I feel comfortable in saying, without fear of contradiction, that my colleagues participated in that process.

Third, I would like to say something that is not often spoken on the floor of this House, and that is that I believe very strongly that no Member of Congress could function adequately and capably without competent, capable and dedicated staff people.

It is not often known that many of these staff people work night and day, all night, over weekends to get this job done. When we leave here, after we have made agreements, someone has to sit down and reconcile the hundreds of pages, thousands of paragraphs, millions of words and billions of dollars. It is all done at the staff level. So I would like to take the opportunity to thank all of the staff members for their significant dedication and contribution to this process.

Finally, Mr. Speaker, on a substantive note, I note most of my colleagues here, with the exception of the distinguished gentleman from Massachusetts, [Mr. FRANK] and myself, rose in support of this conference report. I rose in opposition to the report. That is not to say that I do not believe that there are some significant, important and constructive items in this bill and policy in this bill. But as we step back and look at the totality of it, I believe that this bill is going in the wrong direction.

When we find ourselves having communicated to millions of American people that virtually every segment of American society has had to make some sacrifice as we go about the business of ''balancing the budget'', where we have even included poor people and children and powerless people who have had to contribute to that process, whether it is in the form of welfare reform, reductions in education, reductions in environmental restoration funds or whatever, we find ourselves with a conference report here today that does not reduce but rather increases by $11.3 billion money above and beyond what was requested by this administration in the context of a post-cold-war era.

I think that is a stark statement. I think it needs to be laid clearly and profoundly before this body in this auspicious moment when we find ourselves whacking away at programs designed to enhance the quality of life of millions of American people in this country.

The gentleman from Massachusetts [Mr. FRANK] said it eloquently and articulately, and I would not attempt to compete with that, but simply to remind my colleagues that this bill is $11.3 billion above the President's request and $1.3 billion above the appropriation request. At this time I see no rational reason why we should be increasing our military budget at this particular level in the context of the post-cold-war world.

Mrs. LOWEY. Mr. Speaker, I rise in opposition to this conference report and ask unanimous consent to revise and extend my remarks.

I oppose this conference report for many reasons, including the fact that it appropriates over $11 billion more for defense programs than the Pentagon requested. But one of the main reasons why I oppose this conference report is that it fails to protect the rights and health of American servicewomen serving overseas. As you all know, the House version of the bill contained a ban on military women purchasing abortion services on military bases overseas with their own funds. This provision remained in the bill despite bipartisan efforts to remove it. The Senate rejected this provision outright.

This ban penalizes women who have volunteered to serve their country by prohibiting them from exercising their constitutionally protected right to choose. It also puts the health of our military women at risk by forcing those stationed in countries where there is no safe and legal abortion available to seek an abortion at local facilities or to travel to acquire safe abortion services.

It is unimaginable to me and to the American people that we would reward American servicewomen who have volunteered to serve this Nation by burdening them this way. I urge you to vote against this report.

Mr. MCKEON. Mr. Speaker, I rise in support of the conference report for H.R. 3230, the National Defense Authorization Act. This legislation addresses several basic needs for our military including a 3 percent pay raise for military personnel and a cost of living adjustment and improved access to health care for military retirees. The bill also supports modernization initiatives and will improve the overall readiness of our Armed Forces. These points are increasingly significant as the threat of terrorism continues to rise.

We must not forget that the men and women of our military face this threat every day, and it is our responsibility to ensure that our troops are trained and equipped accordingly. I realize that some individual Members may have reservations about this conference report, but I would respond by asking that we take a moment to think about the men and women who have volunteered for the difficult task of defending our Nation. They deserve our support today. I urge a yes vote.

Mrs. SCHROEDER. Mr. Speaker, here are six reasons to vote against the fiscal year 1997 DOD authorization conference report:

First, the measure provides: $11.3 billion more than the Pentagon requested overall, $7 billion more than requested for procurement, $3.8 billion more than requested for BMD, $508 million more than requested for NMD, $234 million more than requested for C–17 transport planes, $281 million more than requested for tactical aircraft, $203 million more than requested for helicopters, and $701 million more than requested for submarines.

Second, overseas abortions are not permitted under the conference report. The Senate receded to the Dornan position.

Third, the conference report does not include Dornan provisions on HIV positive servicemembers and gays in the military.

Fourth, the conference report retains the Bartlett ban on selling pornography at the PX.

Fifth, the conference accepted CAROL MOSELEY-BRAUN's amendment to prevent servicemembers from rolling their military retirement into their civil service retirement to avoid payment to former spouses with the provision that it is not retroactive, and that no one can sue a servicemember for taking advantage of the loophole.

Sixth, the report provides $15.95 million for nonlethal weapons and technology development and an additional $5 million for the services to procure nonlethal weapons.

Mr. FAZIO of California. Mr. Speaker, I rise in support of H.R. 3230, the fiscal year 1997 Defense authorization conference report.

While I am concerned that this bill provides more money than the Pentagon has requested, this legislation addresses many of the important needs expressed by the Department of Defense and the Joint Chiefs.

I disagree, however, with the Republican leadership that the current defense posture of this administration is weakening our core defense capabilities. One only needs to look to the Republican budget resolution passed in the spring to see that their out year projections for defense spending are roughly that of the administration. In fact, I would simply like to point out that the Democratic alternative, otherwise known as the coalition budget, keeps defense spending on a path that sustains U.S. national security throughout the next century. I am concerned that the current rationalization for spending more than the Pentagon has requested in fiscal year 1997 will lead to unsustainable defense budgets in the years 2001 and 2002.

Nevertheless, I support this bill because the alternative is to not have an authorization bill. We have been down that road before. Last year the Defense appropriations bill, which is normally supposed to follow the authorization bill, was passed first and the fiscal year 1996 DOD authorization bill was not passed until this past spring.

I support this bill because it eliminates most of the contentious and unwarranted provisions that were contained in the House-passed bill and the bill that was vetoed last year by the President. Because these provisions were eliminated, we are able to move this bill in a more expeditious and bipartisan manner than last year's authorization bill.

I am pleased that the conferees eliminated the onerous provisions that would discharge HIV-positive service personnel and the earlier House provision that would have rescinded the ''don't ask, don't tell'' policy governing gays in the military.

I am also happy that the leadership did away with language that would have mandated early deployment of space based sensors or ''star wars'' as a central component of U.S. missile defense policy, thus violating the ABM treaty and endangering Russia's ratification of START II.

Additionally, this bill provides for a 3-percent pay raise for military personnel, equal to the President's request, and establishes January 1, 1998 as the fiscal year 1998 military retiree cost of living adjustment [COLA] date. Both of these important provisions maintain Congress' commitment to those who serve and those who have served our military. This bill also directs the Secretary of Defense and Secretary of Health and Human Services to submit a plan to Congress and the President outlining the details of a Medicare subvention demonstration program.

While I am generally pleased with the end product of this bill, I am deeply concerned that this bill fails to address the issue of depot maintenance and the so-called 60–40 rule. Ironically enough, it was the House last year that boldly called for the repeal of the so-called 60–40 rule in order to give DOD greater flexibility in outsourcing non-CORE workload to the private sector.

I understand that many of my colleagues are concerned that the Pentagon will engage in wholesale privatization of the Pentagon's defense industrial base and maintenance activities. That simply is not the case and flies in the face of the evidence. The elimination or modification of the 60–40 rule would have moved away from the arbitrary standard currently used for depot workload allocation to a more rational approach that will better serve the long term national interest. The Pentagon's report made clear that public depots have and will continue to play a major role in the important maintenance capabilities of the military.

Greater reliance on the private sector for appropriate types of depot maintenance, and determining where it makes sense, will enhance faster infusion of new technologies into existing DOD weapons platforms. Testimony offered by the service Chiefs this year supported removal of legal constraints on DOD's ability to efficiently manage its system support resources, including the arbitrary 60–40 rule and the three million dollars threshold. If this Congress is serious about saving money, privatizing government functions other than the House mail room ought to be given serious consideration and not empty rhetoric. To that end, I am hopeful that we will be able to address this important issue next year and come to some sort of compromise that all members can agree to.

Mr. Speaker, this bill is not perfect, but it addresses many important issues that confront the military today.

Mr. BILIRAKIS. Mr. Speaker, although I intend to support the conference report for H.R. 3230, I do have concerns about several aspects of the bill.

Congress included H.R. 945, the Missing Service Personnel Act, in the FY96 Department of Defense Authorization Act. As a cosponsor of H.R. 945, I was pleased that this important legislation was finally enacted into law.

The Missing Service Personnel Act, as contained in Section 569 of P.L. 104–106, consists of a number of critical provisions that provide due process for the families of missing service members who are desperately seeking honest information about the fate of their loved ones. The conference report revokes key provisions contained in this law. As a result of the these changes:

Civilian Defense Department employees stationed in hostile fire zones will no longer be covered by the Missing Service Personnel Act, meaning that DOD will not be required to account for civilian employees who might be captured by enemy forces or who disappear during combat.

Unit commanders will be permitted to wait 10 days—rather than 48 hours, as required by current law—before reporting that a service person is missing or unaccounted for.

Criminal penalties for someone who knowingly and willfully withholds information about the disappearance, whereabouts or status of a missing person will be repealed.

Missing service persons can be declared dead without credible proof. If a body is recovered and is not identifiable by visual means, forensic certification will no longer be required.

In addition, current law provides for automatic review every three years after an initial report of disappearance. The enactment of H.R. 3230 will repeal this requirement and provide that cases will be reviewed only when information is received.

We have a responsibility to determine to the fullest extent possible the fate of our missing personnel and to share that information with next of kin. What kind of message are we sending to the brave men and women in the Armed Forces if we repeal the Missing Service Personnel Act? A service member deserves to know that we will do everything in our power to account for their whereabouts if he or she is reported missing.

The POW/MIA issue is one in which I have been involved during my entire Congressional career. As a member of the House Veterans' Affairs Committee and as an Air Force veteran, I made a vow to myself long ago never to give up the search. I am disappointed that H.R. 3230 repeals the Missing Service Personnel Act which was only enacted into law earlier this year.

I am also disappointed that conferees did not include provisions from the Senate bill, S. 1745, which would have benefited certain widows of military retirees.

As my colleagues may know, several legislative changes have been enacted over the years to allow regular and reserve retired members to ensure that their survivors will continue to receive a percentage of their retired pay upon their death. However, these changes have created two categories of forgotten widows by omitting any benefits for survivors of members who died before they could participate in the new Survivor Benefit Plan.

The Survivor Benefit Plan (SBP), enacted in 1972, replaced an earlier unsuccessful program. DOD offered an 18-month open enrollment period for members already retired. This SBP open enrollment period inadvertently created the first category of forgotten widows—widows of retirees who died before the SBP was enacted or during the open enrollment period before making a participation decision.

In 1978, the law was changed to allow Reservists the opportunity to elect survivor benefit coverage for their spouses and children when completing 20 years of qualifying service. However, it did not provide coverage for widows of Reserve retirees who died prior to its enactment. Thus, the second category of forgotten widows evolved—the pre-1978 reserve widows.

Additionally, in 1948, when the Civil Service Survivor Benefit Plan was enacted, it also created some civil service forgotten widows. This was resolved 10 years later in 1958 by authorization of an annuity of up to $750 per year for the widow of a civil service employee who was married to the employee for at least five years immediately before the retiree's death, had not remarried and was not entitled to any other annuity based on the deceased employee's service.

As a group, forgotten widows are older women 60 to 90 years of age whose husbands retired with 20 to 40 years of service to our country. Despite all of the efforts to bring in other groups of survivors into the SBP, widows, whose husbands died in retirement prior to 1972, have remained forgotten.

Today, all military forgotten widows have to show for their husbands' career service is memories, while the 1958 $750 civil service benefits equates to more than $3,600 in 1994 dollars. The military forgotten widows deserve at least the minimum SBP annuity allowed under current law.

Section 634 of the Senate Defense Authorization Act addressed this important issue and would have provided forgotten widows with a monthly annuity of $165 per month. This provision of S. 1745 was similar to a bill which I introduced. My bill, H.R. 1090, has received bipartisan support and has over 40 cosponsors.

I was hopeful that the conferees would retain the language from the Senate bill in the final conference report for H.R. 3230. Unfortunately, it was excluded for budgetary reasons.

I will continue to work on this important issue in the 105th Congress. Military service does not take place in a vacuum and I hope that we will provide these elderly widows with the help they deserve.

Mrs. LOWEY. Mr. Speaker, I rise in opposition to this conference report.

I oppose this conference report for many reasons, including the fact that it appropriates over $11 billion more for Defense programs than the Pentagon requested. But one of the main reasons why I oppose this conference report is that it fails to protect the rights and health of American servicewomen serving overseas. As you all know, the House version of the bill contained a ban on military women purchasing abortion services on military bases overseas with their own funds. This provision remained in the bill despite bi-partisan efforts to remove it. The Senate rejected this provision outright.

This ban should have been removed at conference. Removing it would not obligate any State funds. It would merely allow military women and dependents to use their own money to pay for abortion services at military bases, just as they would use their own funds to pay for those services if they were in the United States.

The ban contained in the conference report penalizes women who have volunteered to serve their country by prohibiting them from exercising their constitutionally protected right to choose. The irony that this Congress will limit the constitutional rights of the very women who have sacrificed so much to protect our Constitution should not be lost on any of us.

This ban also puts the health of our military women at risk. Many of these women are stationed in countries where there is no access to safe and legal abortions outside of the military hospitals. A woman forced to seek an abortion at local facilities, or forced to wait to travel to acquire safe abortion services, faces tremendous health risks.

It is unimaginable to me and to the American people that we would reward American servicewomen who have volunteered to serve this nation by burdening them this way. I urge you to vote against this report. Thank you.

Mr. BLUMENAUER. Mr. Speaker, I strongly support providing our troops the basic equipment they rely on in the field. Adequate military housing and medical facilities are also wise uses of our scarce resources. In providing for the defense of our Nation, there is no substitute for having well-trained, well-equipped military personnel.

Besides providing for the needs of our troops, the bill before us today includes funding for exotic weapons systems and missile programs. Much of the high-tech gadgetry included in this bill was neither requested, nor is needed by the Department of Defense.

While I will continue to vote to improve the lives of those serving in our armed forces, I cannot support this bill. The real military needs of our country, as well as pressing domestic concerns prevent me from doing so.

Mr. LIVINGSTON. Mr. Speaker, I rise in support of the conference report to H.R. 3230, the fiscal year 1997 National Defense Authorization Act.

I do so because it provides the support for our troops and their families that this administration did not when they submitted their budget request earlier this year.

Yet, this bill still represents a decrease from 1996 when you take inflation into account.

Why do we need to pass a bill that keeps defense at level spending rather than cut almost $11 billion as the President originally proposed?

Because it provides the funds to stem the continued deteriation in family housing, military health care, and our procurement programs.

This bill adds much needed funding for new barracks and improvements to family housing units that will benefit approximately 3,000 families.

This bill restores $475 million to health care for our military and their families, a shortfall that was glaring in the President's original request.

This bill funds the 3 percent military pay raise and a 4.6 percent increase in housing allowances for our military.

And, we funded O&M and other readiness accounts to stop the reductions in our military forces below the levels required by the administration for all of its overseas deployments.

This bill trys to slow down the continued decline in procurement which has suffered a 70 percent decline since 1985.

Most importantly, this bill maintains the commitment we made last in this Republican Congress' first defense bills to actually deploy effective missile defenses by 2003 or earlier.

It is this Congress that has added over $900 million for theatre and national missile defense programs to keep us on track to deployment, not simply continue research as the President recommends.

It is this bill and the appropriations bills that have added $246 million for the Navy Upper Tier program, the most promising and near term theatre missile defense program.

The Administration's budget request simply kept the Navy Upper program as technology development program with no certain date for deployment.

On the policy side this bill did drop bill language, because of veto threats, that required the administration to submit changes in the ABM Treaty to the Congress.

However, Republican and Democrat conferees clearly stated in the manager's report that any substantive change to the ABM Treaty be done in accordance with the Constitution and the treaty making powers of the Senate.

And, that this constitutional principle had been permanently codified with regard to the ABM Treaty in the 1995 Defense Authorization Bill, Public Law 103–337, and remains in effect.

Most importantly, the conferees, Democrat and Republican, stated in their conference report that the President's National Security Advisor, Mr. Lake, told House and Senate Members from both parties in a meeting within the last 2 weeks that the tentative agreements the U.S. has recently announced with various Russian republics regarding theatre missile defenses and their demarcation constitutes a substantive change to the ABM Treaty.

I refer all Members to Page H9250 of the July 30, Part II, Congressional Record. This page contains the conferees statement that I just referred to.

The conferees statement for this bill is clearly consistent with a provision this House adopted and I sponsored as part of the fiscal year 1997 Commerce, State, Justice appropriations bill.

That provision requires the President to certify that he will submit to the Senate for its advice and consent any amendments or changes to the ABM Treaty regarding the demarcation between theatre missile defense systems and antiballistic missile systems or any changes regarding the multilateralization of the ABM Treaty.

I commend Chairman SPENCE and his staff for all of their hard work and urge support of this important conference agreement.

Mrs. SCHROEDER. Mr. Speaker, last June I asked the Secretary of Defense to answer a few questions about growing numbers of military personnel on loan to Members of Congress under questionable circumstances. To

date, I have not received a reply. Now I know why. They are too embarrassed.

Pentagon officials have learned that the their haphazard and uncontrolled lending of military personnel to Hill offices violates Congressional ethics rules, not to mention DoD's own regulations.

The situation is so bad DoD has admitted it has no idea how many military officers are working on the Hill. The estimates range from dozens to more than one hundred.

Here are a few examples. The Joint Chiefs of Staff have magnanimously given the Speaker of the House four military officers to help him analyze votes. The training, salaries, and benefits for these officers cost the taxpayers hundreds of thousands of dollars. Yet they are now doing political chores for the Speaker. Another Member of Congress has had an Army nurse on his staff for years.

Some Members of Congress are actually calling the Pentagon and requesting specific officers by name. "Can you send Captain Midnight up to my office to help out for a year?"

Pentagon leaders believe that by detailing staff up here they can ingratiate themselves with Members of Congress. In other words, the goal is to keep Members happy and grease the wheels for Defense appropriations.

Those of us who been around for more than a few years can recall the House Post Office scandal and the House Bank scandal.

My colleagues who are serving their first term can now look forward to the House DoD Staff Scandal.

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

The SPEAKER pro tempore (Mr. KINGSTON). Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. DELLUMS

Mr. DELLUMS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. DELLUMS. In its present form, yes, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DELLUMS moves to recommit the conference report on the bill H.R. 3230 to the committee of conference with instructions to the managers on the part of the House to insist on section 367 of the House bill (relating to impact aid assistance to local educational agencies for the benefit of dependents of members of the Armed Forces and civilian employees of the Department of Defense).

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. DELLUMS. 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.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on agreeing to the conference report.

The vote was taken by electronic device, and there were—yeas 181, nays 236, not voting 16, as follows:

[Roll No. 396]

YEAS—181

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (NE)
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bishop
Blumenauer
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Chapman
Christensen
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Dooley
Dornan
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Fox
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gonzalez
Goodling
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
LaFalce
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Matsui
McCarthy
McDermott
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Montgomery
Moran
Nadler
Neal
Oberstar
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Riggs
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stenholm
Stokes
Stupak
Talent
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Velazquez
Vento
Volkmer
Ward
Waters
Watt (NC)
Waxman
Weller
Wise
Woolsey
Wynn

NAYS—236

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Chabot
Chambliss
Chenoweth
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
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)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Oxley
Packard
Parker
Paxon
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Visclosky
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
White
Whitfield
Wicker
Wolf
Young (AK)
Zeliff
Zimmer

NOT VOTING—16

Brownback
Dickey
Ford
Gibbons
Lincoln
Manton
McDade
Rose
Scarborough
Schroeder
Stark
Studds
Williams
Wilson
Yates
Young (FL)

☐ 2229

Mr. CUNNINGHAM and Mr. SHADEGG changed their vote from "yea" to "nay."

Mr. CRAMER, Mrs. KELLY, Mr. MARTINEZ, and Mr. BARRETT of Nebraska changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. KINGSTON). The question is on the conference report.

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

Mr. DELLUMS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 285, nays 132, answered not voting 16, as follows:

[Roll No. 397]

YEAS—285

Abercrombie
Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Bryant (TN)
Bunning
Burr
Buyer
Callahan
Calvert
Canady
Castle
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLauro
DeLay
Diaz-Balart
Dicks
Dixon
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Ensign
Everett
Ewing
Fawell
Fazio
Fields (LA)
Fields (TX)
Flake
Flanagan
Forbes
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Gejdenson
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Greene (UT)
Greenwood
Gunderson
Hall (OH)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Johnson (SD)
Johnson, E. B.
Jones
Kanjorski
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
Longley
Lucas
Manzullo
McCollum
McCrery
McHale
McHugh
McInnis
McKeon
McNulty
Meek
Metcalf
Meyers
Mica
Millender-McDonald
Miller (FL)
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Reed
Regula
Richardson
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Torkildsen
Torres
Torricelli
Traficant
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Waters
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Zeliff

NAYS—132

Ackerman
Andrews
Baesler
Barrett (WI)
Becerra
Beilenson
Berman
Blumenauer
Blute
Bonior
Borski
Brown (OH)
Bryant (TX)
Bunn
Burton
Camp
Campbell
Cardin
Chabot
Collins (IL)
Collins (MI)
Conyers
Coyne
Cummings
Danner
DeFazio
Dellums
Deutsch
Dingell
Doggett
Dornan
Doyle
Durbin
Ehlers
Engel
English
Eshoo
Evans
Farr
Fattah
Filner
Foglietta
Foley
Frank (MA)
Franks (NJ)
Furse
Ganske
Gutierrez
Gutknecht
Hall (TX)
Hilliard
Hinchey
Hoekstra
Hutchinson
Jackson (IL)
Jacobs
Johnson, Sam
Johnston
Kaptur
Kennedy (MA)
Kleczka
Klug
LaFalce
Lantos
Leach
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McIntosh
McKinney
Meehan
Menendez
Miller (CA)
Minge
Moakley
Morella
Nadler
Neal
Neumann
Oberstar
Obey
Olver
Owens
Pallone
Payne (NJ)
Pelosi
Peterson (MN)
Rahall
Ramstad
Rangel
Riggs
Rivers
Roemer
Roth
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schumer
Sensenbrenner
Serrano
Shays
Skaggs
Smith (MI)
Stockman
Stokes
Stupak
Talent
Tiahrt
Towns
Upton
Velazquez
Vento
Volkmer
Watt (NC)
Waxman
Wise
Woolsey
Wynn
Zimmer

NOT VOTING—16

Brownback
Dickey
Ford
Gibbons
Johnson (CT)
Lincoln
Manton
McDade
Rose
Schroeder
Stark
Studds
Williams
Wilson
Yates
Young (FL)

□ 2237

Ms. ROYBAL-ALLARD changed her vote from ''yea'' to ''nay.''

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

So the conference report was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mrs. JOHNSON of Connecticut. Mr. Speaker, on rollcall No. 397, I was unavoidably detained. Had I been present, I would have voted ''yes.''

GENERAL LEAVE

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just adopted.

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

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 1316, SAFE DRINKING WATER ACT AMENDMENTS OF 1996

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 104–743) on the resolution (H. Res. 507) waiving points of order against the conference report to accompany the bill (S. 1316) to reauthorize and amend title XIV of the Public Health Service Act (commonly known as the ''Safe Drinking Water Act''), and for other purposes, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF MEMBER TO HOUSE OF REPRESENTATIVES PAGE BOARD

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 127 of Public Law 97–377, the Chair announces the Speaker's appointment of the following Member of the House to fill a vacancy on the House of Representatives Page Board: Mrs. FOWLER of Florida.

There was no objection.

COMMUNICATION FROM THE HON. JOHN TANNER, MEMBER OF CONGRESS

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 31, 1996.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House of Representatives, that Doug Thompson, Legislative Director in my Washington, D.C. office, has been served with a subpoena issued by the Superior Court of the District of Columbia in the matter of Johnson, et al. v. Public Housing Authorities Directors Association, et al.

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

Sincerely,

JOHN TANNER,
Member of Congress.

REQUEST TO CONCUR IN SENATE AMENDMENT TO H.R. 2739, HOUSE OF REPRESENTATIVES ADMINISTRATIVE REFORM TECHNICAL CORRECTIONS ACT

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2739) to provide for a representational allowance for Members of the House of Representatives, to make technical and conforming changes to sundry provisions of law in consequence of administrative reforms in the House of Representatives, and for other purposes,

with a Senate amendment thereto and concur in the Senate amendment.

The SPEAKER pro tempore (Mr. FORBES). The Chair does not recognize the gentleman from California at this time for that purpose.

□ 2145

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. FORBES). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois [Mrs. COLLINS] is recognized for 5 minutes.

[Mrs. COLLINS of Illinois addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. SAXTON] is recognized for 5 minutes.

[Mr. SAXTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. KLINK] is recognized for 5 minutes.

[Mr. KLINK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

[Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. MCINTOSH] is recognized for 5 minutes.

[Mr. MCINTOSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

[Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. FOLEY] is recognized for 5 minutes.

[Mr. FOLEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. TORKILDSEN] is recognized for 5 minutes.

[Mr. TORKILDSEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Califormia [Mr. DREIER] is recognized for 5 minutes.

[Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. NORWOOD] is recognized for 5 minutes.

[Mr. NORWOOD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

MIDDLE CLASS TAX RELIEF: REDUCE THE BEER TAX

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. ENGLISH] is recognized for 5 minutes.

Mr. Speaker, I represent part of Western Pennsylvania, a region which gave rise to the Whiskey Rebellion, one of America's first tax revolts. Today, working families in our area face a higher tax burden than ever before—So I am pleased to introduce today information that provides strong support for H.R. 3817, a bill to provide meaningful tax relief to average Americans.

If enacted, this bill will eliminate the $1.7 billion federal tax increase imposed on more than 80 million American beer drinkers since 1990. And with good reason.

Most working Americans have little conception of the level at which they are taxed. Certainly, average men and women know that they pay a personal income tax and the FICA tax and they probably notice the state sales tax that is levied on many of the products they buy. But these taxes are only the tip of the iceberg. It's important that average Americans understand how much of the total tax burden they bear is invisible to them. I am talking about hidden taxes that are buried in the purchase price of products ranging from beer to bread to gasoline. Because they are concealed, these taxes engender little opposition from the taxpayers. But they contribute tangibly to the cost of living for hardworking Americans.

It is particularly appropriate to look at beer because the weight of an unfair tax system is heaviest on average Americans when they lift a cold one. The hidden taxes on beer are exceptionally high, and they fall overwhelmingly on average Americans who are already doing more than their fair share to support the government.

To fully understand how heavily beer drinkers are taxed, I submit to this body a powerful study completed by the economic research firm DRI/McGraw Hill. According to this analysis, taxes represent fully 43 percent of the retail price of beer. This astonishing conclusion is arrived at by tabulating federal and state excise taxes, state and local sales taxes, taxes on corporate and personal earnings, in fact, of all the taxes that go into a bottle or can of beer. Not just the taxes people see but all the taxes.

The beer tax is an excellent example of how unseen taxes—taxes that don't require government to be as accountable to the public—can lead to a misallocation of the tax burden across our society. To appreciate this, I ask you to remember the circumstances under which the federal excise tax on beer was raised in 1990.

That year, Congress imposed a tax increase not only on beer but also on luxury items. Persons purchasing luxury automobiles would have to pay more—as would those buying yachts, private airplanes, furs and jewelry.

While I do not like hidden taxes or tax increases, I understand the symmetry of a tax policy that says, ''If we're going to impose a discriminatory tax on beer drinkers * * * let's do the same for yachtsmen.'' After all, nearly two-thirds of the beer consumed in the U.S. is purchased by households earning $45,000 a year or less.

But, look what has happened since the 1990 tax package was passed. The tax on yacht owners has been repealed. So has the tax on private airplanes. And so has the tax on people buying jewelry and furs. In fact, only the tax on luxury autos remain—and, a few weeks ago, we voted to phase out that provision.

In each case, the rationale offered for removing these luxury taxes on unemployment. But that same logic applies to beer. In fact, the beer tax increase eliminated tens of thousands of jobs—an impact that dwarfs that of all the luxury taxes, combined.

Mr. Speaker, I suggest that the hidden nature of the beer tax increase contributed directly to this unfortunate outcome. If hardworking, average Americans knew how much they pay in taxes on beer—and if they understood how those taxes cost jobs—the 1990 beer tax increase would have been repealed long before now.

But it is by no means too late to act. By repealing the 1990 tax, we can largely undo the damage that was done six year ago. DRI/McGraw Hill estimates

that eliminating the 1990 tax hike would put millions of dollars back into the pockets of working Americans who drink beer. It would increase beer sales by more than 2 percent—and it would create 50,000 jobs in our nation's economy.

Moreover, the study also found that increased employment, reduced demand for Government services, and other macroeconomics effects, would offset fully 75 percent of the budget impact of repealing the beer tax.

I ask my colleagues to consider the evidence, and join with me—and with Representatives ENSIGN, CHRISTENSEN, and BLUTE, who are cosponsors of this bill—in supporting H.R. 3817.

STUDY GOALS AND SCOPE

The goal of the DRI/McGraw-Hill research was to identify all taxes associated with the brewing industry.

Tax burdens include: taxes paid at all stages of production, distribution, and sales; taxes related to sales, income, profits, and payroll; taxes paid to Federal, state, or local governments.

A standard procedure was adopted to obtain reliable, consistent study results.

The data sources for the calculations are public, published information primarily from the Department of Commerce and the Internal Revenue Service, allowing confirmation of the conclusions by any interested parties.

Economic value-added components and taxes are presented in both absolute magnitudes (billions of U.S. dollars) and proportions (shares of value added and effective average tax rates.)

1993 was the most recent year for which all necessary data was available, thus this is the reference year for all computations.

SUMMARY OF FINDINGS

The tax burden borne by beer consumers is far higher than average for the U.S. economy.

Taxes represent 43 percent of the retail price of beer. In comparison, total Federal, state, and local taxes equal 30 percent of final sales of all products [GNP] in the U.S. approximately 20 percent at the Federal level and 10 percent at the state-local level depending on the year.

In the reference year (1993), taxes on beer raised just under $21 billion. The income generated by beer industry manufacturers and related sales and distribution partners added $8.6 billion in Federal personal income, profit, and payroll revenues and $2.6 in similar state-local revenue. Sales and excise taxes on the beer value-added chain added a further $9.1 billion to government coffers.

Summary Table

Tax Burdens Through the Production Chain
(Billions of Tax Dollars Paid on Value Added)

	Sales & Excise Taxes	Income, Profit, & Payroll Taxes: Federal	Income, Profit, & Payroll Taxes: State & Local	Total Taxes
Retail Services	$ 2.48	$ 3.64	$ 0.73	$ 6.85
Wholesale Services	$ 1.37	$ 1.34	$ 0.29	$ 3.00
Transportation Services	$ 0.03	$ 0.13	$ 0.03	$ 0.20
Producer (incl. spec. taxes)	***$ 5.23***	***$ 3.49***	***$ 1.58***	***$ 10.30***
Producer-direct	$ 0.06	$ 3.49	$ 1.58	$ 5.13
Special product taxes	$ 5.17	$ -	$ -	$ 5.17
Net Imports	$ 0.01	$ -		$ 0.01
Total Tax	**$ 9.13**	**$ 8.60**	**$ 2.63**	$ 20.36

The Value-Added Chain

	Dollars	Percent
Retail Services	$ 17.39	37%
Wholesales Services	$ 7.06	15%
Transportation Services	$ 0.63	1%
Producer (incl. spec. taxes)	***$ 21.59***	***45%***
Producer-direct	$ 16.42	35%
Special product taxes	$ 5.17	11%
Net Imports	$ 0.82	2%
Total Value Added	**$ 47.50**	**100%**

Tax Dollars Paid as a Percent of Value Added

	Sales & Excise Taxes	Income, Profit, & Payroll Taxes: Federal	Income, Profit, & Payroll Taxes: State & Local	Total Taxes
Retail Services	14%	21%	4%	39%
Wholesale Services	19%	19%	4%	42%
Transportation Services	5%	21%	5%	31%
Producer (incl. spec. taxes)	***24%***	***16%***	***7%***	***48%***
Producer-direct	0%	21%	10%	31%
Special product taxes	100%	0%	0%	100%
Net Imports	2%	0%	0%	2%
Total Tax	**19%**	**18%**	**6%**	**43%**

To relate this information to a more common consumer experience, the following information has been scaled to a per-bottle basis.

Tax Detail on a Per-Bottle Basis:

Total Consumer Cost Per Bottle	**$0.77**
Breakdown of 43% of cost that is taxes:	
Sales and excise taxes	**$0.15**
Federal income, payroll, and other taxes	**$0.14**
State and local income, payroll, and other taxes	**$0.04**
Sum of Taxes	**$0.33**

Stages of Production Tax and Business Cost-Per-Bottle (US$)

Cost		Taxes
$0.09	Suppliers to Brewers	$0.04
$0.11	Brewing	$0.12
$0.07	Transportation/Wholesaling	$0.05
$0.17	Retailing	$0.11
$0.44	Totals	$0.33

Stages of Production Tax and Business Cost-Per-Bottle (%)

Cost		Taxes
12%	Suppliers to Brewers	6%
14%	Brewing	16%
9%	Transportation/Wholesaling	7%
22%	Retailing	14%
57%	Totals	43%

METHODOLOGY

This DRI/McGraw-Hill study identifies the economic value-added chains and tax burdens of the beer industry. Data taken from a variety of sources including the Bureau of Economic Analysis [BEA] National Income and Product Accounts, the 1993 Internal Revenue Service [IRS] Corporation Source Book of Statistics of Income, and the BEA's most recent Benchmark Input-Output Accounts of the United States were utilized to calculate the value added and associated tax burden along the process of production, transport, and distribution.

Description of summary table

The table which precedes this section of the report contains three sections: Tax Burdens Through the Production Chain, The Value-Added Chain, and Tax Dollars Paid as a Percent of Value Added. The first section, Tax Burdens Through the Production Chain, is a compilation of tax calculations from the supporting table contained in the Data Appendix which follows. ''Sales and Excise Taxes'' in the summary table were taken from the columns labeled ''Total Taxes: Indirect'' on page 2 of the supporting table. Taxes associated with retail beer sales are the sum of on-premise (eating and drinking establishments) and off-premise (grocery and liquor stores) activities. The ''Income, Profit, and Payroll Taxes'' in the summary table represent all other taxes as calculated in the tables in the Data Appendix. ''Total Taxes'' on the summary page are equal to the ''Grand Total'' as found in the supporting table.

The middle section of the summary table, The Value-Added Chain, was also taken directly from the supporting table, and is discussed at length below. In each step of producing, transporting, and distributing beer to the consumer, value is added through the employment of workers, the depreciation of capital, and the realization of profit. Each line item, in billions of dollars, represents a portion of the total final national expenditure for beer.

The last section of the summary table, Tax Dollars Paid as a Percent of Value Added, simply divides the values in the first section by the values in the second. This section indicates the relative tax burden that the beer industry bears at each stage of production and distribution. For example, 43 percent of the total value added to the economy by the beer industry represents taxes of one form or another. A large portion of the taxes on the beer industry are paid at the prouder level.

Description of supplementary tables

The top-line number used for the beer industry is a total domestic consumption 1 number for the year 1993. (See, for example, page 1, cell B17 of the supplementary table entitled, ''Brewing Industry Data Appendix''.) For beer, the dollar values for total consumption—which include both at home and restaurant expenditures—were sourced from the National Income and Product Accounts, ''Personal Income and Outlays,'' produced by the BEA.

In order to arrive at a domestic production and distribution number—i.e., how much U.S. companies produce and distribute—we adjusted the total consumption number by subtracting imports and adding in exports. The source for these trade figures is the publication Trade and Employment produced jointly by the Bureau of the Census and Bureau of Labor Statistics.

The total consumption number adjusted for trade for each good was then decomposed into its value-added chain, i.e., producer's contribution, transportation services, wholesale services, and retail services. For beer, the producer's contribution is the 1993 shipments value from the Annual Survey of Manufacturers prepared by the Bureau of the Census. The input-output accounts were again used to estimate the transportation, wholesale and retail services along each product's value-added chain.

The producers' contribution to value added includes the value added of all suppliers to the manufacturer. These inputs are then further detailed in the bottom half of the beer industry table with the distribution among the various inputs derived from the input-output accounts. The value of these inputs depreciation and other small value-added contributions of the manufacturer are reported as ''Other Value Added.'' For example, in the supplementary table for the brewing industry, the value of beer shipped by manufacturers is roughly $17 billion. ''Other Value Added'' is $13 billion of which approximately $10 billion is brewing inputs detailed in the lower half of the table.

Taxes on labor

Labor compensation was calculated as a portion of industry output and each associated link along the value-added chain. Wages and salaries (taxable compensation) were taken as a percentage of total labor compensation calculated through statistics presented in the National Income and Product Accounts. Effective tax rates for Federal payroll and income and state and local income for 1993 were multiplied by wage and salary compensation, and are listed under the ''Taxes on Labor'' columns, specified in millions of dollars.

Effective tax rates were calculated as the gross tax receipts as documented by the National Income and Product Accounts divided by the relevant tax base developed by DRI/McGraw-Hill. For example, the average Federal personal income tax rate for 1993 was 11.7% *Marginal* Federal tax rates begin at 15 percent and rise to 39.6 percent, but exemptions and deductions reduce the ratio of taxes to income to 11.7 percent. Similarly, tax credits and other adjustments reduce the effective Federal corporate income tax rate from the statutory 35 percent to a 32.2 percent effective average rate.

Taxes on profits

Profits were calculated as industry-specific percentages of revenue based on data in the Corporation Source Book of Statistics of Income compiled by the IRS. These profit margins were then multiplied by the revenues associated with the calculated value-added components. Federal, and state and local profit taxes are taxes on corporate profits. Federal, and state and local taxes are taxes on dividends and capital gains realized by shareholders; we estimated these dividends and gains as corporate profits minus taxes. As noted above, the effective average tax rates were calculated by DRI/McGraw-Hill using inputs from the National Income and Product Accounts.

Tax on other value added

Other value added includes items such as depreciation and non-corporate income, and represents additional taxable output to the economy. Depreciation, for example, represents capital expenditure and thus, income to firms that provide related goods and services. Effective Federal and state tax rates that are applied to the general economy were multiplied by a calculation of other value added along the relative production chains for each analyzed industry.

Indirect taxes

Indirect taxes represents all sales, excise, and product-related taxes. Sales taxes and non-tax government payments (e.g., licenses, fees, penalties) were calculated as a percentage of total output through input-output accounts, with the exception of retail taxes. These taxes were calculated based on tax rates presented in a study by the Institute on Taxation and Economic Policy. Product-related taxes (e.g., alcohol) were calculated from reliable industry-specific literature.

Data Appendix

Brewing Industry Data Appendix

Page 1 of 2

	A	B	D	E	F	G	H	I
1	**Analysis of Beer Industry (in $ millions)**					**Tax Rates**		
2	**Distribution of Value Added**					**Effective**		**1993**
3					a	Federal Payroll:		17.0%
4					b	Federal Income:		11.7%
5					c	State/Local Income:		3.7%
6					d	Federal Profit:		32.2%
7					e	State/Local Profit:		5.7%
8					f	Federal Tax @ GNP:		19.4%
9					g	S/L Tax @ GNP:		10.8%
10								
11								
12								
13		**1993**	**Total**	**Wages**				**Other**
14		**Beer**	**Labor**	**as % of**	**Wages**	**Pre-tax**	**Indirect**	**Value**
15		**VA**	**Comp.**	**L.C.**	**& Sal.**	**Profit**	**Taxes**	**Added**
16	Formula				D*E			
17	**Total Domestic Consumption**	47,969.5						
18	**Exports**	233.7						
19								
20	Retail (net of alcohol taxes)	17,392.0						
21	E&D shares	51.60%	51.60%	51.60%	51.60%	51.60%	51.60%	51.60%
22	Eating & Drinking (& sales tax)	8,974.3	5,848.7	84%	4,894.3	591.7	1,300.2	1,233.6
23	Off-premise	8,417.7	5,336.2	85%	4,555.6	410.0	1,184.5	1,487.0
24	Wholesale Services	7,063.0	4,141.3	84%	3,466.0	218.0	1,368.4	1,335.3
25	Transport. Services	633.2	398.2	78%	309.4	15.9	30.2	189.0
26	Domestic Brewers' Contribution*	16,422.0	1,952.4	80%	1,565.7	1,160.3	58.0	13,251.3
27	Imports	1,055.0					14.4	
28	Federal Alcohol Taxes	3,339.3					3,339.3	
29	State Alcohol & License Tax	1,831.4					1,831.4	
30	**Total Brewer & Dist.**	**47,969.5**	**17,676.8**		**14,791.0**	**2,395.9**	**9,126.3**	**17,496.2**
31	* excluding Fed. & State alcohol taxes							
32								
33	**Detail: Value of Domestic Beer**							
34	**Value of Brewer Inputs**	**8,551.5**						
35	Agriculture	222.8						
36	Food Products	261.1						
37	Malt	615.1						
38	Glass Containers	1,466.2						
39	Metal Containers	3,416.1						
40	Paperboard	498.8						
41	Transport	223.8						
42	Wholesale Trade	328.3						
43	Advertising	1,085.0						
44	Other	434.2						
45	**Tot. Suppliers (VA)**	8,551.5						

Brewing Industry Data Appendix
Page 2 of 2

	K	L	M	N	O	P	Q	R	S	T	V	W	X	Y
1	**Analysis of Beer Industry (in $ millions)**													
2	**Taxes on Value Added**													
3														
4														
5		**Taxes on Labor**			**Taxes on Profits**				**Tax on Other VA**		**Total Taxes**			
6		**Fed.**	**Fed.**	**S/L**	**Fed.**	**Fed.**	**S/L**	**S/L**			**Fed.**	**S/L**		**Grand**
7		**Payroll**	**Income**	**Income**	**Profit**	**Income**	**Profit**	**Income**	**Federal**	**S/L**	**Factor**	**Factor**	**Indirect**	**Total**
8	Formula	F*a	F*b	F*c	G*d	G*(1-d)*b	G*e	G*(1-d)*c	I*f	I*g	L,M,O,P,S	N,Q,R,T	H	V+W+X
9	**Total Domestic Consumption**													
10	**Exports**													
11														
12	Retail (net of alcohol taxes)													
13	E&D shares													
14	Eating & Drinking (& sales tax)	832.0	572.6	181.1	190.5	46.9	33.7	14.8	239.3	133.2	1,881.4	362.9	1,300.2	3,544.5
15	Off-premise	774.4	533.0	168.6	132.0	32.5	23.4	10.3	288.5	160.6	1,760.5	362.8	1,184.5	3,307.8
16	Wholesale Services	589.2	405.5	128.2	70.2	17.3	12.4	5.5	259.0	144.2	1,341.3	290.3	1,368.4	3,000.0
17	Transport. Services	52.6	36.2	11.4	5.1	1.3	0.9	0.4	36.7	20.4	131.8	33.2	30.2	195.2
18	Domestic Brewers' Contribution*	266.2	183.2	57.9	373.5	92.0	66.1	29.1	2,570.8	1,431.1	3,485.7	1,584.3	58.0	5,128.0
19	Imports												14.4	14.4
20	Federal Alcohol Taxes												3,339.3	3,339.3
21	State Alcohol & License Tax												1,831.4	1,831.4
22	**Total Brewer & Dist.**	**2,514.5**	**1,730.5**	**547.3**	**771.3**	**190.1**	**136.6**	**60.1**	**3,394.3**	**1,889.6**	**8,600.7**	**2,633.5**	**9,126.3**	**20,360.5**
23	* excluding Fed. & State alcohol taxes													

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York [Mrs. KELLY] is recognized for 5 minutes.

Mrs. KELLY addressed the House. Her remarks will appear hereafter in the Extension of Remarks.]

TREATING PEOPLE LIKE THIS IS A DISGRACE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. ROHRABACHER] is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, today we learned the joyous news our colleague, the gentleman from Pennsylvania [Mr. MCDADE], was found not guilty on all charges against him. JOE was one of the most admired and distinguished Members of this body. He is much beloved by his constituents of his Pennsylvania district. JOE, however, was targeted by a prosecutor looking for a trophy. He wanted to put a trophy of JOE on the wall, he wanted to convict a Congressman, a prosecutor intent on bringing JOE down in order to further his own career.

Well, as time went on it was clear that JOE was innocent. The prosecutor, however, had to double his efforts or admit that he had wasted the taxpayers' time on a questionable, very questionable prosecution.

Today, after over 4 years of brutal attack by an abusive prosecutor, JOE MCDADE was found innocent of all the charges against him. A jury of his peers heard the evidence and decided that they were groundless. Unfortunately JOE's defense cost him his entire life savings. He has been put through a travail that none of us would like to emulate.

Well, we rejoice with JOE, but we also add the fact that he was found innocent, and we stand committed to try to make up at least for the financial loss that he suffered. He has suffered a catastrophe at the hands of an out-of-control prosecutor, a prosecutor gone berserk in order to bring down a public official in order to make himself look good.

And what has the cost been to this man personally, a loyal hardworking public servant who committed his entire life to his country and to his constituents? We will welcome JOE back here joyously after this great victory.

But today something else happened. Today President Clinton announced that he is reneging on his agreement, as stated by his White House spokesman, to sign a bill which would pay for the legal expenses of Billy Dale. This is a bill that passed this House overwhelmingly, to pay the legal expenses of Billy Dale.

Now you may remember who Billy Dale is. Billy Dale was the civil service employee at the White House who ran the travel office. He was fired by the White House early on in order to give basically a relative of the President a chance to take over that office and to give a Hollywood chum of the President a chance at the contracts to give travel services to the media who cover the White House.

Billy Dale was fired unjustly, and when there was a large protest about this, the President decided, and whoever it was, that they would not just be satisfied with firing Billy Dale, but they would have to file charges against this man, this guy, this ordinary working man who spent all of his life trying to do his duty, had been in the military.

He was there in a bipartisan job in the White House, just a little public servant, somebody, a civil service fellow, and he was fired, and he was then not only fired but prosecuted in order to cover up the wrongdoing and the wrong action that was taken against him.

Well this was something that was again confirmed by the fact that Billy Dale, with all of the prosecutorial power of the Federal Government against him, when it was taken to court it took 2 hours, 2 hours for a jury to find that Billy Dale was innocent of all the charges against him.

Yet, like JOE MCDADE, Billy Dale was not a rich man, and Billy Dale's entire life's savings was destroyed by trying to defend himself against a vindictive President who was trying to cover up his own wrongdoing.

Now, after the President agreed through his spokesman at the White House that he would sign a piece of legislation, legislation that passed overwhelmingly in this body, to make up at least to some small degree the injustice that was given to this man, Billy Dale, who ran the travel office there at the White House, the President now is reneging on that agreement. The President said, ''Oh, not until all the legal fees of all the people who were being investigated by this Congress are paid are we going to pay for Billy Dale.''

Well let me remind the President, and I guess I cannot speak directly to the President, but let me remind all of you that the President of the United States is talking about people who were not found innocent of crimes, or are being investigated, versus Billy Dale who was found totally innocent of all the charges against him. This is an absolute travesty.

President Clinton must stand by his word. Through his spokesman, he committed to sign the bill that would pay Billy Dale's legal expenses and make up for the wrongdoing that his administration was involved in in basically relieving Mr. Dale of his job in the first place and then bringing criminal wrongdoing against Mr. Dale to cover up that tactic against this civil servant.

Mr. Clinton has gone too far, he has to keep his agreement with us, and he must keep faith with the values of the American people instead of treating some civil servant like this. It is a disgrace.

WE NEED TO GO FURTHER WITH HEALTH CARE LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wanted to come to the floor this evening to clarify and conclude a debate that we had earlier today on the floor of the House. First of all, let me acknowledge that I am grateful in a bipartisan manner that this House and the Senate has passed the Kennedy-Kassebaum legislation.

□ 2300

There are many aspects of the legislation that we could cite as being positive, and some that we need to have further refinement. But there was a dialog on the floor of the House today that I engaged in with my friend, the gentleman from Iowa, as to my concern of the heavy burdens falling upon our physicians throughout this Nation.

There is no doubt that I am gratified to have been able to support and cosponsor the legislation that was just passed, that allows Americans to have portability with their health insurance, and not to be penalized for preexisting disease. We need to go further. We need to ensure that all Americans have access to good health care.

At the same time, I am familiar and interact with many aspects of the medical profession: those physicians who practice in rural America and urban America. In fact, I have served on an indigent health task force for the State of Texas, where we were fighting against the closing of rural hospitals throughout that State. One of the problems, of course, was the inability of many of the physicians to be able to practice in those communities because of limited access to insurance that would cover those constituents, and, as well, limited access to viable hospitals.

It is those physicians who practice in inner city America and rural America who have private practices who I am concerned will be heavily burdened with the fraudulent provisions that are so severe in this legislation. We want to get rid of the fraud and abuse and certainly the bad practitioners, but overall, America's physicians take the Hippocratic oath, and all they want to do is to serve their patients.

If you have an office situation that is small and not necessarily computer-processed, and you have an inadvertent staff person who repeats the billing to Medicare or some other service, then you are charged with knowingly and intentionally and recklessly providing this documentation, and are subject to the fraud provisions.

I really think that we have an opportunity, as this bill is signed, to revisit this question and to study this question, to ensure that those physicians who serve our most needy of Americans in rural and urban centers around the Nation are allowed to do their practice, the practice of medicine, and that we

do not hinder them and tie their hands so they are not able to serve those constituents, and that they are not subjected to some of the harshest fraudulent provisions that are in this particular legislation.

Mr. Speaker, I would encourage my colleagues, Democrats and Republicans alike, that we consider whether or not, as we watch this legislation progress, that it is not too severe to inhibit those who might serve those most needy constituents.

ANTITERRORISM LEGISLATION AND THE STATUS OF AMERICAN MILITIAS

Mr. Speaker, let me point out two other matters that we have had the opportunity to discuss this week. One, there has been a conference committee, bipartisan, in which the President has instructed the leaders of Congress to respond to the concerns of the American public and to pass antiterrorism legislation, which would include wiretapping, increased services or increased resources to our law enforcement, and, as well, would provide for taggant, what we would call the kind of tracking devices, to determine who might have been behind any kind of explosive incident or tradegy.

It seems as if, however, we have not been able to come to a meeting of the minds, and that Members of this House, Republicans, have refused to listen to the President and to the American public asking for greater national security. I hope we can find an opportunity to come together on this issue, and not allow partisan politics to divide us on this question of terrorism.

I hope also this House will have hearings on terrorism, domestic and international. I would also like my colleagues to join me in the support of House Concurrent Resolution 206, which I will offer, that will suggest to this Congress that we join together to determine the state of militia in this Nation, to determine whether there are those who are organized in a violent manner to overthrow this Nation. If they are in the form of militia, then we should find them, identify them, and prosecute them to the fullest of the law, and certainly the Department of Justice should be involved in this prosecution. We must not tolerate terrorism, domestically or internationally.

I would encourage my colleagues in the House to get on with the business of an antiterrorism bill, and to join me in this militia legislation that will bring individuals to justice who would overthrow this Government.

TRIBUTE TO TROOPERS WHO SAVED LIVES IN ATLANTA'S CENTENNIAL PARK BOMBING

The SPEAKER pro tempore (Mr. FORBES). Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I would certainly be remiss in my duty if I did not brag on and recognize four of our First District of Georgia heroes that led the safety efforts in last Saturday's early morning Centennial Park explosion in the Olympics in Atlanta. The gentlemen that I want to recognize are Mr. Ted Riner, Mr. Tommy Sisson, and Mr. David Averitt. These are all State troopers who lived in Statesboro, GA, who were on detail at the Centennial Park in Atlanta.

I also wanted to recognize Mr. Tom Davis, who married a Statesboro girl, who is the daughter of my friends, Bobby and Floyd Naxton, in Statesboro. Tom was the GVI agent in charge of Centennial Park. If you can visualize the scene a little bit, in fact last Monday, Libby, my wife and I were at an Olympic medal ceremony in Savannah, and it was very similar to the scene that had happened on Saturday, just a few days before. The Spinners were playing, a great popular group, everybody was dancing, everybody was having a good time, folks were celebrating the Olympics from all over America, from all over the world, and so forth.

I was thinking, this is what the scene was like Saturday morning early, at 1:20 a.m., when the bomb exploded. As we know, Mr. Davis was among the very first to know of the bomb, and immediately he began evacuating the area. Mr. Riner, Mr. Sisson, and Mr. Averitt all were key players.

There were only 9 people evacuating about 150 partiers. Some of these partiers had been drinking, some of them were tired, some of them did not want to be interrupted in their partying, and yet these brave men very calmly but very firmly led these 150 people, this group, out of the way of danger, and when the bomb went off, only two people were fatally wounded, which, of course, were two too many. However, you can only think of how many people would have died if it had not been for the efforts of these four men and the five others who were with them.

The interesting part, being true Americans, true officers who will do their duty and act without question when the time of emergency comes, they laughed later when they were told that they were heroes. They said, why are we heroes? We were just doing our jobs.

Then they talked about being wounded, as all three of them were. Mr. Davis was not wounded, but the three of them were, the three others were. They said that even as they were being told to lie still and being taken to the hospital, their first concern was, how many people were injured, and what about each other? They all, Riner, Sisson, and Averitt, had known each other. They know Pam, David's wife, and they were all very fond, and that was their first concern each one of them had, for the other person and for the public in general.

Mr. Speaker, as long as America has men like this, people like this from all over the country, heroes that come from everyday walks of life, our country will continue to be a great Nation. I am proud to say that I know some of these guys vicariously. I certainly know of them very well and know their families, and I am very, very proud of them.

Just think what it would have been like, how much more tragic the explosion in Centennial Park would have been, if it had not been for their fast and immediate action. So I salute them, and I know all 435 Members of Congress join me in this salutation: Job well done, gentlemen.

TRIBUTE TO STAFF OF THE LATE HONORABLE HAMILTON FISH, JR.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York [Mrs. KELLY] is recognized for 5 minutes.

Mrs. KELLY. Mr. Speaker, since he was first elected to the 91st Congress in 1968 until his retirement in 1994, Hamilton Fish, Jr., has relied heavily on the support of his staff. During his 26-year tenure there were more than 70 staffers who served him loyally. The following is a list of those who served at least 3 years or more, as recalled to my memory.

The first of these is John Barry, from the Catskills in New York. He met Ham Fish in 1965 and became a trusted friend, adviser, campaign manager, and confidante, launched and ran a successful campaign, getting Ham elected to Congress the first time in 1968, and from that point on continued as his campaign manager and adviser and served as his administrative assistant until he retired, from 1968 until 1982.

John currently resides in West Palm Beach, FL. It was my joy and pleasure to serve Ham and work with John Barry. John was a remarkable man whom Ham was very lucky to have on staff.

John Nacarrato is another one. John Nacarrato was elected eventually to the Ulster County legislature, but he served as district director for Hamilton Fish until he retired in 1992. John is my friend from the early Ham Fish days, and he owns and runs PJ's Restaurant in Kingston, NY. I go up there to see him often.

Helen Fuimarello, this is another woman who met Ham Fish and volunteered on his campaign, then joined him. She came from Hamilton Fish's staff onto my staff and helped me set up my office in Dutchess County. She retired from Federal service in 1996, and currently works part-time for our State senator, Stephen Saland. Helen and I remain good friends and I rely on her excellent advice always.

I want to mention Aya Ely. Aya Ely was Ham's personal secretary from 1968 until 1987. She was an absolutely remarkable woman.

Then there was Marion Clow. Marion kept us all in line. She was on Ham's staff from 1969 until she retired about 1983.

Then there was Alan Coffey, Jr. Alan started in 1969. Alan is still on Capitol Hill. He served on the House Committee on the Judiciary as minority counsel, but he is now majority general counsel and staff director of the Committee on the Judiciary. Alan is as sharp as ever, but he started with Hamilton Fish.

Gerry Schindler started as a volunteer on Ham's campaign. Eventually Gerry moved to Salisbury, MD, and now works in the office of Congressman WAYNE GILCHREST. She is a lovely, kind woman, and another friend of mine.

Then there is Shirley Cavanaugh, Dorothy Pedersen, Clementine Anthony, Janice Traber, Shelva Hoffman, Tom Schatz, and Phyllis Coleman, another remarkable woman. She started in 1979 in Ham's Poughkeepsie office as a caseworker and staff assistant. Later she moved to the Washington office to work as a legislative correspondent and chief caseworkers. She served Ham for 15½ years, and then she moved with me into my office. She is the finest human being I have found here on Capitol Hill. She is a wonderful human being, and has helped countless people in my district. My hat is off to Phyllis Coleman for her many, many years of service. I am proud to have her in my office.

Hope Wittenberg worked for Ham. Nick Hayes came in, replacing John Barry, from 1982 to 1994. He was Ham's administrative assistant. Nick, too, remains a good friend.

Nora Lucey Mail is still here on Capitol Hill. Mariel Friedman, David Gilroy, and then there is Pari Forood Novik. Pari Novik and her husband Dick are good friends. She served 6 years on Ham's staff, and they live in Dutchess County, where they help the Dutchess community in hundreds of ways. Pari basically now has opened and runs a radio station.

Molly Clark, Morey Markowitz, Grace Washbourne. Grace always made sure Ham got where he needed to go. She was a scheduler and a wonderful help to Ham.

Debbie Reilly, Renee Longacre, Mike Hanretta, Heather Whyte, Nancy Eaton, another caseworker who moved from Ham's office to help me.

Linda Jo Edwards, Melissa Bottini, Claire Benson, and many more. These are the people who made the office of Hamilton Fish what it was and helped Ham be the man that he was, and helped him continue to keep his image well-honed. I believe it fitting that we also offer them a tribute, as we have Ham.

OPPOSITION TO DEFENSE AUTHORIZATION BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. TALENT] is recognized for 5 minutes.

Mr. TALENT. Mr. Speaker, I rise to explain my opposition to the conference report on the defense authorization bill which the House passed earlier this evening.

Mr. Speaker, shortly after I was elected to the Congress in 1992, several constituents first raised with me the POW–MIA issue. It did not take a great deal of research before I concluded, to my shame, that our Government had left hundreds of POW's behind in Vietnam at the end of that war. Since I entered the Congress I have participated in hearings which have only reinforced my original conclusion in that matter. In fact, the Government's denials in these hearings have taken on a feeble and pro forma quality, as if they know and we know that what they must say for the record is not true.

Like many other Members, I continue trying to expose this truth publicly, but I am not so naive as to believe, with all the foreign policy, economic, and personal interests at stake that any administration is likely to admit that several hundred men were left behind following Operation Homecoming in 1973, and that a 20-year bipartisan coverup has since occurred.

2315

But I did think it possible to make better provision for servicemen in the future. I was very pleased when, in last year's authorization bill, Congress passed the Missing Service Personnel Act. This act established a separate agency to track POW–MIA's, granting extensive powers to that agency and legal rights to the families of missing servicemen. The new legislation made it much less likely that soldiers could be left behind in subsequent wars. It tacitly recognized and therefore partially redeemed the sins of the past. Nothing could give better meaning to the past sacrifices of our POW's than real action to ensure that others are never abandoned as they were.

However, during debate on this year's bill, and at the urging of the Pentagon, the Senate adopted an amendment gutting the legislation passed only 6 months ago, loosening standards for investigation and certification.

As has so often been the case with the POW–MIA issue, it is impossible to fathom the reason for the Senate's and presumably the Pentagon's position. Certainly the families and the veterans organizations will be mystified and heartbroken. As I said before, the new law has only been in place for 6 months. What have we learned in that short period of time that justifies so significant a change? Why do we now believe that it is acceptable for a commander to wait 10 days before reporting that one of this men is missing in action? Why is it less important now than it was 6 month ago to require that forensic standards be satisfied before identifying a body based on one tooth or one bone? And what has the Department of Defense done since the beginning of the year that should convince us to err on the side of giving it more discretion in making these determinations given its dismal record over the last 20 years?

Mr. Speaker, I cannot blame any Member who decided to vote for this conference report because of the good things in it, notwithstanding what it does to the cause of POW's and MIA's. Everyone has to make this own decisions in matters of that kind. I freely admit that my vote was based more on conscience than on policy. I simply cannot join in once more sacrificing the interests of our POW's in the name of some greater good. Objectively I know that what the Congress did tonight will have little effect on those left behind in Vietnam. I am sure they have long since given up hope of deliverance and in fact most are by now buried in fields or shallow graves or stored in warehouses in case the Vietnamese need their bodies for some purpose. What I find unendurable is the sense that we have today abandoned them again, heaping yet another betrayal on the bones of these honorable men who made the mistake of trusting us.

HEALTH INSURANCE REFORM LEGISLATION

The SPEAKER pro tempore (Mr. FORBES). Under the Speaker's announced policy of May 12, 1995, the gentleman from New Jersey [Mr. PALLONE] is recognized for one-half of the remaining time as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I do not plan to use all of the time. But I did want to take to the floor tonight to talk about the health insurance reform legislation that was passed today on a bipartisan basis and certainly start off by saying that I am pleased that the bill did pass, that we have agreement between the House and the Senate, and that this legislation will go to the President and that the President has indicated, obviously, that he will sign it, because at least we will be able to say that this year there has been some progress, albeit small progress, but some progress toward expanding health insurance opportunities for Americans.

I have been very concerned over the last 2 years that we would not get this legislation passed because of inaction, which I put the blame on the Republican leadership here in the House. One of the things that Democrats, that we as Democrats did at the beginning of this session of Congress, was to establish a health care task force whose goal primarily was to try to expand health insurance opportunities for the many Americans who either do not have health insurance or who have problems obtaining health insurance even if they can afford to pay for it. I think this is one of the major issues that we must address not only in this Congress, but also in future Congresses.

The bottom line is that more and more people every day in this country do not have health insurance. The estimates now are that it may be as many as 40 million Americans. I think it is unconscionable that that number continues to grow, and I think that government, and the Federal Government

in particular, must do whatever it can to try to increase opportunities for health insurance and ultimately to bring down the number of Americans who do not have health insurance, who are not covered by health insurance.

Let me just point out today why I think that the bill that was approved, which I call the Kennedy-Kassebaum bill, for the two Senators who initially sponsored it in this session of Congress. What it does essentially, it does a lot of things but I would just like to highlight four things that I think are most important.

One is, and most importantly, it deals with the whole issue of what we call portability, where an individual or a family, the head of the household I should say, loses their job or has to change jobs. Increasingly, that becomes a difficult problem for that individual or that head of the household or the family as a whole to find health insurance when they change a job or when they lose their job. In addition, we have a lot of Americans who in that circumstance or in other circumstances cannot find health insurance because they have a preexisting medical condition. The bill that we passed today addresses those problems in significant ways.

First, it provide health insurance portability for workers and protection against exclusion from group insurance coverage in a new job because of preexisting condition. A group health plan cannot exclude you for more than a year from the coverage it gives others because of a preexisting condition. If you had a year or more of coverage and switched jobs and then have less than a 63-day, 2-month break in service between the jobs, the new plan cannot exclude you because of preexisting conditions. Of course, that sounds a little legalese, but it is a significant breakthrough for people who have been denied health insurance because of preexisting conditions.

The bill also guarantees renewability of insurance regardless of health record or the size of the group. It also provided opportunity to go from group to individual insurance. If you have exhausted your group insurance possibilities and have been covered under a group plan for 1 year for 1 year or more, you have the right to buy a type of individual policy without preexisting condition exclusions.

Finally, there is also a gradual increase in tax deduction for the self-employed to 80 percent by 2006.

There are other things in the bill, but those are the ones I want to highlight. From the beginning of this debate, which is really almost 2 years now in this Congress, I have said that if we can, if we can at least improve the situation in terms of portability job to job or making sure that people are able to get insurance for preexisting conditions, if that is all we do in this year and with this legislation, we have accomplished a lot. And all the other things that were added and all the other special interest provisions which I am going to go into a little bit now, I think, were basically not important, should have been excluded from the beginning, and unfortunately were not, but today we finally came to a conclusion and we have a relatively clean bill and deals with those preexisting conditions and portability provisions of the original Kennedy-Kassebaum bill.

Let me talk a little bit about what I consider the politics of this, because I have to say that I believe that as Democrats, as a Democrat and as a party, we have really taken the leadership to try to get this legislation passed this year in this Congress. More than anyone else, the President has taken a leadership role. He announced in his State of the Union address this year that if he was sent this bill with the preexisting condition provisions and with the portability provisions as a clean bill that he would sign it. Basically, President Clinton deserves most of the credit for the fact that this legislation finally passed tonight, and he is going to sign it.

However, what I hear from my Republican colleagues on the other side and what I am sure I am going to be hearing for the next month or so is this effort, I guess part of a massive election-year campaign, to try to convince the American voters that the Republican Party, or the Republican leadership, is responsible for improving access to health insurance through the legislation that we passed today.

The truth is that it has been the Democrats who have led the charge to expand access to health care for all Americans. Over the last 40 years, Democrats have promoted and succeeded in enacting legislation to improve the health care system, most importantly through the establishment of Medicare and Medicaid health programs in the 1960's and Democratic have consistently fought for the health reform provisions that were in the bill that we passed today. The Democratic lead on these reforms started in this Congress when Senator KENNEDY first introduced his bill in July of last year. The Democratic advocacy of these health insurance reforms dates back even further.

I have to say, because I have been to the well, I have been here on the floor many times to point out how the Republican leadership refused to take any action on the legislation until President Clinton finally put pressure on them by calling for passage of the bill in his State of the Union address last January, gradually the Republican leadership started moving on the Kennedy bill, by very slowly, In fact, the House and the Senate did not even vote on the bill until the end of March.

I think that what essentially happened here is that the Republican leadership and Speaker GINGRICH realized more and more as the year went on that their Contract With America provisions, that their extreme agenda was not working, and they started to reach out with this bill as a vehicle to show that they are moderate and they were actually trying to do something for the average American.

Even though that was true and even though the political pressure was on them to try to do that and hopefully to move this bill, we still had a holdup because the leadership, Speaker GINGRICH, the Republican leadership, insisted on including the medical savings accounts as a provision in this legislation.

I have stated over and over again that the medical savings accounts were the poison pill, essentially the delay, and the fact that this bill did not come to the floor in this form until today was largely due to the Speaker's insistence and the Republican leadership's insistence that medical savings accounts be included in the legislation. I have pointed out and I will point out again, I believe the major reason for that push was because they received so much money, the Republican Party did, from the Golden Rule Insurance Co., which is the main company that sells these kind of policies.

Let me just say briefly why, and I have said it before, but I want to say it again briefly, why medical saving accounts are not a positive provision in this legislation.

Fortunately, again due to Senator KENNEDY's insistence primarily and other Democrats, the medical savings accounts provision in this bill that came to the floor today were whittled down, so it is now only a pilot program that does not impact a lot of people. And so I am hopeful that whatever negative aspects exist for MSA's have been whittled down and will not have a terribly negative impact on this bill. But it is still in the bill, and I do think that we should be worried about the impact of MSA's.

What MSA's do basically is to break the insurance pool. You have wealthy people, you have poor people in the insurance pool. You have healthy people, you have unhealthy people in the insurance pool. The idea of the insurance pool is you put all these people together and you basically have a balance, and you do not charge a great deal because everybody pays an average premium. What MSA's do basically is to separate the health insurance risk pool and actually result in premium increases for many Americans because the people that opt out and go for the umbrella or the catastrophic policy, if you will, that exists with the MSA's are mainly healthy and wealthy people, people that can afford to pay out of pocket if necessary, people who do not think that they are going to have to have that many occasions when they visit a doctor or go to a hospital. And so what happens is the healthy and wealthy people opt for the medical savings accounts and the insurance pool is left with poorer people and people who are largely unhealthy, and premium rates go up.

The reason that I think that is such a terrible thing is because the whole

purpose of health insurance reform is to try to expand opportunities for health insurance coverage for people that do not have it. If premium rates go up, then fewer people can afford health insurance. Fewer people are able to afford health insurance and more and more people go without health insurance.

Why did they try to incorporate these accounts, these MSA's in the bill? Because the Republican leadership was getting a lot of special interest money from the Golden Rule Insurance Co., which was the main company that was trying to sell these policies.

The Republican leadership went so far that they even tried to put MSA's in their medical proposal even though the CBO, the Congressional Budget Office, a nonpartisan organization, scored the MSA's as draining Medicare by over $3 billion. So we had this MSA problem not only with this bill, but also with Medicare.

At one point, we had the Republican leadership in the Senate saying that they would not even allow the minimum wage increase legislation to be considered until they had their way with the health insurance reform bill that included the MSA's. Fortunately, they dropped that.

Tomorow we are going to be considering the minimum wage bill. Once again, it is because of Democratic persistence in saying, ''No, we're not going to link these two, we're not going to include the provisions on the medical savings accounts the way you want it. We want to pass a clean health insurance reform bill to address portability and preexisting conditions, and we want to pass a clean minimum wage bill.''

☐ 2330

I have to say, once again, that I believe very strongly that the reason that this bill came to the floor today is because of the insistence of the Democrats that it come before us in its clean form and in the way that would actually be helpful to the average American.

Now, let me stress, and I guess I am basically going to conclude with this, that while this legislation that is before us today and that we voted on is not the end-all in health insurance reform, it is an important first step down the road to helping Americans maintain their health care security. However, I think a lot more work needs to be done.

Some of the Democrats who spoke on the floor today stressed the fact that this is only a small step and that we need to do a lot more in order to achieve that goal of bringing all Americans under some kind of health insurance coverage. That is certainly true. This is only a beginning, an important beginning, but nonetheless a beginning. Only a beginning.

What are we proposing then as Democrats? Well, the next step, the next incremental step, I believe, and probably the most important one, is a proposal that the Democrats have put forward as part of their family first agenda to create kids only health insurance policies, ensuring that every American child has health insurance.

We have obviously dealt in an important way now with the portability and the preexisting condition problems, but one of the biggest gaping holes in the lack of health insurance, so to speak, is the fact that so many children now do not have health insurance. So as part of our agenda we want to make sure that there are ways in which people who can afford to buy health insurance, but maybe have problems because they have difficulty buying it for their children or difficulty buying it for their whole family, at least have the option that they can buy it for their children. If their children are covered, obviously that is important to them and it gives them some sense of security about their ability to provide and take care of their children.

At the same time, Democrats remain committed to protecting Medicare and Medicaid from Republican raids on those programs primarily to pay for tax breaks for the wealthy. Over the last year and a half, Republicans have made several attempts at cutting Medicare and Medicaid, and I have again talked about those a great deal on the House floor.

If we make these severe cuts in Medicare and Medicaid that had been proposed by the Republican leadership, the net effect would increase the number of uninsured and underinsured. That is the opposite of what the goals should be of this Congress. Not only the Democratic goal, but the bipartisan goal of this Congress and of this Federal Government is to get more people health insurance. We are not going to accomplish that if we cut Medicare and Medicaid. Ultimately, it is going to mean that fewer people have health insurance and the quality of service and the level of service goes down.

Mr. Speaker, I just want to conclude, because I know there is not much time left and I do not want to use all the time, but I just feel very strongly that what we have witnessed in this Congress, when we talk about Medicare, when we talk about Medicaid, or even when we talk about this health care reform bill which we finally passed today, is that the Republican policy has essentially been the opposite of what the Democratic principles are about.

Democrats have said that they want to increase the number of people that have health insurance. What we have been seeing from the Republican leadership basically is the opposite: Cut health care programs, repeal health care programs and, finally, be dragged sort of fighting and kicking to pass a health care reform bill that addresses one problem, or at least one small problem affecting millions of Americans.

I suppose, ending on an optimistic note, I have to say that maybe they have been dragged kicking to the point where they had to bring up the bill today, but at least the bill was brought up, and there are millions of Americans who will be positively impacted by this health insurance reform legislation that was passed today on a bipartisan basis. If it took all the kicking and screaming and complaining by Democrats to get us to that point, that is fine. We have accomplished something and it is certainly a victory for all Americans.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the House stands in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 35 minutes p.m.), the House stood in recess subject to the call of the Chair.

☐ 0049

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 12 o'clock and 49 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF A MOTION TO SUSPEND THE RULES

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104–744) on the resolution (H. Res. 508) providing for consideration of a certain motion to suspend the rules, which was referred to the House Calendar and ordered to be printed.