United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, WEDNESDAY, FEBRUARY 5, 1997 No. 13

House of Representatives

The House met at 11 a.m. and was called to order by the Speaker pro tempore [Mr. LAHOOD].

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 5, 1997.

I hereby designate the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Reverend Dr. Ronald F. Christian, Office of the Bishop, Evangelical Lutheran Church of America, Washington, DC, offered the following prayer:

Almighty God, giver of life and provider for every living thing, we pray. Grant mercy to Your children wherever they may live. May food be always sufficient, may love be always present, may hope be never absent, and may care be constantly available to every one.

Almighty God, giver of life and provider for every living thing, we pray grant comfort to people who grieve. May none of us want for family, may all of us be a friend, may each of us have a home, and may every person be courageous in service.

Almighty God, giver of life and provider for every living thing, we pray look with favor on this people, our Nation. May we be selfless first and selfish last. May we offer credit early and seek fame late. May we be just and do right, shunning unfair advantage always. May we want peace now and conflict never.

Almighty God, hear our prayer, amen.

THE JOURNAL

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

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

Ms. ROS-LEHTINEN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

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

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

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

The SPEAKER pro tempore. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. HASTINGS of Florida led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Charlene McDevitt, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 49

Whereas the Senate has learned with profound sorrow and deep regret of the passing of our colleague, the Honorable Frank Tejeda;

Whereas Representative Tejeda has spent 4 years in the House of Representatives;

Whereas Representative Tejeda served his country honorably in the United States Marine Corps from 1963 to 1967; and

Whereas Representative Tejeda was awarded the Purple Heart, the Silver Star, the Commandant's Trophy, the Marine Corps Association Award, and the Colonel Phil Yeckel Award for ''the best combined record in leadership, academics, and physical fitness'': Now, therefore, be it

Resolved, That—

(1) when the Senate adjourns today, it adjourn as a further mark of admiration and respect to the memory of our departed friend and colleague, who left his mark on Texas and our Nation; and

(2) the Senate extends to his family our thoughts and prayers during this difficult time.

SEC. 2. The Secretary of the Senate shall communicate this resolution to the House of Representatives, and shall transmit an enrolled copy to the family of Representative Frank Tejeda.

The message also announced that pursuant to Public Law 85–874, as amended, the Chair, on behalf of the President of the Senate, appointed the Senator from Mississippi [Mr. LOTT] and the Senator from Alaska [Mr. STEVENS] to the Board of Trustees of the John F. Kennedy Center for the Performing Arts.

The message also announced that pursuant to provisions of sections 42 and 43 of title 20, United States Code, the Chair, on behalf of the Vice President, appointed the following Senators as members of the Board of Regents of the Smithsonian Institution: The Senator from Mississippi [Mr. COCHRAN] and the Senator from Tennessee [Mr. FRIST].

The message also announced that pursuant to Public Law 100–458, the Chair, on behalf of the majority leader, appoints William E. Cresswell, of Mississippi, to a term on the Board of Trustees of the John C. Stennis Center for Public Service Training and Development, effective October 11, 1996.

Printed on recycled paper containing 100% post consumer waste

RESIGNATION AS MEMBER OF COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Government Reform and Oversight:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 1997.

Hon. NEWT GINGRICH,
Speaker of the House, Washington, DC.

DEAR MR. SPEAKER: Pursuant to my appointment to the Science, International Relations and Resources Committees I wish to tender my resignation for the Committee on Government Reform and Oversight.

Sincerely,

KEVIN BRADY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

TRIBUTE TO CONGRESSMAN FRANK TEJEDA

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to pay tribute to an extraordinary colleague whom we lost to cancer, Congressman Frank Tejeda. Congressman Tejeda's life is an inspiration to all Americans for his was a story of hard work, dedication and perseverance, and those qualities symbolize the American dream that all of our citizens can reach.

After dropping out from high school at the age of 17, Congressman Tejeda joined the Marines, where he bravely served our Nation in Vietnam, earning a Purple Heart and a Bronze Star.

After his incredible military career he returned to his academic studies, where he demonstrated that dedication and perseverance he showed on the battlefield, earning degrees from the University of California, from Yale and from Harvard.

In Congress he was a tireless warrior for the less fortunate of our Nation, as well as for the constituents of his beloved city of San Antonio, and he was committed to maintaining excellence in the military that he so honorably served. This great institution was honored to have Congressman Tejeda among its Members.

His life should be a source of inspiration to all, but especially to the thousand of young Hispanics who look for role models in their daily lives. Frank will be truly missed by all of us in this institution.

EDUCATION INFRASTRUCTURE INITIATIVE

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

Mr. HASTINGS of Florida. Mr. Speaker, I thank my colleague from Florida for her remembering our colleague, Frank Tejeda.

Mr. Speaker, as we all know, a high quality learning environment is essential to educating our Nation's children. Many may wonder why the President last night spent so much time on the issue usually discussed by State and local government.

Well, I believe his concern is warranted. Take Palm Beach and Broward Counties, parts of which I represent, for example. These school systems educate more students from prekindergarten through grade 12 than they can handle. Our schools are pushed to the limit, a limit that some consider to be critically overcrowded.

Mr. Speaker, the school doors are bursting at the seams in south Florida and around the Nation. Our schools need our help. Thus, America's leaders need to be partners in education. This partnership among Federal, State, and local governments should be based on a balance between leadership and local flexibility. The goal is to direct resources to the local level to help our communities build much needed schools to alleviate overcrowding.

It is crucial, Mr. Speaker, that we work together to find the necessary funds for our schools.

PREPARING AMERICA FOR THE 21ST CENTURY

(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, last night President Clinton laid out an action plan to prepare America for the 21st century. We too need to dedicate ourselves to meeting the challenges that lie ahead, and among those challenges none is more crucial than that of providing all of our people with the opportunity to get the best education in the world. Our goal must be to ensure that a quality education is available and affordable to every American.

Making education available to all of our kids means setting rigorous national standards that stress the basics: reading, writing, and arithmetic. Making education affordable to all our people means passing a new college tuition tax deduction and creating new scholarships to help our families send their kids to college.

We all know that an educated work force is the key to our economic future. We have to invest in education, not only because it is the right thing to do, but because it is the one thing that we must do if we are to continue to be a world economic power in the next century. Public education has been the great equalizer in this country. Let us continue to make it so to achieve economic opportunity.

PROVIDING PORTABILITY FOR MEDIGAP ENROLLEES

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

Mrs. JOHNSON of Connecticut. Mr. Speaker, in the last session of Congress we passed important legislation giving Americans access to portable insurance coverage regardless of their health status, but we did not extend these same protections to our senior and disabled constituents who are on Medicare. Yet no senior should be required to live in fear that unexpected medical bills will deprive them of financial independence.

That is why today I am introducing, along with 30 of my colleagues and with the gentleman from Michigan [Mr. DINGELL] of the Energy and Commerce Committee, a portability bill for the millions of senior citizens who supplement their Medicare coverage with private insurance.

I am pleased to say that a bill is being introduced in the Senate, sponsored by Senators ROCKEFELLER and CHAFEE, that is identical to this bill to speed the action of Congress to provide these critical protections to our seniors.

An estimated 10 million senior citizens, one-third of the total number of seniors on Medicare, rely on Medigap coverage to meet important health needs. Medigap insurance typically paid for prescription drugs and skilled nursing care. These are protections that our seniors deserve, and I ask your cosponsorship of my legislation.

SEXUAL HARASSMENT AND THE ARMY

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

Ms. NORTON. Mr. Speaker, after the Aberdeen revelations concerning sexual harassment, the Army brass came to the Women's Caucus and unequivocally pledged that they would never go back to discriminatory training of men and women. Yesterday, however, in the other body, the Army Chief of Staff, Dennis Reimer, suggested that they might be open to a reexamination of sex-integrated training.

Following recent revelations, one can understand their frustration, but, Mr. Speaker, it is totally unacceptable to move back to the dark ages when there were two armies, one for men and one for women. The Army itself has field tested single-sex training and found that it improves the performance and morale of women with no negative effect on unit cohesion.

Look, if I get mugged outside of the Capitol, do not tell me not to walk down that street anymore. Make it safe. To the Army brass I say: Don't throw in the towel. Above all, don't throw the towel at women. They can die together, they can train together.

ON THE STATE OF THE UNION

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

Mr. MCINNIS. Mr. Speaker, last night after hearing the State of the Union I can tell you I am excited to see that the President is willing and ready to step forward for a nonpartisan commitment to education. Clearly in our country the No. 1 priority for the years ahead and for the generations that rest ahead of us is education. I think that the President was sincere in that.

I did sense some of what I would perceive as lack of sincerity in regards to campaign reform. I think if the President is serious about campaign reform the first thing he needs to do is take the Mr. Coffee machine out of the White House and the cash register out of the White House and observe the rules that we have for campaign fundraising in this country. I think we have to be very careful before we step into that.

But I do want to commend the President. I look forward to working with the White House and the administration in furthering the education needs of this country. That really is where we need to focus our resources.

STATE OF THE UNION

(Mrs. MCCARTHY of New York asked and was given permission to address the House for 1 minute.

Mrs. MCCARTHY of New York. Mr. Speaker, it was an honor to sit in this Chamber last night and take part in the State of the Union Address by the President. I was extremely pleased that President Clinton focused so much of his speech on education.

As I watched the response of all my colleagues, both Democrats and Republicans, to the President's educational proposals, I realize that we have a lot of common ground to work in. Making education opportunities more available to working families is a goal that is both bipartisan and crucial to the future success of our country. We must improve our educational systems for the children, college students, and adults who need to go back to school to learn new skills.

We are about to begin the 105th congressional session and this session must be about taking care of the needs of working families, and the only way we can take care of working families is by working in a bipartisan manner.

□ 1115

The American people expect no less and certainly deserve no less.

HOUSE PARTICIPATION IN LOCAL TRANSIT PROGRAMS

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

Mr. BLUMENAUER. Mr. Speaker, during my service as a local official in Portland, OR, we worked hard with employers, including government employers, to provide transit passes for our employees as an alternative to single occupant vehicles. We found that transit pass programs improved morale, they decreased the demand for parking, helped clean air and decrease congestion, while saving our employees money.

Today I am introducing a resolution with broad bipartisan support that would give all House offices the option to participate in local transit programs, and employees here and at home, in every district, the opportunity to contribute to the liveability of their communities by using transit. I am embarrassed to say that the Senate has operated such a program since 1992, but be that as it may, it is time for the House to get on board.

No additional funds are needed in this resolution, since transit passes would be funded from existing House budgets. When we are asking employers across the country to step forward in the fight for clean air, we in the House must be prepared to do our part and to help our employees.

PASSING OF PAMELA HARRIMAN

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

Mr. GILMAN. Mr. Speaker, as chairman of the House Committee on International Relations, it is my sad duty to inform the House of the passing of an outstanding and stellar member of our Nation's diplomatic corps.

Pamela Harriman was well known on the political scene in Washington for years, before President Clinton appointed her as our Ambassador to France, but her service in Paris made her a household word. All accounts agree that she was respected and loved by the people of France and that she had done much to bring our two nations closer together.

I had the pleasure of being with Mrs. Harriman on several occasions and found her to be an alert, well-informed spokesperson for America's global interests, and as you know, Harriman, NY, is part of my district, where the Harriman family has resided for many years.

As a widow of a former New York State Governor, Averill Harriman, we have a special place in our hearts for Pamela Harriman. Pamela Harriman will be sorely missed.

TOP PRIORITY FOR EDUCATION

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

Mr. CAPPS. Mr. Speaker, as a freshman Member of Congress, I stand to commend and to thank the President for the inspiring speech that he made last night. I was particularly impressed by what he said about the vision and goals to educate our children, to prepare them for the 21st century.

As a university professor at the University of California, I know the value of a strong and well-rounded education. It is now more important than ever that our students learn how to read, to learn mathematics, know how to use a computer, to realize that all of them can get a college education, to support the junior colleges, and to create a society that values lifelong education.

The learning process has always been a top priority in my district. I am very pleased that education was the subject that got most attention in the President's State of the Union Address last night.

EDUCATION: A FEDERAL PRIORITY

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

Ms. DEGETTE. Mr. Speaker, I rise today to urge my colleagues to give every child and adult in this country the same opportunity that all of us took for granted in our youth: A decent education. How many times does Congress need to hear the statistics illustrating that quality education is the underpinning of opportunity before it makes education a Federal priority?

When my grandfather was a boy, his eighth grade education prepared him to be vice president of the Rio Grande Railroad. When my mother was a young woman, her college degree prepared her to teach. Today I know my two young girls will not have a chance to compete or even to live comfortably without significant higher education. Yet everyday in our country, another child is left behind, illiteracy rates soar, and higher education grows further out of the financial reach of thousands. It would be laughable if it was not unforgivable that the U.S. Government spends less than 1 percent of its money on education. I urge the House to take this issue up immediately and with vigor.

CRUSADE FOR EDUCATION

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

Mr. MCGOVERN. Mr. Speaker, last night our President proposed a new crusade on education. I rise today in support of that crusade. Every Member of this Congress has heard from their constituents about how hard it is today to pay for a college education, and about how necessary it is for our children to be introduced today to the technology they will need for the jobs of tomorrow.

Last night, President Clinton gave hope to all families facing the daunting challenge of paying for their child's college education. The President called upon this House to make more funds available so that all of our children may enter the information age. This is critical if we are to continue to be the economic superpower in the 21st century. It is my hope that no Member of

this House would stand in the way of our children's future.

Mr. Speaker, last night the President appealed for a new era of nonpartisan cooperation. I ask my colleagues on the other side of the aisle to join with Democrats in improving the quality of education for every single child in America.

FOCUS ON EDUCATION IN THE 21ST CENTURY

(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, last night the President of the United States gave an excellent speech. He said the state of the Union is good, but it could be better. We have to defend America, but most importantly we have to build America. Our enemy, as he correctly pointed out, is inaction.

He set forth a clear priority in terms of education, that our goal ought to be to assure that everyone in America has a good education. He talked a lot about the new millennium. We are talking about an information age, a high-technology age. In that age, we need to assure that American citizens have the best education.

That means supporting the President's request for $5 billion in school construction funds so that we can build new schools and maintain the ones we have. It means supporting the President's request for tax credits and tax exemptions so that people can afford to send their children to college, to universities. We have the best in the world, we need to make sure our people can take advantage of it.

Critics say, well, this is small government and small ideas. I say that there is no greater goal for the new millennium than to say every American can have a good education.

TIME TO CRACK DOWN ON GANGS

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

Mr. LAMPSON. Mr. Speaker, I stand before the House for the first time today, and I must admit I feel much like I did the first time that I stood before a classroom full of students at Forest Park High School in Beaumont, TX: A little nervous and awed by the responsibility.

I recently received a letter from a grandmother in Port Arthur, TX. Her 18-year-old grandson is making good grades and wants to graduate from high school, but he is being harassed by a gang. In fact, this young man has been shot at recently. His grandmother tells me that the gang members continue to follow him and continue to threaten his life.

Last night the President was absolutely correct when he recognized that we cannot expect our kids to learn when they are not safe. To me, school yards become the domain of gangs when the bell rings at the end of the day. We have seen the epidemic of violent, juvenile crime spread from the poorest inner cities to middle class suburbs and small towns.

Mr. Speaker, I hope this Congress will join the President in his promise to crack down on gangs. Too many defenseless families are counting on us.

FRANK M. TEJEDA POST OFFICE BUILDING

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 499) to designate the facility of the U.S. Postal Service under construction at 7411 Barlite Boulevard in San Antonio, TX, as the ''Frank M. Tejeda Post Office Building.''

The Clerk read as follows:

H.R. 499

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

SECTION 1. DESIGNATION.

The facility of the United States Postal Service under construction at 7411 Barlite Boulevard in San Antonio, Texas, shall be known and designated as the ''Frank M. Tejeda Post Office Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in section 1 shall be deemed to be a reference to the ''Frank M. Tejeda Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. MCHUGH] and the gentleman from Pennsylvania [Mr. FATTAH] each will control 20 minutes.

The Chair recognizes the gentleman from New York [Mr. MCHUGH].

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

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

Mr. MCHUGH. Mr. Speaker, the legislation before us was introduced by the gentleman from Texas [Mr. BONILLA] and supported by the Texas House Delegation.

H.R. 499 designates the facility of the U.S. Postal Service being constructed at 7411 Barlite Blvd., San Antonio, TX as the Frank M. Tejeda Post Office Building.

Mr. Speaker, this legislation honors our colleague Frank Tejeda, who died at the age of 51 at his home in San Antonio, TX on January 31 after succumbing to a 17-month battle with a malignant brain tumor.

Frank was born on October 2, 1945 in San Antonio, TX and grew up in that city's south side. He did not finish high school, having been told not to return after an incident with a school counselor. Frank then joined the U.S. Marine Corps in 1963 during the Vietnam conflict, and 2 weeks before his scheduled return home from Vietnam in 1966, he was ambushed and struck in his leg by shrapnel. Frank Tejeda was awarded the Purple Heart, the Bronze Star, the Commandant's Trophy, the Marine Corps Association Award, and many others for his valor and for his soldiering skills. Just recently, Mr. Speaker, he was posthumously awarded the Silver Star.

Mr. Speaker, I have a very extensive statement on the many achievements of this fine American and of this man whom we all knew and loved very deeply, and I would like to enter that more full statement into the RECORD in its entirety.

Frank Tejeda loved the Marine Corps; even as a Member of Congress, Frank continued to serve in the Marine Corps Reserve. When attending officer candidate school, Frank maintained a 99.6 academic average, the highest in the history of the Marine Corps. After leaving the Corps, Frank earned his undergraduate degree in government from St. Mary's University in San Antonio, a J.D. from the University of California, Berkeley in 1974, a master's degree in public administration from Harvard in 1980, and a master of law from Yale in 1989.

He served in the Texas House in Austin from 1977 until 1986 when he was elected to the Texas Senate where he remained until 1992. He was the leader of the south side political coalition in San Antonio. Frank Tejeda left his imprint on workers' compensation reform, business initiatives for minorities and women, housing for veterans, protection of crime victims, and he promoted measures to ensure voting rights for minorities. He became known for his investigation into the malfeasance of two members of the Texas Supreme Court, who were disciplined. The result of this investigation was the enmity of the State's trial lawyers.

Frank Tejeda was elected the first Representative to Congress from the 28th District of Texas in 1992. He was known as a quiet, dedicated, and independent-minded Representative, voting his conscience and the concerns of his constituency. He was a staunch defender of veterans, active duty personnel and military installations and he served on the Committees on Veterans Affairs and National Security.

Coincidently, Mr. Speaker, toward the end of the 104th Congress, on October 9, 1996, the President signed Public Law 104–255, the designation of the Amos F. Longoria Post Office Building in Elmendorf, TX, introduced by Frank Tejeda, honoring Elmendorf's native son who lost his life in service to his country during World War II. It is fitting that this House now remembers one of its own by designating a new post office building in San Antonio as the Frank M. Tejeda Post Office Building.

Mr. Speaker, I urge all our colleagues to support the measure before us.

Mr. Speaker, at this time I would like to yield to other Members who have gathered here in the House to pay honor to this great American, and I reserve the balance of my time.

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

Mr. Speaker, I rise also in support of House Resolution 499. This is a moment in which the House has an opportunity to show its respect for a fallen comrad. This is a gentleman whose work here in the Congress and his life sets an example for us all. And it has been offered

by two of his colleagues from Texas, both Congressman ORTIZ and Congressman BONILLA, and we want to on this side suggest that this is a truly bipartisan effort to recognize the accomplishments of a great American.

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

Mr. MCHUGH. Mr. Speaker, I thank the gentleman from Pennsylvania for his very appropriate remarks.

Mr. Speaker, I yield 5½ minutes to the gentleman from Texas [Mr. BONILLA], the primary sponsor of the bill.

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

Mr. BONILLA. Mr. Speaker, I thank the gentleman from New York for yielding me the time.

Mr. Speaker, I rise in strong support of H.R. 499 to designate this new postal facility under construction in the 28th congressional district as the Frank M. Tejeda Post Office Building. I am honored to sponsor this legislation, along with my dear friend and Frank's long time dear friend, the gentleman from Texas, Congressman SOLOMON ORTIZ.

Although it is a small gesture to recognize Frank's lifetime of commitment to our country and to his constituents, this post office will serve as a reminder of his legacy for generations to come. This post office will combine the present Terrell Wells, Harlandale and south San Antonio stations. The new facility will service the largest square mile area, the largest geographic area in San Antonio.

□ 1130

The Frank Tejeda Post Office will deliver mail to more than 40,000 city customers. It will house 118 postal employees. Coincidentally, it is going to be built on Barlite Street, which is a street that I grew up about half a mile away from, and used to ride my bicycle up and down that street all the time. I bring that up because Frank and I are from the same part of town. He went to Harlandale High School, and I went to South San Antonio High School, which Barlite runs right alongside. We often talked about coming from that part of town and wondered how we had become so blessed as to serve in this great body at the same time. He and I were elected at the same time.

This post office will be only the second one in the city to be named in honor of an individual, the first one being the J. Frank Dobie station in honor of a pioneer Texan and historian born in the 1800's. This bill will provide a permanent landmark in memory of a great patriot and a great friend. Frank represented all that is good about America. He always led by example, and he had the utmost character and dignity, and inspired all who met him.

Frank was an outstanding representative for his district, and he made us all very proud. I cannot think of a better way to lead than by example. That is exactly what Frank did and will be remembered for. He was a dedicated public servant whose memory will continue to serve as an ideal example for many.

It is difficult to accept that someone with such character, intelligence, vigor, and promise has been taken from us. As I mentioned earlier, we were often together on the airplane flying back and forth between San Antonio, spending hours on the airplane talking about all of the things we wanted to do and all the things we wanted to accomplish while we were in the U.S. Congress. It is now hard to believe that Frank will not be here with us to see some of his ideas carried through.

I will always be grateful for my time in Congress. It gave me the opportunity to become friends with Frank. We will miss Frank, but we know that he is always with us, and his legacy will live on forever.

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

Mr. BONILLA. I yield to my friend, the gentleman from Texas, SOLOMON ORTIZ, a cosponsor of this legislation. Just to reflect on some of the great moments he and I spent with Frank on this House floor and oftentimes walking between here and our office buildings across the street, it is hard to believe he is not with us.

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

Mr. ORTIZ. That is right, Mr. Speaker. Frank was a good leader. As we well know, he was very reserved. The gentleman and I and Frank and some of our friends would sit behind there and joke and kid about south Texas, and talk about our friends. He was a great father, a very dedicated American, a gentleman who gave freely of his life, whether in public service or in the military, like he did.

I am so happy that we are naming a post office after Frank. This is a way that we can pay tribute to a great American who has contributed so much to our society, to our country.

I understand, at the same time, that they are sponsoring or raising funds for a contribution for Frank Tejeda's scholarship fund. Those Members who might be listening to us who would like to contribute, to also honor Frank in another way, feel free to call my office or call the gentleman's office.

In a resolution before the House yesterday that commemorated Frank, Member after Member from both sides praised Frank for the way he acted and the way he led our country.

Mr. Speaker, I would like to congratulate my good friend, the gentleman from Texas [Mr. BONILLA]. I would also like to thank the leadership on both sides for giving us time to bring this bill to the floor. I know the gentleman was close to Frank. We have lost a great friend, a great American, but I know, my friend, that you are in a better place.

Mr. Speaker, I rise in support of the bill renaming the Terrell Wells Station in San Antonio as the Frank M. Tejeda Post Office Building after our friend and colleague.

Many friends across the Nation as well as in Texas and the close-knit south Texas community have grieved mightily for our friend Frank since his death last Thursday night.

For this reason we want to commemorate him in a very public way, and the best way to do so is to name a post office in his honor.

In the resolution before the House yesterday that commemorated Frank, Member after Member rose to praise him for his outstanding service from the jungles of Vietnam to the corridors of power in Austin and Washington.

As these Members spoke, there was a recurring sentiment voiced.

Frank Tejeda was an uncomplicated man—he meant what he said and he said what he meant. He was a true leader who believed in the value and decency of the working class.

I believe that remembering Frank by naming a post office in his honor would be an outstanding tribute to a man who gave his life for his country, many times over.

Mr. BONILLA. Mr. Speaker, I thank my friend, the gentleman from Texas [Mr. ORTIZ]. I think Frank would appreciate right now that we are smiling because of the memories we had with him on this House floor. He was very serious and diligent in his work, but he was also a very funny guy.

I recall so many times here where perhaps a debate was being held on an issue that did not affect our area, perhaps a Federal facility was being debated in Montana or another area of the country, and the gentleman and I and Frank would sometimes sit by that door on the side of the House Chamber and just spend some amusing moments that we will all remember him for. I know he will appreciate that we are reflecting on that as well today.

Mr. ORTIZ. I know Frank is listening to us. As many are well aware, he was a strict dietitian. Frank had a very special diet. Not only did he take care of his soul, he took care of his body. Sometimes I was a little embarrassed to eat with Frank, because he would ask for stuff that the kitchen could prepare: No butter, no cokes, no sweets, no nothing. I looked at Frank, and I would say, how do you still stay healthy? This is the way I stay healthy, and I eat all the greasy stuff for Frank.

But again, I thank the leadership for giving us this time to praise Frank. The gentleman from Texas [Mr. BONILLA], he and his family were very close to him. In fact, his mother is here visiting with us today, and visiting Frank's office.

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

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

Mr. Speaker, Frank's legacy is one for which we should all be thankful. This is a person at a young age, not completing high school, who served his country with great courage, went on then to get an undergraduate degree, a law degree from Berkeley. Then one of the things that I shared with Frank was the experience of studying at the

Kennedy School of Government at Harvard. So his legacy of educational excellence is a role model for all of the young people of San Antonio and throughout the Nation.

Mr. Speaker, I yield 1 minute to my colleague, the gentleman from Texas [Mr. GREEN].

Mr. GREEN. Mr. Speaker, I thank my colleague for allowing me to speak today, and yielding me this time. It is an honor to be here and to honor the memory of one of America's finest men, Frank Tejeda, by naming a post office in his memory.

Frank was a man who displayed courage and honor and unwavering commitment to his constituents and to Texas and to our Nation. Frank and I served together since 1977 in the Texas Legislature. We served in the State house, and sat near each other on the house floor, in the State senate, until 1992, when we both decided we wanted to come to Congress.

We honor our colleague because he is one of the strongest individuals I ever knew, both personally and, obviously, physically. One of the best times I guess I remember of Frank is when he was promoted to major in the Marine Reserves. A couple of colleagues and I went with him to the Marine Memorial at Arlington National Cemetery, for he and another colleague of ours, the gentleman from Pennsylvania [Mr. MCHALE], was promoted to colonel.

It was a great experience for Frank, because he was most proud of being a marine. To see that happen at the Marine Memorial at Arlington National Cemetery, we can stand up here and talk all day about memories of Mr. Tejeda, but a post office being named for him in San Antonio, TX. As chairman of the committee, you will remember last year we renamed a post office in his district, in honor of a veteran, for Mr. Tejeda in one of our bills. I think this is fitting.

Mr. MCHUGH. Mr. Speaker, I am now honored to yield 3 minutes to the gentleman from Indiana [Mr. BURTON], the chairman of the full committee, for some comments on this bill.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from New York for yielding me this time.

I also want to thank my colleagues from Texas, HENRY BONILLA and SOLOMON ORTIZ, for sponsoring this legislation. Mr. Speaker, this is a sad thing to do right off the bat, in a new session of the Congress, to have to eulogize and remember a fellow like Frank Tejeda. He did a great service to this country. He was an outstanding Congressman.

One of the things that strikes me, Mr. Speaker, is that at times like this, even though this Congress is vilified from time to time, people can see that there is a closeness between both Democrats and Republicans. We have our differences on philosophical issues and so forth, but we all respect and honor one another, and at times like this, it shows the American people that we are one body and we are concerned about our fellow men and our fellow legislators.

The gentleman from Texas, Mr. Tejeda, did great things for this country in Vietnam. He served this country well. He accomplished great things. A high school dropout that went to Vietnam after getting his education, part of it, he got the Purple Heart and the Bronze Star serving his country. I do not think this has been mentioned yet, but at Officer Candidate School he had the highest academic average that any marine has ever had in the history of the Marine Corps. That is extraordinary. It shows that people who are ruled out early on in their life can achieve great things. He is an example for every young person in this country who has had academic problems to follow.

So even in his death we can remember him, and people across this country should remember him, for achievements that extend beyond the time when he was looked upon as a failure in life.

He became a very fine member of the service. He became a very fine member of the Congress. He never forgot his fellow servicemen, his fellow enlisted men that served in the conflict in Vietnam and in the other wars. He served his constituency well, and he is one that we will remember with honor and dignity.

I would just like to say to his family how sorry we are that he is lost to us and my colleagues, and to tell them that both Republicans and Democrats will miss him.

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

Mr. Speaker, I thank the chairman for his very thoughtful and kind remarks. I think it is important to note that, as we all know, the progress of legislation can often be a tortuous one, but I think this body owes a particular word of thanks to the chairman and to his staff for assisting in helping to expedite this bill being before us here today. It was a kind of gesture that really does endorse the very kind words that the gentleman just spoke about the man we have gathered to honor this afternoon.

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

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

Mr. Speaker, on behalf of the minority I also thank the chairman for the expedited procedures with which this bill comes to us for consideration.

I also appreciate Frank's tremendous contribution with regards to expanding the GI bill so veterans could participate in earning teaching certificates through the alternative State certification process.

Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from the great State of California [Mr. BECERRA].

Mr. BECERRA. Mr. Speaker, I thank my friend and colleague, the gentleman from Pennsylvania, for yielding me time.

Let me also begin my remarks by thanking the leadership on both sides of the aisle so very much for making this possible and, with such grace, adding to the words others have said about Frank Tejeda. I do not know if angels blush, but I know right now there is one angel blushing, and that is Frank Tejeda, because he is the most modest of individuals. He would look at us right now and say, you need not do this, I do what I need to do.

So in naming a post office after Frank, I think we pay him tribute but it is a tribute that he himself would probably say, I just did my job. And unfortunately in this case, we are doing it because he has left us, and I wish we did not have to name a post office after Frank.

If we take a look at the bill for today, there are two paragraphs, and in typical Frank Tejeda style, that is the way he would like it. More than two paragraphs probably would be too long for Frank, because he would say, keep it simple, keep it brief. I think we could all learn a great deal from a man for whom simplicity was such a tribute and such a way of life. Too often we bog down in the politics of things here. Too often we lose sight of what we are really trying to do here.

As much as Frank never spoke up a lot, I think he always kept sight of what he was in charge to do as a Member of Congress. For me to be able to stand here and say to the blushing angel up in the sky today, ''You deserve this, Frank,'' is an honor. I thank both my colleagues on both sides of the aisle, and the leadership, especially, for making this time available to Frank Tejeda.

Mr. MCHUGH. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. SESSIONS].

Mr. SESSIONS. Mr. Speaker, I also rise today to offer words of not only encouragement for what is going on with this H.R. 499, but also to offer my insight. As a person who attended the funeral of Congressman Frank Tejeda, I was able to see firsthand those people who live within the 28th Congressional District of Texas in San Antonio. They knew Frank Tejeda as a man who was not only honest and hardworking, but a man who represented the people.

I stand today in support of H.R. 499 because Frank Tejeda deserves this tribute that we will be giving to him. Like those men who have fallen before him who died as Texans, Sam Houston, Davy Crockett, and Colonel James B. Travis, Frank Tejeda also is a man who represented Texas with arms.

□ 1145

He represented our country, he was a proud marine and a man who knew that this country by its standards can stand strong. This U.S. Postal Service center that will be named after Frank Tejeda is important because it will be a memory to those who were in his community who recognized that positive leadership, good citizenship and honesty is a way of life that they can look

at and want to model themselves after. I stand today in support of this bill and thank the gentleman for yielding the time to me.

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

Mr. FATTAH. Mr. Speaker, I yield 2 minutes and 15 seconds to the gentleman from Texas [Mr. DOGGETT], a colleague who started his service in the Congress in the same class that I did, who has distinguished himself as a supreme court judge in Texas and now is a member of the House Committee on the Judiciary.

Mr. DOGGETT. Mr. Speaker, I am pleased to join my colleagues from Texas and from across America in honoring Frank Tejeda. I served with Frank in the Texas Legislature and here in Congress, and I knew him to be a very tough advocate for the people of south Texas. He was a tireless worker for positive change both in the Texas Legislature and here on the floor of Congress.

Frank was a person that inspired others by his example. I think that surely his name is synonymous with courage and with commitment to his community. I believe, as I reflected over his legislative career, which was extensive, that the last piece of legislation that Frank worked with us on in the Texas delegation was quite ironically the naming of a post office in Elmendorf in his district. He named it on behalf of a veteran.

Frank believed in service to our country. He demonstrated that as a true American hero, fighting on the battlefield, sustaining wounds on behalf of this country and the freedom of this country in his service in Southeast Asia. And all of us who participated in the service Monday at San Leo's Catholic Church on the south side of San Antonio saw firsthand that Frank practiced what he preached when we had a chance to meet and visit with the members of his family, to see what strong family bonds and commitment his family had. I think it was an inspiring moment for all of us who had an opportunity to participate in that service honoring Frank.

The people that will be working in this postal facility there in the south side, the postal workers, the letter carriers, know that Frank was here in respect to their service to their community. Each day as they go to work there, they will remember Frank Tejeda as a person who stood up for Government workers, whether they were at Kelly Air Force Base or whether they were working in neighborhood postal facilities.

More importantly, the people who go there for service will remember Frank Tejeda as a true servant of his south side community, someone who grew up knowing all of the disadvantage of a community but who enjoyed the advantage of strong family ties and made it through the marines and then came back having had the alternative of many other careers with the distinguished degrees that he had earned at some of the Nation's top colleges but who went right back to the south side and worked on behalf of his community.

We saw lining the streets, a large church unable, filled to capacity, unable to accommodate all of the many hundreds of people who wanted to be there to honor Congressman Tejeda.

I would say that the Members of Congress and the people of America who had the good fortune to deal with Congressman Tejeda will remain inspired by the courage and the dignity that he demonstrated to the very end, that he inspires all of us.

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

Mr. FATTAH. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California [Ms. HARMAN].

Ms. HARMAN. Mr. Speaker, naming a post office after our friend and colleague Frank Tejeda is a wonderful thing. I support it.

I would like to suggest in addition, however, that we consider dedicating this Congress to the principles he embodied. And they are, as we have all heard, humility, kindness, intellect and compassion. These are critical things for all of us to consider, if we are to do something productive in the next 2 years.

When I heard that my classmate, my neighbor in the Cannon Building and my colleague on the Committee on National Security had died, my first question was, why. Why are the nicest among us taken first? I asked the same question in the last Congress when Bill Emerson, another one of the nicest people here died.

It is a shame to lose somebody who makes you understand why you are here, who makes you want to hug the person next to you, who makes you warm about the endeavor we are engaged in. It is an enormous shame and loss. I say to the Tejeda family, you produced the best. And I say to Texas, you are a State that produces some of the biggest heroes in our Nation's history. I know that Frank's star will be among those. Váya con Dios, amigo.

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

Mr. FATTAH. Mr. Speaker, I yield 2½ minutes to the gentleman from American Samoa, [Mr. FALEOMAVAEGA], another colleague who has joined us and has asked for a few minutes to also make some comments on behalf of our colleague.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I think it is most appropriate that this body does all it can to make sure that the post office that is now for purposes of discussion being named in the memory and honor of this great colleague of ours, Congressman Frank Tejeda.

Mr. Speaker, I rise to honor the memory of a good friend, the very distinguished colleague, the late Congressman Frank Tejeda of Texas, who passed away Thursday after a long battle with cancer. He was a man whose life was entirely dedicated to serving his community and certainly to our Nation.

Mr. Speaker, I met Congressman Tejeda when he first came to the Congress after being elected in 1992. He was someone for whom I had tremendous respect and affection. He always extended the hand of friendship to me, and I always appreciated the fact that he made me feel welcome every time I saw him on the House floor.

Congressman Tejeda had a distinguished career in public service when he arrived in Washington. After having served for a decade in the Texas House and for 6 years in the Texas Senate, he was an accomplished academician, with graduate degrees from my own alma mater, the Boalt Hall School of Law at the University of California in Berkeley, the Yale Law School, and Harvard University's Kennedy School of Government.

Mr. Speaker, Congressman Tejeda was a warrior, as far as I am concerned, of the first order. He was as great a battler for the rights of individuals as he was a courageous marine on the field of battle, and he never gave up. When he believed in something, he fought for it. I know that everyone in this body who had ever had the privilege of working with this gentleman had tremendous respect for this gentleman. He was the kind of person that you looked forward to working with because you knew that, once he was committed to a course of action, he would not rest until he succeeded. Congressman Tejeda made a career of battling injustice, and he never faltered.

He was generous to everyone, generous with his time and generous with his talents. There are countless stories of how he took money from his own pocket to provide uniforms for the local baseball teams, how he co-signed notes to pay power bills and the lights could remain on the field, and how he took out loans to meet medical expenses for his friends, how he bought the furniture for the day care center at the local church. The list of his good deeds goes on and on, Mr. Speaker.

I realize my time is short. I certainly want to extend on behalf of our Samoan community our condolences to Mrs. Tejeda and the members of his family.

I thank the gentleman for yielding me the time.

I rise to honor the memory of a good friend and a very distinguished colleague, the late Congressman Frank Tejeda of Texas, who passed away Thursday after a long battle with cancer. He was a man whose life was entirely dedicated to serving his country and his community.

Mr. Speaker, I met Congressman Tejeda when he first came to the Congress after being elected in 1992. He was someone for whom I had tremendous respect and affection. He always extended the hand of friendship to me, and I always appreciated the fact that he

made me feel welcome every time that I saw him on the House floor.

Congressman Tejeda already had a distinguished career in public service when he arrived in Washington, having served for a decade in the Texas House and for 6 years in the Texas Senate. He was an accomplished academician, with graduate degrees from my own alma mater, the Boalt Hall School of Law at the University of California in Berkeley, Yale Law School and Harvard University's Kennedy School of Government.

Congressman Tejeda was a decorated veteran who joined the Marines and served in Vietnam from 1963 to 1967. He was awarded the Purple Heart, the Bronze Star, the Marine Commandant's Trophy, the Marine Corps Association Award and the Colonel Phil Yeckel Award for the best combined record in leadership, academics and physical fitness during the time when he was at officers candidate school, where he maintained an academic average of 99.6—the highest ever recorded in Marine Corps history. He was posthumously awarded the Silver Star by the U.S. Navy for risking his life under enemy fire to save a wounded fellow marine. Congressman Tejeda was a warrior of the highest order and a hero to our country.

In the Congress, Congressman Tejeda was a warrior as well. He was as great a battler for the rights of individuals as he was a courageous marine on the field of war, and he never gave up. When he believed in something, he fought for it. I know that everyone in this body who ever had the privilege of working with him had tremendous respect for the gentleman. He was the kind of person that you looked forward to working with because you know that once he was committed to a course of action, he would not rest until he succeeded. Congressman Tejeda made a career of battling injustice, and he never faltered.

Because of his tenacity, because of his leadership, because of his generosity and because he never forgot where he came from, Congressman Tejeda was loved and respected by the people he served. One of his constituents said to him, ''even though he spent many years in Washington, his heart was always in San Antonio * * * He was a community man.''

Congressman Tejeda never lost touch with the family, friends and constituents who worked on behalf of his political success, and he continued to make a home in the neighborhood where he grew up. He was generous with everyone—generous with his time and generous with his talents. There are countless stories of how he took money from his own pocket to provide uniforms for the local baseball teams, how he cosigned notes to pay power bills so that the lights could remain on at the field, how he took out loans to meet medical expenses for friends, how he bought the furniture for the day care center at the local church. The list of his good deeds goes on and on.

His generosity of spirit was well known. He was a mentor to many young people. As he gained political stature, he made sure he helped younger aspiring leaders—he opened up windows of opportunity. As Undersecretary of the Army Joe Reeder said of him, ''He was a great role model, a great advocate for Hispanics and a great advocate for veterans.'' Congressman HENRY BONILLA concurred, adding, ''Frank Tejeda represented all that is good about America. He always led by example, and his character and dignity inspired all who met him.'' He was a genuine American hero.

Representative HENRY GONZALES, congressional Hispanic caucus chairman XAVIER BECERRA, Representative SOLOMON ORTIZ, Representative HENRY BONILLA, former Housing and Urban Development Secretary Henry Cisneros and many other distinguished leaders have all spoken of their great loss—both personal and communal—because of this untimely death. The Hispanic community has lost a great man, a great leader and a great warrior. As former HUD Secretary Henry Cisneros said, ''You don't find many public officials who stand for anything. Frank Tejeda took stands.''

Whether we remember the war hero, the anti-poverty activist, the brilliant attorney, the crusading State legislator, the dedicated U.S. Congressman, the role model for our youth, the compassionate and generous member of the community, the fighter for justice and equality, the good friend whose personal warmth was always evident, or any of the other remarkable aspects of this man, we all mourn his loss.

And so, Mr. Speaker, we mourn the loss to Texas, the loss to the Hispanic community, the loss, finally, to all of America. We will all miss the presence and the leadership of Congressman Frank Tejeda.

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

I want to just finally state that, notwithstanding his great service to our country, both in the armed services and here in the Congress and the Texas Legislature, I think that our colleague would want us to know that in all likelihood as it is for all of the rest of us that his greatest personal achievement is his family and his children. I think that they have a legacy that he has left them that they can be proud of through his personal courage and commitment and dedication. He has been a shining example of what is possible from that beautiful city in Texas, San Antonio.

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

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

I certainly want to start by thanking the gentleman from Pennsylvania for his leadership on his side of the aisle in helping us to move this very important piece of legislation through the process. Obviously, Mr. Speaker, the words spoken in the last minutes on this floor say very eloquently the high regard and the deep love that this body holds toward our departed colleague.

Frank Tejeda was elected to this body as the first Representative from the 28th Congressional District in Texas in 1992. He was known simply as a quiet, dedicated, and independent-minded Representative who always voted his conscience first in the interest and concerns of his constituency. We have been told here today time and again he was a staunch defender of veterans, active duty and military personnel and installations and expressed that concern through his service on the Committee on National Security and the Committee on Veterans' Affairs.

It has been mentioned twice here, I believe, Mr. Speaker, by the gentleman from Texas [Mr. GREEN] and the gentleman from Texas [Mr. DOGGETT], that indeed our departed colleague took as one of his final actions on this floor to see that a postal installation in Texas in Elmendorf was named after Amos F. Longoria, who was, like Frank, a war veteran and a native son of Texas, a gentleman who lost his life in service to his country. I think perhaps we should take the lead from Frank's efforts in that regard and very appropriately go forward in adopting this worthy piece of legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. ARMEY], a leader in this House, the majority leader.

Mr. ARMEY. Mr. Speaker, I want to thank the gentlemen for taking this time to honor our friend and colleague, Frank Tejeda.

As I watched this very sad event of the passing of our colleague Frank, I began to realize that a real problem we have among ourselves as colleagues, I believe, is our failure to ever really stop and take the time out of our schedules to get to know each other. I must confess that that was a problem I had. Frank was with us as a Member and a colleague for a short period of time. I know I must have had opportunities to sit down and visit with him and to know more about him and his family. I think it is sad that all too often what we do is, when we find that we lose a colleague, we then learn from their friends and their family and associates that did get to know them better what a special person this is.

I would like to wonder if perhaps we might take this time as we take the day today to honor his memory to give respect and condolences to his family, to build within ourselves a new resolve as colleagues to begin to take the time to see each other more than just another member on the committee, perhaps somebody on the other side of the aisle who we start off with the presumption that they must be the enemy or they would not be on that side of the aisle, and on an airplane ride or in a lunch counter or at some time more frequently with a greater degree of real and genuine interest, take the time among ourselves to get to know each other and to appreciate not only those characteristics and attributes that we will later stand on the floor and celebrate but to even appreciate the differences that we have among ourselves that can be seen as complements rather than competitors.

☐ 1200

In any event, let me express my disappointment in myself that I lost this opportunity when it was there before me.

I appreciate again the time my colleagues have taken and the time they have given to share with me for us to say our appreciation for Frank Tejeda, his life, and his service.

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

say that I thank the majority leader for his thoughtful and, I think, appropriate remarks.

As I understand, procedurally the gentleman from Pennsylvania had yielded back his time, but I note yet another Representative from Texas, the gentlewoman from Texas [Ms. JACKSON-LEE] has entered.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE] if she would like to make some comments.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I certainly do thank the gentlemen on the floor for their leadership and for their kindness.

Let me simply add, I see my friend and colleague, among others, the gentleman from Texas, SOLOMON ORTIZ, who eloquently yesterday examined the life of Frank Tejeda. He examined it from the perspective of true friendship. As I watched both of them, I saw them as brothers.

And I appreciate the remarks of the majority leader, saying to all of us that we should get to know each other as individuals, as people, as brothers and sisters. Clearly, the home-going service of Congressman Frank Tejeda on Monday, which many of us had the pleasure, the enrichment of participating in indicated that he was a man of the people.

Yesterday, in my tribute, I did not get a chance to describe for my colleagues the many friends that lined the highways waiving farewell to their dear brother. He was a patriot but certainly he was a father. He belonged to people.

This tribute of a post office, which grounds itself in the very needs of citizens—there used to be the old general store. I think the post office has come to be accepted as a place where the community meets and the community engages itself. So I think it is more than appropriate for a man who engaged himself with the community, with the people, never straying away from their beliefs, never straying away from feeling committed to representing them.

Frank Tejeda was never a king among men. He is that. He has royalty but he was someone, Mr. Speaker, who knew how to walk with all of the people.

I am very proud, as I indicated yesterday, to have known the Congressperson briefly. I am gratified for his life and his legacy and I wanted to come today to add tribute and to add my support for this honor being bestowed upon him today.

The SPEAKER pro tempore (Mr. MCINNIS). The question is on the motion offered by the gentleman from New York [Mr. MCINNIS] that the House suspend the rules and pass the bill, H.R. 499.

The question was taken.

Mr. MCHUGH. 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 400, nays 0, not voting 33, as follows:

[Roll No. 9]

YEAS—400

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Christensen
Clayton
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Cubin
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Richardson
Riggs
Riley
Rivers
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)

NOT VOTING—33

Barrett (NE)
Barrett (WI)
Blunt
Brown (OH)
Carson
Chenoweth
Clay
Clement
Cooksey
Crapo
Cummings
Doyle
Foglietta
Furse
Gejdenson
Hill
Hostettler
Hoyer
Largent
Lazio
Linder
McDade
Norwood
Obey
Pombo
Roemer
Skelton
Smith, Adam
Towns
Traficant
Turner
Watkins
Young (FL)

□ 1229

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

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LAZIO of New York. Mr. Speaker, on rollcall No. 9, I was unavoidably detained. Had I been present, I would have voted ''yes.''

PERSONAL EXPLANATION

Mr. SKELTON. Mr. Speaker, on rollcall No. 9, I was unavoidably detained. Had I been present, I would have voted ''yes.''

PERSONAL EXPLANATION

Mr. CRAPO. Mr. Speaker, on rollcall No. 9, I was unavoidably detained. Had I been present, I would have voted ''yes.''

GENERAL LEAVE

Mr. MCHUGH. 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. 499, the bill just passed.

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

There was no objection.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending business is the question of agreeing to the Speaker's approval of the Journal.

The question is on agreeing to the Speaker's approval of the Journal.

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

RECORDED VOTE

Mr. MCHUGH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 376, noes 28, not voting 29, as follows:

[Roll No. 10]

AYES—376

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Christensen
Clayton
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Flake
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilleary
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Richardson
Riggs
Riley
Rivers
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schiff
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Talent
Tanner
Tauscher
Tauzin
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Turner
Upton
Velazquez
Vento
Walsh
Wamp
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wise
Wolf
Woolsey
Wynn
Young (AK)

NOES—28

Abercrombie
Borski
DeFazio
English
Ensign
Filner
Gibbons
Gillmor
Gutknecht
Hastings (FL)
Hefley
Hilliard
Lewis (GA)
Miller (CA)
Oberstar
Pascrell
Pickett
Ramstad
Sabo
Stark
Taylor (MS)
Thompson
Visclosky
Waters
Watts (OK)
Weller
Wicker
Yates

NOT VOTING—29

Barrett (NE)
Barrett (WI)
Brown (OH)
Carson
Chenoweth
Clay
Clement
Coburn
Cooksey
Cummings
Doyle
Foglietta
Gejdenson
Hoyer
Istook
Jefferson
Largent
Linder
McDade
Norwood
Obey
Pombo
Roemer
Smith, Adam
Sununu
Taylor (NC)
Towns
Traficant
Young (FL)

□ 1251

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. TURNER. Mr. Speaker, on the way to the Chamber this morning I was delayed visiting with some constituents. Had I been present I would have voted ''yea'' on H.R. 499, in memory of our good friend, Frank Tejeda.

RESIGNATION AS MEMBER OF COMMITTEE ON RESOURCES

The SPEAKER pro tempore (Mr. MCGINNIS) laid before the House the following resignation as a member of the Committee on Resources:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 1997.

Hon. NEWT GINGRICH,
Office of the Speaker, H–232, The Capitol, Washington, DC.

DEAR MR. SPEAKER: I hereby resign from the House Committee on Resources, effective immediately.

Sincerely,

SAM GEJDENSON,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Government Reform and Oversight:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 4, 1997.

Hon. NEWT GINGRICH,
Speaker of the House,
H–232, the Capitol.

DEAR MR. SPEAKER: Effective immediately, I hereby resign from the House Committee on Government Reform and Oversight. Thank you.

Sincerely,

COLLIN C. PETERSON,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MINORITY MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. FAZIO of California. Mr. Speaker, I offer a privileged resolution (H. Res. 36) and ask for its immediate consideration.

The SPEAKER pro tempore. Is this at the direction of the Democratic Caucus?

Mr. FAZIO of California. Yes, Mr. Speaker.

The Clerk read the resolution, as follows:

HOUSE RESOLUTION 36

Resolved, That the following named Members be, and that they are hereby, elected to the following standing committees of the House of Representatives:

To the Committee on Agriculture: Jay Johnson of Wisconsin, Leonard Boswell of Iowa.

To the Committee on Government Reform and Oversight: Danny Davis of Illinois, John Tierney of Massachusetts, Jim Turner of Texas, Tom Allen of Maine.

To the Committee on House Oversight: Steny Hoyer of Maryland, Carolyn Kilpatrick of Michigan.

To the Committee on International Relations: Bob Clement of Tennessee.

To the Committee on National Security: Loretta Sanchez of California, James Maloney of Connecticut, Mike McIntyre of North Carolina.

To the Committee on Resources: Nick Lampson of Texas.

To the Committee on Small Business: John LaFalce of New York, Ike Skelton of Missouri, Norman Sisisky of Virginia, Floyd Flake of New York, Glenn Poshard of Illinois, Martin Meehan of Massachusetts, Nydia Velázquez of New York, Bill Luther of Minnesota, John Baldacci of Maine, Jesse Jackson Jr. of Illinois, Juanita Millender-McDonald of California, Alan Boyd of Florida, Carolyn McCarthy of New York, William Pascrell of New Jersey, Virgil Goode of Virginia.

To the Committee on Veterans' Affairs: Lane Evans of Illinois, Joseph Kennedy of Massachusetts, Bob Filner of California, Luis Gutierrez of Illinois, Scotty Baesler of Kentucky, Sanford Bishop of Georgia, James Clyburn of South Carolina, Corrine Brown of Florida, Mike Doyle of Pennsylvania, Frank Mascara of Pennsylvania, Collin Peterson of Minnesota, Julia Carson of Indiana, Sylvestre Reyes of Texas, Victor Snyder of Arkansas.

To the Committee on the Budget: Eva Clayton of North Carolina.

Mr. FAZIO of California (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

Mr. CANADY of Florida. Mr. Speaker, reserving the right to object, I would inquire concerning whether the Committee on Science is included in the resolution.

Mr. FAZIO of California. Mr. Speaker, I believe there is a member of the Committee on Science appointed as a result of the resolution, one member.

Mr. CANADY of Florida. Mr. Speaker, I withdraw my reservation of objection, and I move to table the resolution.

The SPEAKER pro tempore. The Chair will ask, is there objection to the request of the gentleman from California [Mr. FAZIO] to dispensing with the reading of the resolution?

Mr. FAZIO of California. The resolution must be read at this point. Is the objection to the unanimous consent request that it be considered as read, Mr. Speaker?

The SPEAKER pro tempore. The Chair is asking whether there is objection.

Mr. CANADY of Florida. Mr. Speaker, I do object to the dispensing of the reading.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue reading.

Mr. FAZIO of California. The gentleman objects, so the Clerk will then read; is that right, Mr. Speaker?

The SPEAKER pro tempore. The Clerk will then continue reading the resolution.

The Clerk continued reading the resolution.

□ 1300

Mr. FAZIO of California. Mr. Speaker, I move the previous question on the resolution.

Mr. CANADY of Florida. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore (Mr. MCINNIS). The gentleman will suspend.

The Chair would say to the gentleman from California [Mr. FAZIO] that the Chair assumes that the gentleman from Louisiana, [Mr. FIELDS], was not intended to be in the resolution, as the gentleman from Louisiana is no longer in the House. Is that correct?

Mr. FAZIO of California. Mr. Speaker, I ask unanimous consent that that obvious inaccuracy be corrected.

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

There was no objection.

Does the gentleman from Florida [Mr. CANADY] seek recognition?

Mr. CANADY of Florida. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table.

PARLIAMENTARY INQUIRY

Mr. FAZIO of California. Parliamentary inquiry, Mr. Speaker.

I really do not know the answer. I would like the Parliamentarian to assist us. I am not sure there is any precedent for a resolution brought to the floor by the caucus or conference of either party being tabled. Is there any precedent for that?

The SPEAKER pro tempore. Under clause 4, rule XVI, the motion is in order as preferential to the motion for the previous question.

The question is on the motion to table offered by the gentleman from Florida [Mr. CANADY] as preferential to the motion for the previous question.

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

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

The SPEAKER pro tempore. The Chair while counting for a quorum will notify the Members that the page just placed at the desk with the specific Member's election to the Committee on Science was not included in the resolution now pending before the House.

Mr. FAZIO of California. Mr. Speaker, I cannot imagine that we could be correcting the resolution or even explaining the resolution when we have a vote or a quorum being called.

The SPEAKER pro tempore. Would the gentleman from Florida like to withdraw his objection?

Mr. CANADY of Florida. I do not withdraw my motion.

Mr. FAZIO of California. The quorum call is automatic.

The SPEAKER pro tempore. The Chair will count for a quorum.

PARLIAMENTARY INQUIRY

Mr. FAZIO of California. Parliamentary inquiry, Mr. Speaker. I do not know what is holding up the action here.

The SPEAKER pro tempore. The gentleman will suspend. The Chair is counting for a quorum.

Mr. CANADY of Florida. Mr. Speaker.

The SPEAKER pro tempore. The gentleman will suspend. The Chair is counting for a quorum.

Does the gentleman from Florida [Mr. CANADY] desire to withdraw his point of order and motion?

Mr. CANADY of Florida. I do, Mr. Speaker.

The SPEAKER pro tempore. The motion is withdrawn.

Mr. FAZIO of California. Mr. Speaker, I insist on the enactment of the resolution, as is traditionally the case when offered by a conference or caucus of either party.

The SPEAKER pro tempore. The question is on the resolution offered by the gentleman from California [Mr. FAZIO].

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

TRIBUTE TO THE LATE HONORABLE FRANK TEJEDA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, I rise today to join many of my colleagues who want to honor and celebrate the life of our friend and colleague, the gentleman from Texas, Frank Tejeda.

As has been recounted over the past 2 days, Frank's accomplishments were many. While enlisted in the U.S. Marine Corps, he distinguished himself as a leader and was selected to become a Marine Corps officer. Throughout his military career Frank was decorated and recognized by the Marine Corps, and he was a hero to many as he was given the Bronze Star, awarded the Bronze Star and Silver Star posthumously.

As a graduate of St. Mary's University, the University of California at Berkeley School of Law, Harvard's Kennedy School of Government, and Yale Law School, Frank was also distinguished as a student at America's finest schools.

Frank accomplished so much throughout his life; but what made him

a great man was not just his accomplishments, but his desire to take his own successes and use them as a tool to serve others. Frank Tejeda dedicated his entire life to serving others in his family, in his community, and in his country. This desire carried him to the Texas House of Representatives and Texas Senate, and finally right here to the U.S. House of Representatives, while remaining a devoted husband and father.

Mr. Speaker, I had the opportunity to attend Frank's funeral Mass at St. Louis' Catholic Church in San Antonio, TX, where he also served as an altar boy. Many times Members of this body frequently talk about the nature of being a good representative and being connected to their district. I would have to say that Frank was probably the quintessential district public servant. He grew up in the area that he was representing, he was connected to it, he never left it. He exuded the spirit and vitality of south San Antonio.

Mr. Speaker, I was touched during the service to find out that the very church we were in was also the church in which Frank was an altar boy. Throughout his life Frank Tejeda led by example and led by serving others. Today we honor Frank with our words. I am happy to participate in the numerous accolades to Frank, and would like to extend my own personal condolences to his mother, Lily, and his three children.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

[Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. SKAGGS] is recognized for 5 minutes.

[Mr. SKAGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

A PROPOSAL TO KEEP SOCIAL SECURITY SOLVENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, in the week of February 27, we are expected to take up the issue of the balanced budget amendment. There has been a lot of talk about Social Security. How this amendment is going to affect Social Security and how changes in that amendment that might better portray what is really happening at the Federal Government.

I wanted to talk a few minutes about what the problem is in Social Security. That problem with Social Security is not having enough money coming in to pay the benefits of retirees as we operate on, if you will, a pay-as-you-go system, where existing workers pay the benefits of existing retirees. That is the way it started in 1935 when we passed the Social Security bill. That is the way it has always been, and that is the way it is today.

If we look at the problems of the birth rate going down while the number of retired people increase—and they are increasing because they are living longer—we see what happens to the deficits of Social Security. Some suggest, such as Dorcas Hardy, the previous Social Security commissioner, that we are going to be short of Social Security funds as early as 2005. It presents a serious problem to this Congress.

Every retiree should be concerned about what might happen to those benefits if we delay some solution. Every worker in America, especially those under 45 years old, had better be going to the candidates that run for Congress and say, look, take your heads out of the sand and do something to protect Social Security.

This chart in front of me shows the kind of deficits we are going to have; in other words, the amount of money by which benefit payments will exceed revenues that have to borrow or shift from the general fund.

As I go around to my town hall meetings and into high school and college government classes, one statistic that I give them is the price that Social Security is costing a minute today. That price is $600,000 a minute. But in 2030, it is going to be $5,700,000 a minute. So the number of retirees increases because they are living longer. When we started Social Security, the average age of death was 63. Now if you are lucky enough to hit 65, the estimate is that you are going to live to be 86 years old. This represents the decrease in the number of workers that pay in their taxes to support each retiree.

In 1945, there were about 42 people working, paying in taxes to support each retiree. By 1950, that was down to 17 people working. By today, there are only three people working. The estimate is by 2030 there are only going to be two people working.

I have developed a Social Security proposal that has been scored by the Social Security Administration that keeps Social Security solvent. It does this in several ways. No. 1, it keeps the Government from reaching into the surpluses in the Social Security fund and spending those for other Government purposes. It allows a very modest investment in private savings accounts. The reason we do that is because Treasury is now paying a return, a real interest rate return, of 2.3 percent. If we compare that to the 9-percent the private sector has been getting over the last 80 years, we see the Social Security system is losing out.

□ 1315

So every proposal that came out of the President's advisory council included some kind of private investment. What we also do is increase the retirement age by 1 year. That brings in additional revenues. The amount of those additional revenues can be eligible for private investments. We do not affect current retirees in this bill because they, after all, made their plans based on existing law; but gradually over the next 25 years, we make these changes.

Look, we have just got to, make an aggressive, conscientious effort to deal with these kinds of entitlement spending, whether it is Medicare, or whether it is Social Security, because the fact is, we are going broke. If we do not make changes now, those changes in the future are going to have to be much more drastic. It is going to interrupt our economy. It is going to interrupt the well-being of retirees. So let's act now.

THE BOMBING PREVENTION ACT

The SPEAKER pro tempore (Mr. MCINNIS). UNDER A PREVIOUS ORDER OF THE HOUSE, THE GENTLEWOMAN FROM NEW YORK [MS. SLAUGHTER] is recognized for 5 minutes.

Ms. SLAUGHTER. Mr. Speaker, I rise today to strongly condemn what has been a wave of bombing activity throughout this Nation and to urge Congress to act. This type of violence must come to an end and I am working to do just that.

On January 7, I reintroduced H.R. 85, the Bombing Prevention Act of 1997, which would help end this vicious attack on innocent persons. I urge my colleagues to sign on as cosponsors. I know you were as shocked as I was over the weekend when government offices, including the court, in San Diego were targeted with pipe bombs that were sent through the mail. Two hundred employees were evacuated, the package detonated by bomb squads in the FBI parking lot.

Atlanta has faced an even more horrific tragedy. I still remember my outrage 2 weeks ago after an attack on a family planning clinic outside of Atlanta. The first bomb shattered concrete and blew away pieces of the wall and the ceiling at the building that housed the clinic. The second bomb was even more ominous. The terrorist designed it to spill blood by packing it with metal fragments and 3-inch concrete nails that were set to explode over a wide area. It was set to go off an hour after the first bomb so that law enforcement officials would bear the brunt of that explosion.

The people of Atlanta have fallen victim twice to a devastating crime which was likely perpetrated by domestic terrorists, a crime designed to intimidate women from exercising their constitutional right to seek health care and a crime that further eroded any sense of innocence left in our citizens.

The Centennial Park bomb at the Olympics 6 months earlier was not enough for the homegrown killers. We

know now that the bomb that exploded at the Olympics consisted of three lengths of pipe packed with smokeless powder, an explosive substance that is completely unregulated by Federal law. This in itself is a scandal, and of course the perpetrators of the act are still at large.

We are not even safe in our homes. In upstate New York a 10-year-old girl opened a Christmas package left in her family mailbox. Instead of a gift, she was greeted with an explosion that burned over 27 percent of her body.

The bomb turned out to be a ''message'' from a disgruntled employee of her family. I would like to send a return message to domestic terrorists and I need your support. Unfortunately it often takes tragedies such as these to spur this House to action. I was shocked to discover 2 years ago that under current law possession of explosives is not a Federal felony. For years we said that certain people, for example a felon, should not be allowed to carry guns, and yet they can drive around in their car or keep at home 100 pounds of gun powder that is not even a crime and that nobody accounts for.

Bombers commit murder by remote control. They do not have to be in the same room as their victims or even in the same city. They never have to see the death and destruction that they cause, and their ruthless method of murder often kills random bystanders. It is no wonder that Americans are uneasy on the streets and their homes, in airplanes.

We need to act now against these particularly cold-blooded killers. We must not wait for another attention-grabbing attack. In recent years we have seen mail bomb attacks on a judge and civil rights activists in the South and a string of bombings at abortion clinics. How much more evidence do we need of the pressing need for stronger laws?

And do not think it cannot happen in your district. Two days ago, this week, a potentially deadly pipe bomb was discovered a few blocks away from my Rochester office and was just outside the headquarters of Eastman Kodak. Fortunately, no one was hurt. But perhaps next time we will not be so lucky.

We have got to keep explosive materials out of the wrong hands. My bill would require Federal permits for all explosive purchases and would mandate a nationwide background check for these permits. It also increases penalties for those who violate Federal explosives laws. Obtaining this permit is not a burdensome process. To receive a permit you only need to provide your name and address to the vendor and indicate the purpose of the purchase. This information would be invaluable to law enforcement officials who are investigating terrorism.

Such a process would allow us to screen out people who should not have access to these destructive materials, such as felons, fugitives and others who show a tendency to take out whatever things they might have on their fellow Americans.

Moreover, my bill contains special provisions that requires every person who purchases more than 5 pounds of black or smokeless powder, and 5 pounds is enough for gun enthusiasts to have to make their own bullets that would make them hold a Federal permit. Criminal bombings have doubled since 1988. Think about that. This is almost becoming retribution of choice in the United States. They have doubled since 1988. One-third of those incidents involved black powder or smokeless powder.

Of course this is the part of the bill that will send our friends in the National Rifle Association through the roof. But under the current law, any purchase of less than 50 pounds of black powder is totally exempt from any kind of oversight. This is crazy. Fifty pounds of explosive powder can unleash substantial destruction. As every law enforcement official knows, bomb makers love that stuff. It is cheap, it is available, it is unregulated, and a little bit goes a long way. In fact it only takes a pound and a half to make a pipe bomb.

I would also like to point out these regulations will not harm legitimate sportsmen. As I pointed out a while ago, 5 pounds of black powder will reload 750 shotgun shells.

Each year, millions of pounds of explosives are purchased without any permit being required or no regulation, and we in Congress have a duty, I believe, and an obligation to protect the lives and property from bombings.

Last session, we passed my legislation to help protect innocent people from bombs made of plastic explosives such as the bomb used on PanAm flight 103 over Lockerbie, Scotland. It is time we got tougher on terrorists here at home. Passing H.R. 85 will give law enforcement officials another tool in tracking down these homegrown terrorists. It must be done. Nobody knows who is going to be next.

FAREWELL TO REPRESENTATIVE FRANK TEJEDA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ] is recognized for 5 minutes.

Mr. ROMERO-BARCELÓ. Mr. Speaker, I am honored today to join with so many of our colleagues in honoring Frank Tejeda for all his years of dedication and service to this Congress, to our people, to our Nation. As we honor the memory of the great person that Frank Tejeda was, I cannot help but look back and think about moments that I had the opportunity to share with him.

Frank and I began service in the House 4 years ago. And as a matter of fact, Frank was one of the first Members that I met when I arrived in Washington. I will always remember the time when I was invited to participate in a hearing at the Committee on Veterans' Affairs where issues related to Hispanic veterans were being discussed and particularly Puerto Rico.

During my opening statement I proceeded to narrate the glorious and distinguished history of Puerto Rico's 65th Infantry Regiment. Specifically, I made reference to the time when the 65th Infantry Regiment was asked to cover the withdrawal of thousands of marines during the Korean war. Frank, who was a member of the committee and a marine himself, recognized the valorous service of Puerto Rican veterans in all the major wars and conflicts that this Nation has been involved in during this century but then took exception to my comment on the withdrawal of the marines and he said, with a smile on his face, ''but you know, CARLOS, we, the Marines, never were withdraw from battle.''

As you see, I believe that this statement characterizes Frank's life. He never withdrew from anything. He never gave up. His life was an incredible story of triumph over adversity. He lived a life of hard work, hard work in his district, hard work in the military, hard work here in Congress, hard work wherever he went.

But most of all Frank understood the value of freedom and honesty and he was well aware of the dramatic cost of keeping our cherished and hard-fought liberties.

Frank, I was privileged to have you as my colleague, but most of all I was privileged to have you as my friend. We will miss you but your memory will be with all of us forever and an example for us to follow.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. PITTS] is recognized for 5 minutes.

[Mr. PITTS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

HELPING THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia [Ms. NORTON] is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I come to the floor first and foremost to thank Members for the way they responded to the President's remarks concerning the District yesterday. The President spoke, in his State of the Union speech, warmly of his own intention to assist the District, and partly in his words, ''to renew this great capital city so that Washington, DC, is a great place to live, and is once again the proud face America shows to the world.''

I appreciate as well the concerned words of Speaker GINGRICH, who devoted part of his own opening speech, upon being sworn in, to the District. The Speaker has in fact been very helpful to the District during the 104th Congress.

The President has put on the table a strong plan. First, it takes back $5 billion in pension liability racked up by the Congress before home rule and offloaded on the District. Second, it recognizes that the District is not a State and like every city in the United States cannot today bear State, county, and municipal functions all by itself, even if it becomes the most efficient government on the face of the Earth.

Last night the President offered words on an empowerment zone approach that he intends to spread to cities across the United States, including the District. It is a traditional approach that is already in use across the country. I am very grateful that he wants to include the District in this approach. I welcome it. But I welcome it only in combination with income tax relief in light of a bill I have introduced yesterday.

As the sole response to the crisis of the capital city, the empowerment approach is unacceptable to me and to the District. Why? The President's own plan, the President's strong plan—for pension and State cost relief—would take this much, represented by the orange color, off the table from what District taxpayers now pay. What that means is that 90 percent of what District taxpayers pay they would continue to pay. Strong as his plan is, it really is marginal in what it does to take away what a dwindling tax base would pay.

We are now at 1933 population levels. We do not have a State like New York and like Florida. We are losing, in the 1990's three times as many people as we lost in the 1980's.

Consider what our alternatives are. Commuter tax, massive infusions from the Federal Government and, finally, use of our own money through a tax cut. Commuter tax, thank you, Mr. Congress, you have taken that off the table. We are barred from a commuter tax, even though virtually all the jobs go to commuters. They come in and use the services of an insolvent city and do not leave one thin dime here. You took that off the table. Massive infusions from the Federal Government, you have taken off the table for everybody, even the capital of the United States. I am down to the only option I have left: Let us use our own money to pay what it takes to revive our own city.

The District of Columbia Economic Recovery Act is a bipartisan tax cut bill. I put it in only because we have no State. If we had a State, I would not do it. I would go to the State.

□ 1330

Big cities get almost all of their revenue from State and Federal sources. D.C.'s revenue must come from a tax base that is disappearing with no way to recycle money back from those who leave.

Think about it. Even if you come from a small town, think about the great cities in your State, New York City, L.A., Detroit, Atlanta, Seattle, Houston, Chicago, Newark, Nashville, Greenville, Charlotte, Richmond, and Baltimore. None of them support themselves. They are basically supported by their States.

If you did not have a State, what would you do? What do you expect the capital of the United States to do? An empowerment zone by itself does not address taxpayer drain. Even businesses in D.C. tell us that for every ten jobs we make in D.C., nine of them go to suburbanites. They say that is because we are losing our skilled work force, which is another way of saying losing our tax base. They say that an empowerment zone incentive will not help the District because business looks to the skilled work force, not to tax incentives when deciding whether or not to locate in a city.

This is not your average tax cut. It is not what we usually mean in this House. It is not about money saving; it is about life saving. We have to think outside the box. We have to understand that in essence, if not this, what?

You have a unique situation in the capital of the United States. You have a stateless city. It is insolvent. Its revenue is dwindling away with its tax base. The capital is trapped. Help us free ourselves.

The SPEAKER pro tempore (Mr. MCINNIS). 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.]

SUPPORT MY BALANCED BUDGET SUBSTITUTE AMENDMENT TO THE CONSTITUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

Mr. WISE. Mr. Speaker, very shortly in this House, probably within the next 3 or 4 weeks, the House leadership has scheduled a vote on the balanced budget amendment to the Constitution. I have some concerns about whether this is even necessary.

I note with interest that the deficit has dropped in the last 4 years from $300 billion a year to $107 billion this year and it is coming down like that; that 4 years ago it was 4.7 percent of our gross domestic product, a hefty portion. Today it is 1.4 percent, the lowest point it has been since 1974, the lowest of any industrial democracy. So I question whether it is needed.

If it is needed, if people still seem to think it is, I have to offer the suggestion that you do not balance the budget by putting something in the Constitution that says in 7 years you have to have a balanced budget. You balance the budget the old-fashioned way, vote by vote by vote, cut by cut by cut, each year through the appropriations process.

That is what has brought the deficit down, on a bipartisan basis, Democrats leading the charge sometimes, Republicans the other times. That is what has brought the deficit from being 4.7 percent of our economy down to here about 1.4 percent.

Now, having said that, if a constitutional amendment is necessary, I am greatly concerned because the argument I hear is that the Federal budget ought to balance its budget like every family, like every business and every State government has to. And that is a fair statement. There is a difference, though. If you forced every family, if you forced every business, and particularly if you forced every State government to include the language of this balanced budget amendment in their constitutions or in their bylaws or their operating procedure, this country would be belly up.

This balanced budget amendment does not do what every State, what every family and every business does, and that is to permit borrowing for capital expansion, for growth, for increasing in productivity. Because while 49 States have some form of capital budgeting in place, and incidentally operates under a balanced budget procedure, such as the State of West Virginia, which has a strict balanced budget requirement in its State constitution, while almost every State has a balanced budget requirement of some kind, there is a difference between the way that States operate and the way the Federal Government operates.

Every State borrows for the roads, the bridges, the water systems, the sewer systems, the infrastructure, the schools, the prisons, the things that are necessary for long-term growth. Every State has that kind of capital budget. Not so the Federal Government.

So that is why I would urge Members, if you feel you have to support a balanced budget amendment, I hope you will support my balanced budget substitute, my constitutional amendment to the Constitution, which would say that you balance the budget in the same amount of time, by the year 2002; that you have the same procedures, except that you can have capital budgeting; that is, you can have investment in physical infrastructure, the roads, the bridges, and so on, No. 1; and, No. 2, that Social Security is off budget.

I am fascinated that every Member in this House at some time or another has voted in favor of taking Social Security off budget. Well, if it was good enough last year, the year before, and the year before that, why is it not good enough this year, particularly if we are going to enact such a stiff proposal and put it into the Constitution?

So if you want the Federal budget to operate like every State, like every business and every family, then recognize the fact that every family knows

that it has to borrow for long-term items.

My wife and I had to borrow for our house. It is called a mortgage. Over 20 years. We have to borrow for the car, 4 to 5 years of financing. We have to borrow for our children's tuition, because we understand that that is what is going to pay back greater dividends in the years to come.

So that is what my balanced budget amendment to the Constitution would do. It would recognize that borrowing and permit it to continue. You cannot go home and say that I supported a balanced budget amendment to the Constitution that is just like every State, every family, and every business has to do, because every State, every family and every business could not operate if they had to operate under the terms of the balanced budget amendments that this House will be voting on.

If you are interested in supporting my proposal, my substitute, I would urge you to cosponsor my balanced budget amendment, which was dropped in the hopper today, which has been introduced, which already has 19 cosponsors and which permits and which requires a balanced budget but also permits our Federal Government to do what every State government and city is permitted to do, and that is to borrow for physical infrastructure and to spread that out over the cost of the life of that asset.

Why should you consider the same dollar that goes for pencils for the Federal courthouse to be the same dollar that is spent for a highly of highway? We all know the mile of highway has a much greater life FTE. And yet that would be precluded. That would be ruled out. That would be greatly threatened by the balanced budget amendment this House will be voting on.

So if you want to balance the budget in the same way the family does, the State does, the business does, then you ought to be supporting my proposal, my amendment to the Constitution which was in the hopper today.

We will be talking a lot more on this, Mr. Speaker, I am very confident of that, but I would urge Members to look closely and to recognize that there is a very significant difference between the way the States operate, the way businesses operate, the way families operate, and the way this budget would have the Federal Government operate.

PRESIDENT CORRECTLY PLACES NATION'S EDUCATION SYSTEM AT THE TOP OF OUR PRIORITY LIST

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. Mr. Speaker, in his State of the Union address last night President Clinton announced an ambitious plan to strengthen our Nation's education system and in so doing rightly placed the issue of educating our children at the top of the Nation's most important priorities.

The President's plan spans across the entire spectrum of education. He had 10 points. For the youngest children, he called for an expansion of Head Start; for elementary schoolchildren, a program to ensure that they can read independently by the third grade; for our high school students innovative incentive programs to encourage them to obtain at least 2 years of college; and for parents and students alike, struggling to meet the runaway costs of college, a variety of tax breaks and adjustments to existing loan programs that will make everyday life a little bit easier.

Last year, Mr. Speaker, when the President sent his budget to Congress, the Republicans responded by offering the largest education cuts in history. To demonstrate the seriousness of their opposition to the President's education agenda, they then proceeded to shut down the Federal Government two times while calling for the abolition of the Department of Education.

Their attacks on the education system continued throughout the election cycle, with GOP leaders, most notably Bob Dole, picking fights with the teachers unions.

In announcing his education plan last night, the President rightly called for Republicans to leave their partisan agenda at the classroom door. It is my hope that the Republicans will accept the President's invitation and join congressional Democrats in our efforts to provide quality, affordable education to every American.

I know, Mr. Speaker, that we will be dealing with these education issues for a long time, and certainly dealing with them in the next few weeks and the next few months, but I think that the President's call that we should put our partisan differences at the classroom door was really crucial. Education is the most important issue facing this Nation and the President's 10-point plan really is a significant beginning to solving the problem of making sure that we provide an adequate education system for every American.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. FARR] is recognized for 5 minutes.

[Mr. FARR of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

TRIBUTE TO THE LATE CONGRESSMAN FRANK TEJEDA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. BECERRA] is recognized for 60 minutes as the designee of the minority leader.

Mr. BECERRA. Mr. Speaker, we have taken out this special order of an hour for the purpose of trying in the short time that we have to try to commemorate the life of a friend, of a colleague, of a great American hero, Frank Tejeda, who passed away but a few days ago in his home in Texas shortly after having been sworn in to the 105th Congress.

Without further remarks on my part at this stage, I do want to yield time to someone who was a great friend of Mr. Tejeda, and I want to acknowledge that Mr. Tejeda's family is here with us today, but I think it is most fitting that the individual who knew him best, who would sit right back there every day of a vote with Frank and laugh and do work and do the business of this country with him should best have the opportunity to go first in making remarks about our great friend.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas, Mr. SOLOMON ORTIZ.

Mr. ORTIZ. Mr. Speaker, first of all, I would like to thank the gentleman for asking for this special order today in memory of a great American and a great friend.

Mr. Speaker, I was one of those fortunate Members of Congress who was able to visit with Frank about 3 weeks before he died and, as we all know, Frank loved his children. And even before Frank was diagnosed with this cancer, he was telling me about the heavy schedule and how important it was for him to attend some of the soccer games that his boy, Frankie, played. He said this is one of the things I miss the most, being with my family.

When I visited with Frank this last time again, we talked about the family and about the marine that he was, how he loved the military. But at this moment we are very fortunate to have Frank's mother with us in the gallery, Mrs. Tejeda, Frank's sister, and members of his family, as they were recognized last night during the President's State of the Union Message.

For 4 years Frank and I sat together in that same corner listening to the State of the Union Message and looking forward to seeing what was in that message that we could dissect and take back to our district and tell people how we would be able to change their lives, and impact on their lives something on the positive side.

Frank was a very religious individual. This last year I would ask Frank to go out with me to attend certain functions, and Frank would say, I am sorry, I cannot go with you because this is my prayer time. I have to go to my home and spend time talking to my God and reading my Bible.

Frank was also kind and forceful and generous and committed to those he served. After Frank fought for his country, he fought very hard for veterans, farmers, and Hispanics in Texas and in Washington. Frank was a wonderful person who died far too soon, too young. He taught us all how to be better people and he set an example for all of us to live by. Frank had a quiet

strength. His decent life spoke volumes about Frank.

□ 1345

He was very uncomplicated. When he wanted to tell you something, he was very blunt, but he spoke the truth. At this moment, I would like to include the rest of my statement for the RECORD, because I know that there are many, many friends who would like to take time in this special order today to honor a great hero, a great friend, Frank Tejeda.

I thank the gentleman from California [Mr. BECERRA], the chairman of the Hispanic caucus.

Because he was contented, he was unflappable. Frank was also kind, forceful, generous, and committed to those he served. After he fought for his country, he fought hard for veterans, farmers, and Hispanics in Texas and Washington.

Frank was a beautiful man who died far too soon—too young. He taught us all how to be better people, and he set an example for all of us to live by.

Frank had a quiet strength. His decent life spoke volumes.

He was uncomplicated—he meant what he said and he said what he meant. His word was literally his bond.

His story was very much the American story—about the ingenuity and creativity of one man's rise from obscurity to power.

Frank was an inspiration to me. Frank exemplified the very best in public service, honesty, and integrity. He was a true leader who believed in the value and decency of the working class.

He always said he was proud to be a marine grunt—he didn't want it any other way. That same ideal moved him to work hard all his life and to stick up for the working people he represented so well. Frank always approached problems with commonsense solutions and an engaging sense of humor.

This Chamber still feels empty without Frank—yet I know that Frank is watching us now and telling someone we are making too big a deal over him. For that was Frank—simple, low-keyed, and focused.

Frank showed enormous grace and courage over the past year while dealing with the pressures of cancer and chemotherapy. As always, the highly decorated and respected marine fought the valiant fight.

He was such a disciplinarian—with his professional life, with his personal ethics, and with his physical health. I greatly admired him—as did many Texans. Frank Tejeda was one of the best friends I ever had.

We need to remember Frank's children—Marissa; Sonya; and Frank III—and his mother Lillie during this difficult time. His mother was here with us last night, honored by President Clinton as an American hero in Frank's stead.

We should also remember his sister Mary Alice Lara—who accompanied their mother last night—and his brothers—Juan Tejeda, Ernest Tejeda, and Richard Tejeda in our prayers.

Frank Tejeda was a giant among men, and among leaders.

Frankie—I love you brother. You leave us a beautiful memory. We will all miss you, but we will cherish your memory.

I thank the gentleman from California for sponsoring this special order.

Mr. BECERRA. I thank the gentleman for his remarks and I think he is right, he probably could speak longer on this than anyone, about Frank, I know he would love to, but at this point I yield to the dean of the Texas delegation, someone who has been a fighter for Texas for some time, I know Frank spoke of him with great regard, that is the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. I thank the gentleman from California [Mr. BECERRA] for yielding.

Mr. Speaker, it is very unnerving and soul shaking to consider that such a young and promising life was cut so short and, therefore, deprived us and this House of what unquestionably would be great contributions.

I have watched the course of this great man in Congress, as a fellow Congressman, as he developed and being very familiar and intimately acquainted particularly with that section of our city in which he grew up and to which I have an undying and unbreakable attachment, since I myself am a native son and actually born at a time when San Antonio was a lot smaller, and that part of the city in which Frank developed and grew was not there. So it is very difficult to find words with which to express completely and fully the dimensions of an individual such as the Congressman who from very humble and unpretentious origins and beginnings reached the pinnacle of political achievement by dint of character and sacrifice. He of course proved himself in the field as a full-fledged member of the Marine Corps. It was my privilege to be identified with that particular section of the city when it was not part of the city. I am a native of San Antonio, and what we call Bexar County and the city is of such a proportion today that it is difficult for me to evoke the size and the aspect of the city at the time. I want to thank my colleague for pausing and taking time in order to recognize a great man.

Mr. Speaker, I want once again to offer a few words of praise and tribute in honor of my late friend and colleague, Frank Tejeda.

As so many of my colleagues—and indeed the President of the United States—have remarked here in the House and elsewhere, Frank Tejeda was a brave and remarkable man. He started with little, but soon found direction, and when he did, proved his talent and mettle. He went a very long way in a very short time.

Frank died too soon, and I am sure that he knew how long the odds were against surviving the tumor that killed him. But he never complained, never faltered, never felt sorry for himself or asked anyone to pity him—he went right on doing the best he could, to serve his district and this House in an exemplary way. There was not a day, not an hour, that he did not give his best—and that was very good indeed. The people of his district, the Members of the House, were well served by Frank Tejeda.

Frank went from high school dropout to decorated marine, and from there to the best schools in the Nation. His accomplishments were remarkable, undeniable—and probably unexpected by those who saw him as a restless adolescent. Frank was a quiet man. Proud as he was, and he was very proud, he never let his accomplishments balloon into egotism. He just hung the medals up, and alongside them the diplomas, and went on about his quiet and extremely effective service to the people of his community and district.

Frank always had the time to help a friend or a neighbor. And if he did not have the money to help out, he'd get it somewhere, even if that meant taking on a bank loan. But typically, he never would tell anyone about the sacrifices that he was making.

High or low, rich or poor, powerful or weak—everyone who came in contact with Frank Tejeda was treated with unfailing courtesy and respect. He was that kind of man.

He was a man of integrity and decency. Frank Tejeda lived with honor, served with honor, and brought honor to all of us.

I will miss Frank. All of us will. I hope, as I said yesterday, that all of us will learn from knowing him, and that all of us will remember him by living as he did, with grit and grace, decency and honor, generosity and compassion, energy and determination.

Frank Tejeda lived well and served well. With profound regret and sorrow, I say farewell to Frank—but will never say farewell to his memory.

Mr. BECERRA. I thank the gentleman for his remarks.

Let me now turn to another colleague from Texas, Mr. REYES, a gentleman whom Frank respected a great deal. We are looking forward to working with him as a new Member.

Mr. REYES. Mr. Speaker, I rise this afternoon to join my colleagues in recognizing the many contributions that our esteemed colleague and my good friend Congressman Frank Tejeda, made to this great institution, our great Nation, and in particular the people of Texas and the 28th District.

Much has already been said about Frank and his influence on the lives of those he touched, but I rise this afternoon as one more testimony of what will be his legacy, a legacy that will ensure that the memory of Frank Tejeda will live forever in the hearts of all of us.

Frank was a man of extraordinary character and integrity. Frank understood what was required of public service. At a time when some Americans are wondering about and sometimes questioning those that seek and aspire to public service, we have been left with the legacy of a devoted father, a selfless public servant, and an honorable man to reassure us that America can and still provides us with those that seek no other measure than to serve with dignity and simply aspire to do what is right and just.

Frank Tejeda was an example of what is right and noble. But more than that, Frank will forever live in the hearts of his people, in the hearts of all people, for he was a man of the people. In death, as in life, he stirred within his people a dignified and moving tribute for all of us to see last Monday as

whole neighborhoods of San Antonio turned out to show respect and farewell. It was a sight that will never and must never be forgotten. It is the ultimate tribute that a grateful community gives a warrior statesman. It was fitting and proper and, to use Frank's own words, it was the right thing to do. Straightforward, honest, respectful, dutiful, and courageous, Congressman Frank Tejeda fue un hombre entre hombres, a man among men, and he will be missed but he will never be forgotten.

God blessed us all with Frank and now it is up to us to keep his legacy alive and thriving within this great place, with great responsibilities to this great Nation.

I thank the gentleman for this opportunity.

Mr. BECERRA. I thank the gentleman for his remarks.

Mr. Speaker, another colleague who will serve this institution so well is another gentleman from Texas [Mr. JIM TURNER].

Mr. TURNER. I thank the gentleman from California [Mr. BECERRA] for yielding.

Mr. Speaker, it gives me great pleasure to stand and speak in the memory of our dear friend Frank Tejeda. Frank Tejeda served not only in this body, ably and with distinction but he also served as a member of the Texas House of Representatives and the Texas Senate where I had the pleasure of serving by his side. I can say without question, Frank Tejeda was a man who stood firmly for principle, a man who voted his conscience irrespective of the pressure that may come to bear. He was a man who believed very firmly that truth was more important than any other virtue, and he was a man who believed very firmly that when something needed to be done, he was going to be there and be counted.

Frank Tejeda grew up in south San Antonio. He did not graduate from high school but he went into the Marine Corps. It changed his life, and he from that point on achieved great heights academically.

He served the people of south side San Antonio and the other counties in his congressional and Senate and House districts with great distinction. As I sat next to him on the floor of the Texas Senate on one occasion, I noted Frank was rather quiet and yet as I began to hear the particular debate, I began to realize that Frank was ready to speak. And when Frank rose to speak, everyone listened, because you knew when Frank Tejeda spoke, it was worth listening to. We will miss Frank Tejeda. He was a great Texan, a great American, and a great friend to all of us.

Mr. BECERRA. I thank the gentleman for his words.

Let me now ask another colleague from the great State of Texas and a great friend of mine, Mr. GENE GREEN, for his remarks.

Mr. GREEN. Mr. Speaker, I thank the gentleman from California [Mr. BECERRA] for allowing me a few minutes to discuss my friendship with Frank Tejeda. Like my colleague from Texas, JIM TURNER, we served with Frank in the House and the Senate and now in Congress. I grew to admire him as a man who was committed to the highest ideals and actions. Almost 2 years ago, I remember when Frank became ill, I prayed to God that he would be healed, and the Lord let us have Frank until last Thursday night. He was a man of integrity and honor and commitment and service. He was a great man who gave of himself, selflessly to others, whether it be serving his community as an elected official or to the children of south San Antonio in organizing and helping in little league games, baseball, football, you name it. Again, my colleague from El Paso talked about earlier this week when we saw the thousands of people who gathered along the roadways to pay tribute to Frank Tejeda, who came from their neighborhood and did so much good.

I was so impressed with Frank when I first met him, he was so proud to be a marine. He was a role model for other marines. In fact, I did not know until much later that Frank had received the highest academic average in the Marine Corps history in officer candidate school. Frank even took it a step further when he won the Colonel Phil Yekel award which combined his skills academically with his natural leadership ability and his extraordinary physical fitness. His pride in the Marines and military translated into his work as a legislator, both here and in Austin, TX, whether it be serving veterans as a State legislator or State Senator in securing funds for an outpatient clinic in San Antonio or for a public health clinic in Duval County. He was a firm believer in military-civilian cooperation. He sponsored legislation to train physicians assistants at Fort Sam Houston. He helped expand the GI bill for educational benefits for service personnel and certified teaching. Frank touched so many people, Mr. Speaker. We will miss him, not just the people of San Antonio and the people of Texas but the people of the House. Frank Tejeda's commitment to this institution, his country and to its people should be an example we all should live by. Frank, we will miss you.

Mr. BECERRA. I thank the gentleman for his remarks.

Another colleague from Texas and I think it is clear the respect of the Members from Texas for Frank Tejeda as they come here to express themselves, I would like to invite another gentleman who just got elected and will serve us well in this Congress, Mr. RUBÉN HINOJOSA, to please add his remarks.

Mr. HINOJOSA. I thank the gentleman from California [Mr. BECERRA] for yielding.

Last night in President Clinton's State of the Union speech, he paid special tribute to the Honorable Frank Tejeda. He mentioned and recognized Frank's mother Lillie and his sister and relatives who attended. They are here this afternoon. And so it is with great pleasure, it is with great honor that I too come to join my fellow colleagues in expressing our feelings and support of the bill just passed today which is going to name a post office in San Antonio the Frank Tejeda Post Office.

There are many things about Frank Tejeda that stand out in my mind. One is that he was the son of Mexican immigrants. Two, that he was a first generation south Texan, and very proud of that. He was proud to be an Hispanic leader from Texas and to be here in Washington representing his constituents. From San Antonio all the way down to south Texas, in Zapata, in Roma, in Rio Grande City, a district that borders with mine and thus we create a very special friendship. I had a lot of respect for Frank, and I had looked forward so much to working with him.

Frank was proud to have ascended, to have become a national leader. For that, he will always serve as a role model for many Hispanics throughout the State of Texas and other parts of the country.

This afternoon, I attended a meeting with Secretary of the Navy John Dalton. He too paid tribute to Congressman Tejeda. He spoke of this great American hero, a gentleman who distinguished himself in so many ways. I know that those of us who are sitting here this afternoon are going to be joining a very large number of individuals who want to pay respects and honor Frank Tejeda.

Mr. BECERRA. Let me now recognize a colleague of mine from the State of California, a friend and someone whom I know knew Frank well and respected him, Mr. DUKE CUNNINGHAM.

Mr. CUNNINGHAM. I thank my friend for yielding. I know the Texas delegation got together, which is very responsible, to offer this for Frank Tejeda. I want you to know it is not just the State of Texas that grieves, that this Nation has lost a favorite son, that when this country asked Frank to serve, he went and he served in Vietnam and did very well there. I want to also tell you that even when he was diagnosed with cancer, Frank never gave up hope.

I know one time I had learned and I tried to break the ice a little bit with him, and I said, Frank, you know that being a Navy guy, that we own the Marine Corps and that if he did not believe it, to check the front side of his paycheck. It is signed Department of the Navy.

□ 1400

Frank reminded me with the humor of the time and says, ''DUKE, that's because the Marine Corps has protected the Navy throughout history, and you owe us that.''

But he was a man of integrity and even though that with the issues sometimes we disagreed, Frank was well respected on this side of the aisle as well as that side of the aisle, and I would ask, Mr. Speaker, that when our children look for heroes or role models that someone that was as dedicated to family as Frank Tejeda, someone who was as dedicated to this Nation in serving as Frank Tejeda, has strong faith in God and his country, I cannot think of a stronger role model for my children or anyone else's.

Mr. BECERRA. I thank the gentleman who knows a little bit about what it means to be a member of the military for his kind words toward Frank.

Let me now ask another fine gentleman and distinguished Member of this House from the State of Texas to come forward, and that is the gentleman by the name of KEN BENTSEN.

Mr. BENTSEN. I thank the gentleman from California for yielding, and I join my colleagues in grieving the loss of our colleague from Texas, Frank Tejeda. I have to say I did not know Frank until I was elected to the 104th Congress, but I often drove through the lower part of his district in Starr County, where part of my family resides, and I saw Frank's signs down there, and he was one of the only people I have ever known who could run for office and never be opposed from either party or in either primary, and I have to say as I got to know him I came to understand why.

I have never met anybody who did not like Frank Tejeda, who was not proud of what Frank Tejeda had accomplished, and while the service the other day in San Antonio was quite sad, I was moved by what Bishop Yanta said in the homily when he said that we are sad that Frank is gone, but he has gone to a better place and we should celebrate what he did in his life here.

And you look at many résumés in this job and you hear many people testify and you meet many of us who were in this body who have very interesting backgrounds, very distinguished backgrounds, but I do not know if we have had anybody in quite some time who had the distinguished background of Frank.

I had the occasion to talk with one of our former Members, Sonny Montgomery, a very respected member of the military who served in this body, who told me the day after Frank's passing that he in fact—Frank in fact had been the most decorated Member serving in the Congress in these last few years.

And so I think it is a great loss for us, but I also have to say what a tribute and what a celebration as we left St. Leo's in the south side of San Antonio to see the people lined up on the street holding up the signs saying: ''We will miss you, Frank''. He is truly a dedicated—was truly a dedicated individual who cared about his constituents, who cared about his country, who cared about his family, and we are all better for having the chance to have known him and worked with him and we will miss him.

I thank the gentleman for yielding.

Mr. BECERRA. I thank the gentleman from Texas for his words, and it is absolutely true. Those of us who had the opportunity to be at the memorial service saw just this throng of people outside trying to send a wish to Frank, and that perhaps was one of the most moving things that I saw in my trip to Texas.

Let me now yield to a very distinguished Member from Texas as well and a good friend, Mr. CHET EDWARDS.

Mr. EDWARDS. I thank the gentleman.

Mr. Speaker, in this House our Members are often judged by what they have accomplished in life, and on that basis Frank Tejeda would be judged very well because he made a difference for his State, for his country and for his beloved constituents in south Texas.

But the thing for which I will always remember and respect Frank Tejeda is not his list of accomplishments, though many and impressive, but the character of the individual. He is what I would have to believe every father and every mother would hope their child would grow up to be, and as a father of a small 1-year-old son, I could think of no greater satisfaction in my life, far beyond anything I could do in this body that would bring me pleasure, than to think that my son would some day have the character and integrity, the decency and the honesty and the compassion of Frank Tejeda.

Several years ago I met a young 9-year-old Hispanic girl who was also fighting a fight against cancer. She was trying to get help, to get care in a hospital and was not sure that she would win that fight for her life. She sent me a card that I think is appropriate for Frank Tejeda at this moment, a card that I will never forget, and what it said was this:

''When we leave this world we leave behind all that we have, that we carry with us all that we have given.''

I am confident, Mr. Speaker, that on his journey to heaven Frank Tejeda carried much with him for he gave so much here on Earth to his country, to his family and his beloved friends of south Texas.

Mr. BECERRA. I thank the gentleman for his remarks.

Let me now ask a distinguished friend and colleague of the House who has served so very well representing veterans for so long, the gentleman from Illinois [Mr. EVANS].

Mr. EVANS. I appreciate the gentleman for yielding.

At the end of World War II, General Patton, while eulogizing our American war dead, reminded our grieving Nation that it is foolish and wrong to mourn the men who died. Rather, we should thank God that such men lived. And those words sustain us as we remember our colleague Frank Tejeda today. Rather than mourning his too early death, let us thank God for his life, let us thank God that we had the opportunity to work with him and let us thank God that we had the privilege to know him.

Frank was a favorite in this House of Representatives. He was a friendly, decent, kind, and quiet man. His participation in a hearing or meeting guaranteed civility and tolerance. When he spoke others listened. I firmly believe that his notable courtesy and obvious concern and regard for the views of others was the result of a lifetime of challenges that he faced as a young man growing up in San Antonio, as a highly decorated Marine veteran of Vietnam, as a student at three of our country's most highly respected institutions of higher education, University of California, Harvard, and Yale.

As a fellow member of the House Committee on Veterans' Affairs, I know that Frank's thoughtful and informed comments and constructive participation were well regarded. He was among the first to sound the alarm concerning gulf veterans' problems. He championed improvements in the GI bill. He fought to ensure that many veterans living in San Antonio were well cared for and taken care of at the Audie Murphy Hospital in San Antonio.

I was also privileged to serve with him on the Committee on National Security, where his faithful and effective participation demonstrated his commitment to the members of our Armed Forces and to a strong national defense.

We all considered Frank to be a good friend and colleague. Our admiration grew, however, into a real sense of awe as we watched him literally wage the battle of his life, a fight that he carried on with enormous courage and dignity. None of us will ever forget the Honorable Frank Tejeda or the special grace with which he lived his life.

Our deepest sympathy goes to his family, his loyal and devoted staff, and the residents of the 28th Congressional District of Texas, who Frank so ably represented here in Congress. Please let us know what we in this House can do in any way to help you during the difficult months ahead. Let us all thank God for the life of Frank Tejeda.

Mr. BECERRA. I thank the gentleman for his remarks.

Let me now ask the gentleman who has served this country in the military and is now serving his country just as ably here in Congress, a good friend, the gentleman from Pennsylvania, Mr. PAUL MCHALE.

Mr. MCHALE. I thank the gentleman.

Mr. Speaker, I recall with respect and affection my friend, colleague, and fellow marine, Frank Tejeda. Two years ago Frank stood at this very microphone and gave a special order commemorating the courage of those

marines who fought for and died in pursuit of the capture of Iwo Jima. Unbeknownst to Frank that evening, watching on C–SPAN was a former Navy corpsman who called Frank the next day. He was unaware that Frank had survived war wounds received in Vietnam. That corpsman was in fact the doc who had provided aid to Frank on the battlefield and placed him aboard the helicopter when he was medivac'd. That chance appearance of Frank on C–SPAN and the awareness of that Navy corpsman set in process a series of events that resulted in Frank receiving posthumously the Silver Star.

Among other events that day on the battlefield in Vietnam, Frank had gone out into a rice paddy under fire, had attacked an enemy position, had killed the enemy gunner and had pulled back into a tree line, at which point he saw the body of a marine in the rice paddy. Again under fire he went out to that marine, recovered the body and brought the body back to safety. Frank in this Chamber later said to me, ''Paul, that wasn't courage. I simply remembered what they taught me at Quantico.''

That was courage, and like Frank's intelligence, his decency, his bravery was such an inherent part of his character he did not think it was special. But we who served with Frank know just how special he was.

In a line that is delivered by marines with a sense of humor, but one that I think appropriate today, the closing stanzas of the Marine Hymn talks about the streets of heaven being guarded by U.S. marines. Mr. Speaker, they now have a new commanding officer: Maj. Frank Tejeda, U.S. Marine Corps.

Semper fidelis Frank.

Mr. BECERRA. I thank the gentleman from Pennsylvania, [Mr. MCHALE] for his remarks.

Let me now ask a colleague from California, a friend, someone who also knew Frank well, the gentleman from southern California [Mr. MATTHEW MARTINEZ], to come forward to make some remarks.

Mr. MARTINEZ. Thank you, Mr. BECERRA.

Mr. Speaker, I rise today in honor of my friend Frank Tejeda. I met him for the first time right back here in the back of the Chamber sitting with SOLOMON ORTIZ and I think it became almost a routine thing that when we came down to the House to vote we would spend a few minutes visiting with one another. Although I only knew him for a short time and many of us only knew him for the 4 years that he was here in Congress, if you knew him one day though, you really knew him because he was exactly as he seemed to be, a real nice guy, and beyond that he was a great American and a great patriot, and I do not say that just because he was a fellow marine but because he proved it. He proved it every day of his life the way he acted with himself, his family, his constituents, and especially the way he proved it when he was a marine.

The true test of a man's character I think is many times tested under stress and the greatest proving ground of all I believe is war or battle, and Frank was tested in that manner and he proved that he was a hero. But Frank was not just a Vietnam hero; he was a hero to his family as well and to all those who knew him.

Many of you have heard the things that my colleagues have said about him, his charitable acts, his acts of concern for his constituency as he dealt with the huge bureaucracy we call the U.S. Government, and many of us spoke of it in our eulogy to him. But there are three short statements that were written in the book that was issued to commemorate his memorial, and they were from his children, and I would like to include those for the RECORD, along with a ledger of his longstanding accomplishments, many of which you have already heard and many of which you will hear from other Members who love them as much as we do.

But one particular of the three that his children wrote was written by his daughter Marissa, and I would like to share that with you. It really came from her heart, and it is a true sentiment of how she felt about Frank and I think that many of the people that knew him felt about him too. It says:

LOVING THOUGHTS FROM HIS CHILDREN

You are a celebrity to me . . . I've watched you grow all these years with me, almost as if you were a big star on the screen . . . I've watched you give to others—this taught me the gift of giving.

I've watched you make your dreams come true—

This taught me to believe in dreams. I've watched you play my fan at my softball and soccer games—This taught me to find courage and self-worth.

I watched you play my teacher—This taught me the meaning of moral gratification and education.

I watched you play my DAD—when you loved me unconditionally and supported me with all your faith—This taught me the magic in love and the ability to bring life to others.

And I watched you as you played my friend—every day, when you talked to me, cried with me and laughed with me . . . You were a star to me, I was your biggest fan.—

Love,

MARISSA.

DAD, I love you more than words can say. You have always been my inspriration and my will to strive for the best. No matter how hard or how long the battle was, you still came out a winner and that is how I will always remember you. You are my hero, my shining star, MY EVERYTHING. I know God is taking care of you and you are still protecting us like always. You have been set free, but you will never leave my heart. Dad, I miss you already, but there is no comparison to where you are right now. I love you dearly and may the eternal light shine on you forever.

Love,

SONYA.

DAD, You have been the greatest inspiration and role model in my life. You have taught me morals and values that anyone can teach, but the way you taught me made me admire you and love you the way I do. I miss you and I love you more than words can say. You will always be with me no matter where I am. I love you, dad.

Love,

FRANK M. TEJEDA, III.

HIS LIFE

A native Texan, Frank M. Tejeda, was born in Southside San Antonio on October 2, 1945. He was the son of Lillie Tejeda and the late Frank M. Tejeda, Sr.

Frank attended St. Leo's Catholic School and Harlandale High School. He volunteered for the United States Marine Corps, where he earned the Bronze Star for valor, and received the Purple Heart for wounds sustained in combat. At the Marine Corps Officers Candidate School, his 99.08 percent overall average ranked the highest at the time. He received the Commandant's Trophy, the Marine Corps Association Award for the highest academic average in Marine Corps history at the time (99.6 percent), and the Colonel Phil Yeckel Award for the best combined record in leadership, academics, and physical fitness.

Frank graduated from St. Mary's University with a Bachelor of Arts in Government; at the University of California at Berkeley School of Law, he earned a Juris Doctorate; at Harvard University's Kennedy School of Government, he earned a Master in Public Administration; and at Yale University School of Law, he earned a Master of Laws.

Frank began his professional career as an attorney at law. He served as a State Representative in the Texas House of Representatives from 1977 to 1987. He was elected to the Texas Senate, serving from 1987 to 1993. In 1992, he was elected to the United States House of Representatives and served in Congress from 1993 to 1997.

Frank M. Tejeda was a devoted public servant who dedicated his entire life to making Southside San Antonio, the greater San Antonio-Bexar County metropolitan area, his South Texas congressional district, and the nation a better place for all to live. Education, youth athletics, civil rights, and veterans service organizations have honored Frank's service to the community. His extraordinary life will be a lasting inspiration to us all.

HIS LEGISLATIVE ACCOMPLISHMENTS

During the 103rd Congress, Congressman Frank M. Tejeda supported a strong national defense, community and economic development, expanded educational opportunities, crime control and enhanced veterans benefits. He advocated community participation. He was an outspoken supporter of local military bases and brought millions in additional federal funding for building construction and base maintenance. He strongly spoke in their favor during the 1993 and 1995 base closure deliberations.

To assist those who risked their lives for our nation, Frank introduced and helped pass legislation to expand veterans' educational benefits. He sought to expand health care access for veterans and others in Southern Bexar and surrounding counties. A believer in military-civilian cooperation, he sponsored and helped pass legislation to expand a program for training physician assistants at Fort Sam Houston and the University of Texas Health Science Center. He introduced a bill to expand the Fort Sam Houston National Cemetery to continue our tradition of honoring those who served their country. Congress incorporated it into legislation that was signed into law by President Clinton.

Congressman Frank M. Tejeda was concerned about the health and safety of the communities he represented in Congress. During his district work periods, he worked with local elected officials and community leaders to secure crucial federal funding for many worthwhile projects. A few of these projects included securing funding for the construction of a new VA Outpatient Clinic in Southeast San Antonio, securing additional funding for a public health clinic in Duval County, and the construction of numerous clean water and sanitary sewer systems. Alarmed by the contamination of soil at the San Antonio Alamodome site, he called upon the Environmental Protection Agency for assistance and he formed a special committee of community leaders and representatives to identify solutions. His concern for the small farmer and rancher was demonstrated through his efforts to provide assistance for agricultural producers. Frank promoted and worked for the preservation of the historical landmarks and natural resources in San Antonio, and he secured federal funding for the construction of the National Park Services Mission San José Visitor Center.

During the 104th Congress, Congressman Frank M. Tejeda focused his attention on the specific needs of veterans, farmers and ranchers, and communities without access to potable water. He achieved these goals through legislation signed into law, grants for drought relief, and funds to add or improve water infrastructure in underserved communities in the 28th Congressional District of Texas.

Frank successfully achieved congressional approval of legislation to permanently expand GI bill education benefits for veterans pursuing teaching certificates through state-approved alternative certification programs. VA education benefits were limited to certification programs affiliated with colleges and universities, and excluded certification programs administered by a regional service center or large school district. His legislation eliminated that barrier so veterans could consider the transition to the teaching profession upon their discharge from the military.

Veterans' access to health care is a high priority to Congress Frank M. Tejeda, who worked closely with Department of Veterans Affairs Secretary Jesse Brown to open an outpatient medical care clinic in Southern Bexar County. The clinic, which broke ground on December 8, 1995, will provide access to service to the more than 67,000 veterans who live in Bexar, Atascosa, Frio, and Wilson Counties. This expansion of VA medical care in South Texas is made possible by savings generated from the consolidation of duplicative administrative and other functions at Audie L. Murphy Memorial Veterans Hospital and the Kerrville VA medical facility, one of 16 nationwide management integrations to enhance medical services to veterans and reduce administrative costs.

The prolonged drought in South Texas severely affected South Texas farmers and ranchers. Frank worked tenaciously to get the USDA to expedite primary emergency disaster area designations for most countries in his South Texas congressional district. In an unprecedented move USDA Secretary Dan Glickman acted on Frank's recommendation to separate Starr County's completed request for a disaster declaration, along with three other countries, from a group of 13 applications submitted by Texas Governor George Bush. Frank emphasized that "* * * the policy of holding up one county's disaster declaration until all applications are complete leads to unfair and unnecessary delay. Each county should be considered as soon as possible on the merits of its application without regard to the status of other countries submitted by a state governor at the same time." Secretary Glickman concurred and signed Starr County's designation to receive primary disaster for loses caused by drought and high winds.

Congressman Frank M. Tejeda also garnered $1.3 million out of $9 million in unused USDA disaster assistance funds to help South Texas cope with sustained drought. Four South Texas water projects in Frio, Jim Hogg, and Zapata Counties received a share of the unused funds to improve their respective water infrastructure projects.

HIS LEGACY

A position Frank valued more than any other elected office or seat he ever held was that of being father to his three children—two daughters, Marissa and Sonya, and a son, Frank II (whom he affectionately called Frankie). Although his duties in public office took him away from his children frequently, he made it a point to spend time with them when he was home. He enjoyed sharing the news of their accomplishments and endeavors with others. He was especially fond of watching his son play soccer.

He leaves, to cherish his memory, his three beloved children; their mother, Celia Tejeda; his mother, Lillie Tejeda; a sister, Mary Alice Lara; three brothers, Juan Tejeda, Ernest Tejeda, and Richard Tejeda, all of San Antonio. In addition, he has a host of aunts, uncles, nieces, nephews, cousins, and other relatives. Frank M. Tejeda will be missed greatly by his many friends, honored past and current legislative colleagues, his fellow Marines, his faithful constituents, and his loyal and dedicated staff.

The warmth of Frank's memory leaves me with a great deal of comfort, but his loss I think leaves us all with a painful void.

Frank, I don't say goodbye to you this day, but as a friend and a fellow marine veteran I simply say semper fi. May your spirit live on forever, and I know it will.

□ 1415

I thank my friend for his remarks.

Let me now yield to someone who knew Frank well, who happens to be the chairman of the Subcommittee on Military Procurement of the Committee on National Security, someone who also has a long and distinguished career, not just in the House of Representatives, but in serving this country in the military, a friend of all of ours, the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I thank my friend for those gracious words. But when I compare my brief career in the military in which I went to Vietnam, and basically the best thing that could be said about me was I showed up, when you compare that with Frank Tejeda, who showed such tremendous leadership, it pales by comparison.

I want to thank my friend for taking out this special order and all of my friends who spoke. I came from an appointment in my office. I did not get to listen to everybody, but I know what you said, because we all knew Frank. And I know many people have talked about his wonderful accomplishments. But it occurs to me, probably Frank Tejeda's value to all of us and his greatness was reflected probably not in what he did, because a lot of lesser Members of Congress have done some things legislatively, but Frank's greatness I think was in what he was.

I reflected back on my times in the service and my time, my service here on the Hill. And over your life, you have certain times when you have a group of people about you when you are working for a common cause when you have a sense of community, a sense of brotherhood, a sense of friendship that is very gratifying. And that is the sense that I always had when I worked with Frank Tejeda, because that is what he inspired.

I am reminded that I guess it was Alexis de Tocqueville who in analyzing what made the United States so unusual, is a historian of several hundreds of years ago, finally came to the conclusion that America was great. He said America is good because our people are good and because we have certain people who are just extraordinary.

Frank Tejeda was one of those good people. He was a person who was so devoid of prejudice or unfairness or ego, a problem which I think affects all of us at one time or another, that you could always count on him for a good decision. He was an honest broker that people could go to, that they could look to, and what a role model for us in these difficult times when we get a little bit partisan.

I have always enjoyed being partisan and the battles we have had on the House floor and in committee, and sometimes we get a little heated. And you know I am glad that my good friend, the gentleman from North Carolina [Mr. COBLE], is in the chair right now. He is one of those people that has a little bit of Frank Tejeda quality that sometimes when we are a little bit heated and when we step over the line a little bit, perhaps become a little bit personal. It would not be bad for us to always remember Frank, a guy who I think it was Silveriuz who said that still waters run deep. What a deep person, what a person who was often still, but so valuable to this body and to us as Members. I would hope that we could follow Frank's example and remember the great modern American portrait role model that Frank was.

One thing about Vietnam was that this era of Vietnam did not produce—and I think probably with the help of the American media—did not produce many role models, because the Vietnam war was an unpopular war for the American media and there are not a lot of leaders who were given a lot of publicity. Frank in his quiet way was perhaps one of the greatest role models to come from the Vietnam era. Frank was a man who could have carried a national office with great dignity and with great expertise and capability.

So I thank my friend for allowing me to take a little bit of this time, and I thank all of my friends who talked about Frank. Let us all work in his example and in the great light that he

shed over this body, which I hope will continue to illuminate us in his memory.

Mr. BECERRA. I thank my colleague from California for his words.

Let me now turn to a good friend and a distinguished Member of this body, the Representative from American Samoa [Mr. FALEOMAVAEGA].

Mr. FALEOMAVAEGA. Mr. Speaker, I too would like to join my good friend from California for his kind remarks made about our great friend and colleague, Congressman Frank Tejeda. I remember Frank once saying that he was just a grunt. As a Vietnam veteran, I would like to join my friend from California in saying we were just grunts compared to Frank's accomplishments and certainly for his value and bravery for which he was awarded the Silver Star, the Purple Heart, the Bronze Star and the Marine Commandant's Trophy, the Marine Corps Association Award, and the Colonel Phil Yeckel Award for the best combined record in leadership, academics, and physical fitness during the time which he was in Officer's Candidate School, where he maintained an academic average in the 99.6 percentile, the highest ever recorded in Marine Corps history.

Mr. Speaker, Congressman Tejeda was a warrior and a true hero of our Nation. Because of his tenacity, because of his leadership, and because of his generosity, and because he never forgot where he came from, Congressman Tejeda was loved and respected by the people he served.

One of his constituents said of him, and I quote:

> Even though he spent many years in Washington, his heart was always in San Antonio. He was a community man. Congressman Tejeda never lost touch with the family, friends and constituents who worked on behalf of his political success. He continued to make a home in the neighborhood where he grew up.

He was generous with everyone, generous with his time and generous with his talents. There are countless stories of how he took money from his own pocket to provide uniforms for local baseball teams, how he cosigned notes to pay power bills so that the lights could remain on at the field, how he took out loans to meet medical expenses for his friends, how he bought the furniture for the day care center at the local church.

Mr. Speaker, the list of his good deeds goes on and on. His generosity of spirit is well known. He was a mentor to many young people. He has gained political stature. He had made sure he helped young, aspiring leaders. He opened up windows of opportunity. As Under Secretary of the Army, Joe Reeder said of him, and I quote: He was a great role model, a great advocate for Hispanics, and a great advocate for veterans.

The gentleman from Texas [Mr. BONILLA] concurred by adding this remark, and I quote: Frank Tejeda represented all that is good about America. He always led by example, and his character, dignity inspired all who met him. He was a genuine American hero, Mr. Speaker.

Our good friend and a dean from the Texas delegation, the gentleman from Texas [Mr. GONZALEZ], members of the Congressional Hispanic Caucus and chairman, my good friend and colleague, the gentleman from California [Mr. BECERRA], the gentleman from Texas [Mr. ORTIZ], Henry Cisneros, and many other distinguished leaders have all spoken of a great loss, both personal and communal, because of this untimely death.

The Hispanic community has lost a great man, Mr. Speaker, a great leader and a great warrior. As former HUD Secretary Henry Cisneros said, and I quote: You do not find many public officials who stand for anything. Frank Tejeda took stands, end of quote.

Whether we remember the war hero, the antipoverty activist, the brilliant attorney, the crusading State legislator and the dedicated U.S. Congressman, Mr. Speaker, the role model for our youth, the compassionate and general member of the community, the fighter for justice and equality, the good friend whose personal warmth was always evident, and of any of the other remarkable aspects of this man, we all mourn his loss.

So, Mr. Speaker, we mourn the loss to Texas, the loss to the Hispanic community, the loss finally to all of America. We will all miss the presence and the leadership of my good friend and colleague, the late Congressman, Frank Tejeda.

Mr. BECERRA. I thank my friend for his kind remarks.

Members of the Tejeda family, mother Lillie; children Marissa, Sonya, Frank, III; Members of the US Congress; Governor; Colleagues of the Tex. Legisl. Distinguished guests, friends. It is a great honor to be able to speak about Frank M. Tejeda, Jr.

Frank Mariano Tejeda, Jr. was born to loving parents Frank and Lillie Tejeda Oct. 2, 1945, on his dad's birthday. He was born at 708 Pleasanton Road, on the south side of San Antonio.

A baby boomer, born to a WWII disabled combat veteran, and his wife. From his dad and his loving mom, Frank learned an intense love of service to his country, his community. Since childhood Frank's dream was military service, as his dad had done before him.

His parents were loving and very involved in his upbringing. Guiding him in his faith and his daily living. His mom Lillie was and till his death continued to be the heart and hearth of the family. His dad taught Frank about the love of country, about discipline, about loving the land and by example, Frank's dad and mom taught Frank determination, and self-sacrifice.

Frank's mother and dad were by Frank's side, teaching, guiding and reinforcing the values of love of family, respect of self and of others, dedication to God, family and country.

The Tejedas sacrificed and sent Frank, Jr. to St. Leo Catholic grade school (the very school across the street) to be followed by his sister Mary Alice, and brothers Juan, Ernest and Richard. A natural leader, he was respected and admired by his classmates and the teachers. Back in the ''old days'' the teachers were mostly nuns.

Frank was developing his strong spirit and character. He was bright and he did well in his studies; yet, he also managed to get into mischief. He was not allowed to attend the eighth grade picnic because he had lead a group of students who showered the hallways with the fire extinguishers during an evening PTA meeting.

Frank was raised by his father to love the outdoors, and the military. The home on Pleasanton Road had pens for the dogs that ''Big Frank'' raised for hunting. Frank, Jr. learned about caring for the animals that they raised. Responsibility and love of the outdoors were among the values he learned.

Frank was devoted to his Catholic faith. As an altar boy, many mornings he would be here bright eyed and ready to serve the 6:00 AM Mass. Here in this church, on this altar, we served Mass for Priests like Fr. Ruiz, Fr. Ebisch, Fr. Singelton (no doubt they will recognize him in heaven) his devotion to the faith continued to his death.

Frank was much influenced by his father and other members of his family who served in the military. Many of us remember the pride and great pleasure he took in his toy soldiers and particularly the pleasure he enjoyed with the Fort Apache set.

The Tejedas loved music. Frank grew up listening to his father Frank senior and his uncle Rogelio (his padrino) play guitars and sing the ''corridos'' (ballads) about Mexican heroes and the old songs about men defending their rights, defending their pride. ''Las Polkas adding to the spirited evenings. We all shared many gatherings, ending with breakfast at one of the family homes.

The Tejedas were and to this day remain a closeknit family. They help each other, stand by each other and their extended families and friends. The importance of family, a value learned from good example.

All the Primos were athletic. Usually playing baseball or softball. Frank and his cousin Robert became legend in little league and pony league. His Primos Aurelio Jr., Roger and Henry were excellent athletes and were the stars of the show at the donkey-ball games.

Junior (Rodriguez) was among the family athletes. Frank played baseball for the St. Mary's baseball team, there too he was accepted as a leader.

Surrounded by aunts and uncles that were loving and supportive, Frank was rooted in the values of respect for self, respect for others and love of family and service to church and country.

After St. Leos, Frank attended Harlandale. He was often involved in fights with the elements of the school district that gave voice and action to bigotry. The intercom frequently called for A, B, C, and D, students and the ''Tejeda boys.'' Frank was always ready to defend himself, even against a counselor who ''called him an impudent trouble making Mexican.''

Teachers and counselors urged Frank to study the trades since he ''was intelligent and good with his hands''—the same Frank who earned a BA, a JD, and two masters degrees—St. Mary's, Berkley, Harvard, and Yale.

Frank was out of place in a school like Harlandale was then. He left high school in his senior year, just seventeen (17) years old. Frank's strong spirit had not been harnessed. He had dreams he had to fulfill. He decided to accept the challenge of ''joining the Marines.''

We all laughed when Frank candidly told of his enlistment. He thought that when he enlisted he would have weeks or months to relax, visit and proudly boast about joining

the Marine Corp. He recounted that instead he was handed papers and a ticket to board a flight to California that very same afternoon. He laughed and reported that he felt lonely on that flight to Camp Pendleton, in Calif.

Again his bearing and leadership became evident, despite the rough going during boot camp. He related how on one occasion his platoon was marching and a crusty old T.I. yelled that everyone else was out of step except for Tejeda. For a brief moment Frank swelled up with pride until he realized, too late, it was he who was out of step. The language with which he was told of his error can not be quoted here.

After boot camp, Frank embarked on what could have been a career in the Marines. He was the youngest marine staff sergeant to serve in Vietnam. He distinguished himself and earned the Bronze Star with ''V'' for valor and also earned the Purple Heart for his wounds. Frank subsequently pulled to safety, a wounded fellow marine. He was under fire; yet, he courageously tried to save his fellow marine. Frank pulled him out of peril and protected the wounded marine until further support arrived. This fact was not reported until recently, when one of the witnesses to this event saw Frank on national media. The witnesses who verified the event all thought Frank had been killed. Frank, has posthumously been awarded the recognition he earned. The Silver Star for gallantry in the face of enemy fire.

During his service in Vietnam, Frank and I corresponded. He reported that he and his fellow troops were very saddened by the fact that the ''folks back home'' were demonstrating against the war and heaping insult on returning soldiers, soldiers who had ''put their lives on the line.'' I encouraged him as much as I could and encouraged him to return home and go to college to develop that sharp mind even more.

After Vietnam Frank was offered officer training school. The Marines had recognized his worth and were anxious to have him as one of their leaders. Frank, instead, opted for a degree from St. Mary's U. Upon his attempt at admission I had to keep Frank from ''mopping the floor'' with the director of admissions who was more interested in technicalities than in Frank's merits.

In 1968 Frank and I worked for the S.A.N.Y.O. we became aware of rules that were unjust, e.g., if you spoke Spanish you were sent home for the day. Frank organized a protest and as a result the exec. director (a Priest) fired all eight (8) of us on Good Friday 1970. This was the beginning of Frank's activism.

We next worked for an organization known as the S.N.A.C. a 60's war on poverty program. Here Frank met many activists. Some he befriended, some he distanced himself from, but he respected them all and they in turn respected him.

At S.N.A.C. he met Edmundo M. Zaragoza. A Harlandale I.S.D. school teacher and thus began a close friendship that lasted until 8:25 p.m. on Thursday Jan. 30, 1997. Frank then guided Zaragoza to victory as the First Mexican American elected by the Mexican-American community in the Harlandale school district, thus began the ''southside coalition.'' This name was given to a group of young men who shared strong, personal friendship, shared many, many hours working for the common good of the southside. And more than anything else, they shared values and dreams.

The continuous collaboration among friends was built on mutual respect. Each friend (or relative) brought a different perspective or added a new element to the melting pot that became what is referred to as the ''southside coalition.''

Frank used his considerable leadership skills in keeping the community united. A community that shared his views, worked with him and ultimately gave life to common hopes.

Frank recognized that he needed additional education, so he earned the doctor of jurisprudence from Boalt Hall, in California, the masters in public administration at Harvard, and the masters in law at Yale.

At Berkeley, Frank befriended Tony Jimenez, at that time a long-haired radical who became the roommate of the conservative marine. ''Talk about the odd couple. Tony has been quoted on first seeing his roommate, as saying ''Holy mackeral, I made a mistake.'' Frank's reaction was ''just as stunned.'' They began a longterm friendship Tony, the Loyola grad, had requested an ''out of state Chicano'' roommate. He got one.

During law school Frank related taking his first sample test. He wrote his answer and tried to be humorous by adding at the end ''besides that's life.'' Frank recalled that the professor was not amused noting that Mr. Tejeda was not welcome to add commentary. No question Frank learned from this ''sample'' he was the only Hispanic that earned an honors grade his first semester. Tony was the ''eager beaver'' student who raised his hand too often and answered questions, which caused the professor to take note of those in his immediate area. Frank informed Tony that if Tony raised his hand and brought the heat one more time, Frank would break Tony's hand. Tony did not bring the heat again.

During their studies at Berkeley, there was a madman who was hacking people to death. He was killing nonminorities only. Tony and Frank would on return to their apartment late at night sing Mexican songs, loudly if not well, to make sure that the ''hacker'' (who would pounce from alleys) did not make a mistake. Frank was courageous, but not foolish.

During law school Frank married Celia Gaitan, who lived across the street from the Longorias. He had been spending much time at the Longoria home obviously it was not just to see his friend. Of this marriage came his pride and joys: Marissa, Sonya, and Frank, III (Frankie). Frank and Celia gave their children love and guidance. The children are beautiful and were a special source of joy for Frank. The many hopes that Frank had for his children (his deep hope to see all his children finish high school and college) must be realized. Sundays were family day. Special days for quality time as a family.

Frank had sharply honed his mind and as a former marine kept a sharply honed body. He launched himself into pubic service with the help of trusted friends and relatives.

On the first meeting between Frank and Tony Dramburger (the well financed incumbent) Frank bluntly and confidently told Dramberger, he was going to beat Dramberger. His style was ''no brag just fact.'' And he did.

Frank served the southside community honorably and with distinction. He fought eloquently against parimutuel betting. His vision of a better community, did not include gambling. He wanted better things for the people of the southside and worked for it. Frank made his mark in the legislature. He championed bills that served veterans (the Veterans Land Act, the Purple Heart licenses among many bills) victims rights bills and other crime bills that helped make our communities safer.

In the Senate he continued to hold steady his course. He fought for the issues that were important. He would stand along and always held his ground, regardless of power of money.

During parimutuel battles twice Frank was offered briefcases and suit cases full of cash if he would vote his conscience but not speak his conscience. We all know that Frank refused to waver or give in to the temptation of money.

While Representatives at time spoke ''to hear themselves speak,'' Frank carefully listened to (a la E.F. Hutton) because he was respected and his fellows knew he was determined, courageous, honest and Christian.

In the Senate and in Congress Frank served as always, with honor and distinction. Honest and motivated by his true love of church, family and community.

Frank was generous with his time and with what material goods he had. He was generous to family, friends and community, placing community interest before person gain.

No festival, no Pop Warner team, no baseball team would suffer if Frank knew about their need. Families who couldn't bury their dead did not suffer if Frank knew about their need. School bands, fund raisers all of us knew about Frank. Flags for schools, PTA, Frank did it all. Many young people have college educations today because of Frank. Many more are assured of college educations in the future, because of Frank.

God gave Frank to his parents and family. They raised him, nurtured and helped develop his character and then shared him with us.

In turn Frank gave his family, friends and community love, caring and generosity. He gave leadership, hard work and hope. His generosity was uncommon in character.

Saint Matthew (Ch22 V34 speaks about the scholar of the law who tried to test Jesus and asked, ''Master what are the greatest commandments?'' Jesus replied, ''Love God above all else. And the second is love thy neighbor as yourself for the love of God. Then in C25 St. Matthew speaks of the judgment of nations: ''When the Son of Man comes in, His glory, and all the angels with Him, He will sit upon his glorious throne and all the nations will be assembled before Him.''

Frank Tejeda, Jr. son, brother, father, U.S. Congressman did many acts of kindness that will be unreported, will be uncounted. He lived his faith. He loved and served his God. Where he found hunger, he provided food, where he found thirst, he gave to drink, he welcomed the stranger, he cared for all those the least of our brothers.

He earned the respect of all his peers for his devotions to ''duty, honor, country.'' He personified the motto of his beloved Marine Corps. ''Semper Fidelis.'' He demonstrated the finest qualities of the Christian.

He did for the least of God's brothers and he did so with love and caring.

He will never be replaced; but he will forever stand as an example to be followed. God blessed him now he has inherited the kingdom prepared for him.

May Frank rest in peace.

Mr. BECERRA. Mr. Speaker, at this stage, if I may, I would like to take the final moments of our time that we have to just engage in some final remarks. I know that my good friend, the gentleman from Texas [Mr. ORTIZ], could easily have used up the hour, I know I could have used the hour just to praise the man we know as Frank Tejeda. But in the short time that we have, I think it is only fitting and perfectly fitting that Mr. ORTIZ and I have an opportunity to just reflect now, just perhaps more personally about the man that we are so trying to honor today.

Mr. ORTIZ. Mr. Speaker, I was reminiscing with some other Members a few

moments ago when Mr. BECERRA was relating to us here at this committee hearing involving veterans from Puerto Rico, he made a statement how Puerto Rico had lost a great number of men at this great battle and how they had to withdraw and retreat. And Frank asked Mr. BECERRA, would you yield to me? Mr. BECERRA was kind enough to yield to Mr. Tejeda, and he said, let me make a correction, Mr. BECERRA. Marines do not retreat, they do not withdraw, they regroup.

So even though Frank was a quiet man, a very reserved man, he had a great sense of humor.

Another time I remember that yesterday I was talking about his diet. Frank had a very special diet. No greasy food, no Cokes, no candy, no bread. So a friend of ours came to town, and he took us to a restaurant. And Frank asked him, do you have shrimp, and he said yes, I like to have boiled shrimp. He got an order of boiled shrimp and he got another one. Then he asked, what kind of steaks do you have? He did not eat red meat. He said tuna. He said, give me one tuna steak. And then he says, can I have another one? This is a fact.

The gentleman from New Mexico [Mr. RICHARDSON] and the gentleman from Arizona [Mr. PASTOR] were with us, and I began to feel sorry for the guy that was paying. He was another friend of ours. And then he said, do you have lobster? And he ordered lobster he ended up eating with a green salad. This was Frank Tejeda. He had not eaten all day. Many times we go to a restaurant, and he would order stuff that I could not eat. So I would eat all the grease, and Frank would eat all the good stuff.

But I will never forget the day when Frank came back, 1995 during the Hispanic Caucus dinner. Frank came back and I could see that Frank was a little depressed, you know. I could sense something was wrong. And I asked Frank, he would not tell me. Then after a while he said, I want to talk to you. He says, you know that I was diagnosed with a brain tumor, and they cannot perform surgery, and they gave me 3 months to live. And I said Frank, do not joke around like this with me. He says, I am not joking. Frank, we were sitting back at that corner when that day he got ill, it started with a headache, just a bland headache, and he says, I want an MRI. I said Frank, I have headaches every day. He said, I know my body. He did. He went back and he tried to—he had to convince three doctors to run an MRI on Frank.

□ 1430

The day he was coming back, he was called and told that he had been diagnosed with cancer. The good Lord gave Frank 13 additional months. Thank God that I learned a lot from a great American, Frank Tejeda.

Mr. BECERRA. I think, Mr. Speaker, that the gentleman has just epitomized Frank Tejeda. This is a man who could have been in the worst of pain, who could have been told moments ago that he had no more than 3 months to live, who could have known that the marine he was about to go run out there during rapid-fire, go out to save, had actually already perished, but yet he still went out there; who never had to really worry about expressing himself, because there was so much about him to express, but yet he never took it upon himself to say to anyone, feel sorry for me, be honored by my presence, recognize what I have accomplished, never once.

This is a guy who would, as you said, he would walk in, and that is the way I think we all remember him, he would come in and take his seat right next to you, and there we would see him, the gentlemen from Texas [Mr. ORTIZ] and Mr. Tejeda.

As the gentleman from California [Mr. MARTINEZ] also mentioned, you would see someone come in and sit next to you, then someone else would come, another person would leave. You were there, you were the anchors, and folks would come. We knew that the House of Representatives had a House that was righted because there was always that anchor there by the name of Frank Tejeda.

I think we can all learn a great deal. I know I have learned because I know he was not the friend to me as he was to you, but just in his silence you learned so much. I believe the word service takes on such a grand meaning when you look at someone like Frank Tejeda because in his modest, unassuming way he served, and he served so well. He did not have to tell people that he served so well. He just did it.

Mr. ORTIZ. His death really did not hit me until the day I came back, which was on a Tuesday, because that phone call that Frank always made did not come through. When we came here to the House Chamber, Frank was not around. But we know that he is in a better place. Frank, really his last days, he drew himself closer to God. Even though his future, there was a lot of uncertainty in his future, he had faith. He knew he was going to go to a better place.

Again, I would like to thank all our friends in this Chamber for recognizing and contributing to this special order that we have today honoring a great American, Frank Tejeda, and of course his great mother and relatives that are with us today.

Mr. BECERRA. To the family, let me also add my appreciation to the fact that they have been here, they have been very strong. To all the relatives who have taken the time to say a few words about Frank, I thank them as well.

I will close by saying the following. As we were driving in the bus to go to the funeral and on our way back to catch a plane to go to Washington, D.C., we drove through streets that reminded me a great deal of home. The neighborhoods that I saw in south San Antonio were very much like the neighborhoods in which I remember growing up.

To me it sent a very strong signal: This is a man who, modest in his ways, was doing a great deed and a great service for a community that oftentimes has never seen that type of champion. As much as he never boasted about going to the Harvards and Yales and Berkeleys of this world and getting educated, though he never boasted about the fact that he went out there and risked his life to save the life of another soldier, he was there. To me, seeing the context of his district sent home the message that this was really a man who knew his place, and I suspect he knows his place now that he is up there with the Lord.

On behalf of all those who had an opportunity to say some words and for those who were perhaps unable to have come but would have loved to have said some words, I say to Frank, we will miss you. There are many here who would like to speak for you in the future and we look forward to being able to do the words and deeds as well as you have done them for so many years.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to remember our friend, Congressman Frank Tejeda. Frank's commitment to his constituents, family and country was unparalleled. Often when we walked from our offices, in the Cannon House Office Building, to the Chamber, Frank expressed regret that there were not more hours in a day to accomplish his goals and serve his constituents. Sadly, the years afforded Frank were too short as well.

Yet, Frank made the most of the time he was given. His spectacular ascent from high school dropout to Member of Congress, alone, is eloquent testimony to his drive and dedication.

Frank's success derived from his renowned discipline. As a proud marine, this self-described ''grunt'' exemplified the American dream. His hard work and single-minded focus enabled him to overcome every obstacle, except the final hurdle of cancer. And, even then, Frank fought the good fight. Where most people would have retreated upon diagnosis, Frank fought to return to the work he loved—serving the people of Texas' 28th district.

Whether serving as a marine in Vietnam, obtaining his high school equivalency, completing graduate programs at Berkeley, Harvard, and Yale or representing his constituents, Frank tackled each challenge with a sure sense of responsibility.

Frank felt that he owed this country for providing him with opportunity. He repaid the perceived debt fully, by serving in war and in peace.

My condolences go out to Frank's family. We have lost a dear friend and colleague, but his children have lost a caring, devoted father. I hope that they find comfort in knowing how special he was.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to pay tribute and remember my friend, colleague, and a great American, Congressman Frank Tejeda. His untimely death is a great loss for the constituents of district 28, all of Texas, and the citizens of the United States.

Congressman Tejeda and I worked together for many years in many capacities. He and I

were colleagues in the Texas House and the Texas Senate. We were elected to this office in the same class in 1992.

He was a patriot, a Vietnam veteran who risked his life many times to defend his fellow marines. He was honored with many medals. He was a true American hero.

My colleague, Frank Tejeda, has been an example and role model for many people in many ways. He proved that you can achieve success with determination and hard work. He ended his life with the same quiet dignity he always showed.

Mr. Speaker, I overwhelmingly agree with my colleagues from Texas that we should honor Congressman Tejeda's memory and his family by naming a post office in San Antonio as the ''Frank Tejeda Post Office.'' I urge support for the passing of this resolution and we name this building for a great Texan-American.

My heart and prayers are with his family.

Mr. SANDLIN. Mr. Speaker, Frank Tejeda was a quiet and reserved man who truly embodied the spirit of all Americans. The grandson of Mexican immigrants, Tejeda, grew up on San Antonio's tough south side; a place he loved and a place that was always home. Frank Tejeda was an achiever, whether it was in his beloved south side neighborhood, a Vietnam jungle, ivy league universities, or the Halls of Congress. He was a leader, someone others looked up to and revered. Tejeda, who died Thursday after a long battle with brain cancer, was 51 years old.

At 17 years old Tejeda was expelled from school. Tejeda then joined the Marine Corps and soon found himself on the battlefields of Vietnam, something that would shape the rest of his life. During his Marine service, Tejeda earned a Bronze Star, the Commandant's Trophy, Marine Corps Association Award, the Colonel Phil Yeckel Award, and a Purple Heart. His proudest achievements were his military accolades.

The Marines were a way of life for Frank Tejeda and his service to his country did not end when he left Vietnam. Frank stayed in the Marine Corps and later went to officer candidate school where he earned the highest academic average in the history of the corps. Even in Congress, Tejeda was still a marine. He served as a major in the Marine Corps Reserve Capital Hill Unit. Sadly, his greatest military accolade might have come posthumously as he was awarded the Silver Star by Navy Secretary John Dalton at his funeral Monday.

The former high school dropout later returned to school and achieved academic prowess that some probably thought impossible. He earned his undergraduate degree at St. Mary's University. He then received his Juris Doctorate from Boalt Hall School of Law at the University of California-Berkeley. As great as these accomplishments were, his thirst for knowledge didn't let him stop there. Instead, his quest would take him to the two most hallowed universities in our Nation. First, he graduated with an L.L.B. from Yale and later he received his master's in public administration from Harvard's famed Kennedy School of Government.

Frank wanted to take his knowledge and help people less fortunate than he. He ran for the Texas Legislature and was first elected in 1976. He quickly made a name for himself in Austin where he was a strong advocate for minority issues and fought hard for his beloved south side. He served 10 years in the Texas House before winning election to the Texas Senate in 1986. In the senate, he helped draw the district he would eventually represent in Congress.

In 1992, Tejeda sought to be the first person to represent the newly drawn 28th Congressional District. The district encompasses south San Antonio and extends all the way to the Mexican border. His popularity on his native south side being what it is, no Democrat or Republican filed to run against Tejeda in either the primary or general elections. He received 87 percent of the vote against a Libertarian that November and was sworn into Congress in January 1993.

In Congress, Tejeda served on the National Security and Veterans Affairs Committees. Tejeda fought hard for a strong military and issues important to veterans. He was a strong advocate for Texas and Texas jobs. He continually fought for Kelly Air Force Base even after it was announced the base would close. Never wanting to lose touch with the people he represented, Tejeda went home to San Antonio every weekend.

Tejeda was a strong family man and a man of faith. Frank left behind his mother, Lillie Tejeda, his sister Mary Alice Lara, his two daughters and his son Frank Tejeda III. Although, Frank may no longer be with us, his presence is still being felt by not only San Antonians and Texans, but by all Americans. As our recently reelected President addressed our entire Nation he could not help but fondly reflect on the service this man of a humble background gave to our Nation. His presence was felt in the gallery as the Nation viewed his mother and sister, the way Frank would have wanted to see them, standing strong.

Frank Tejeda also touched me with his presence, although I didn't serve with him long. I am glad to say I knew this man who touched so many lives in a positive way. Frank Tejeda was a true Texas and American hero. I feel it is only proper that he was born and lies in the shadow of the Alamo.

Mr. GILMAN. Mr. Speaker, I rise to pay special tribute to Representative Frank Tejeda, who recently lost a long battle with brain cancer.

Frank touched many lives as evidenced by the 600 people who attended his funeral mass in San Antonio Monday and the 2,000 others outside the church. He was a man of great conviction and perseverance, a veteran who fought for his country in Vietnam, a leader in the Hispanic-American community of San Antonio and a credit to this governing body.

Throughout his life, Frank Tejeda embodied the qualities of a strong work ethic, rigorous discipline and great honor. During his 4-year tour of duty in Vietnam, Frank distinguished himself as a marine of the highest accord. Wounded in battle, he was awarded a Purple Heart and a Bronze Star, and continued while in Congress to serve the corps as a member of its reserves.

After his stint in Vietnam, Frank showed great strength of character in attaining his education. Despite dropping out of high school at the age of 17, he displayed the value of an education by earning degrees from such esteemed institutions as Saint Mary's University in San Antonio, the University of California-Berkeley, Yale University, and the Kennedy School of Government at Harvard.

As a public servant, Frank always placed the needs of his constituents first. As a member of the Texas State Legislature for 16 years, he was a strong advocate for veterans' rights and the victims of violent crimes. He also fought for minorities in South San Antonio, assisting minority-and woman-owned businesses, and promoting measures to ensure voting rights for minorities.

In his election to Congress in 1992, Frank earned the distinction of being the first freshman to be elected to Congress without opposition from a major party. It was a testament to his rare legislating skills and his unparalleled stature in the community of South San Antonio.

While serving the people of the 28th District of Texas in Congress, Frank earned a reputation as a man of great leadership and vision. He represented the needs of the Hispanic community in his district with distinction. As a member of the National Security and Veterans' Affairs Committees, he used his unique background as a marine and a soldier of the highest acclaim to fight for the needs of our veterans.

Mr. Speaker, Congressman Frank Tejeda exemplified unmatched character and honor during his life. He will be greatly missed by this governing body.

I join in offering my condolences to the Tejeda family, including his three children—Marissa, Sonya, and Frank III.

Mr. BILIRAKIS. Mr. Speaker, I rise today to say goodbye to a friend. Although many Members of this body have risen and recounted what kind of man, legislator, and public servant Frank Tejeda was, I believe it certainly cannot be said enough.

I had the privilege of serving with Frank on the House Committee on Veterans' Affairs for 6 years. As a member of the Veterans' Affairs Committee, he was an ardent supporter of our Nation's veterans and their families, and it is little wonder why.

He joined the Marines when he was 17 and served for 4 years. During that time, Frank was sent to Vietnam and was awarded the Purple Heart, a Bronze Star, the Commandant's Trophy, the Marine Corps Association Award, and the Colonel Phil Yeckel Award for ''the best combined record in leadership, academics, and physical fitness.'' While in Congress, Frank continued to serve in the Marine Corps Reserve.

Frank was a true American patriot. His love and pride for his country was evident to all who knew him. when his country called, he answered and fought hard—putting his life on the line. He knew the price of freedom and did not shirk from it.

There is no question that he served the 28th District of Texas and the citizens of our country very well. I know he will be missed by all those who were fortunate to come into contact with him over the years.

We were all heartened at the way Frank remained strong during his battle with cancer. Whenever I saw him in a committee hearing or on the House floor, I realized just what kind of devotion and commitment he had for his service to his constituents and to his country.

Mr. Speaker, we will all miss Frank Tejeda. I know, however, that his work in this body will serve as a lasting tribute to a man who devoted his life to public service.

GENERAL LEAVE

Mr. BECERRA. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days within which to revise and extend their remarks on this special order in honor of the late but great Congressman Frank Tejeda.

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

There was no objection.

THE PRESIDENT'S EDUCATION INITIATIVE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York [Mrs. LOWEY] is recognized for 5 minutes.

Mrs. LOWEY. Mr. Speaker, I rise this afternoon in strong support of the President's education initiative. Working together, the Congress and the White House can ensure that every 8-year-old can read, every 12-year-old work the Internet, and every 18-year-old attend college. These are lofty goals. However, if we can fulfill them, we will help ensure that the 21st century, like the current one, is America's century.

Last night the President spoke of setting world-class educational standards. I wholeheartedly support this goal. Setting high standards means challenging our teachers and students to be the very best they can be. It means challenging business to support education. It means challenging legislators at every level to ensure that our schools have the resources they need to provide every child in America with a world-class education.

Mr. Speaker, I want to work with my colleagues on the Committee on Appropriations, Democrat and Republican, to ensure that the Federal Government lives up to its commitment to education.

In the President's State of the Union, the President announced the America Reads initiative, which will harness the volunteer spirit of our citizens and the knowledge of our Nation's educators to ensure that every fourth-grader can read on his or her own.

I am proud that a college in my district, Pace University, is one of the 60 colleges that has already pledged to place work-study students in tutoring programs. This initiative epitomizes the types of activities we all should encourage and support: students working their way through college by helping to improve the lives of their neighbors' children.

My home State of New York is well on its way to setting rigorous academic standards for all children. New York's plan will challenge every school to graduate every student with a diploma that businesses and colleges will recognize as proof of a rigorous education. Those local schools that struggle at first will be given a helping hand and a chance to improve, but no one gets a free pass. I would encourage other States to look at New York's plan as they work on their own State's standards.

Mr. Speaker, some of the greatest support for higher standards comes from teachers and parents, but they cannot turn things around on their own. They do need the Government's help to ensure that every school is prepared for new challenges that await them. Sadly, however, too many of our public schools are in no condition to meet these challenges.

I would hope that my colleagues would check the physical conditions of schools in their own area. I did, and found too many examples of unsafe conditions and serious overcrowding. Last year I released a GAO report, along with my colleague in the Senate, CAROL MOSELEY-BRAUN, that confirmed what too many students and teachers already know: that some of our Nation's schools are literally falling down. The problem is especially severe in New York City, where two-thirds of the schools reported that their environment is inadequate for learning. Right now, not far from this Capitol building, there are public schools that were temporarily closed because they are unsafe.

Mr. Speaker, the Nation's adults are letting our children down. That is wrong, and it must change. Last year I introduced the School Infrastructure Improvement Act, which would have provided interest subsidies to schools to make needed repairs. I also offered an amendment in the Committee on Appropriations to provide $150 million to make urgent repairs in the most dilapidated schools around the Nation. Local communities can sometimes find it just too tough to do it on their own and they need our help.

In response, the President has announced that his budget will include $5 billion to help finance $20 billion in school construction and repair over the next 4 years. This money can also be used to help link our schools to the Internet so that one day soon every 12-year-old will be able to walk into his classroom or school library and link up with the Library of Congress or a local university, or a national newspaper, or a student on the other side of the world. I am working closely with the President on this initiative and plan to introduce legislation to help make it happen.

The President's education vision also includes affordable college for every student. His plan includes a series of monumental student aid initiatives that will ensure that cost is no longer an obstacle to a college degree.

His $1,500 HOPE scholarships, available for 2 years of college, will put a community college degree within reach of every family. More than 4 million lower- and middle-income students would be helped by these scholarships. Families can opt instead for an annual $10,000 tax deduction to help send their sons and daughters to college. In addition, families could begin saving for their child's future college education while they are still young by opening a tax-free education saving account. These education IRA's will create investment capital for business now, and provide tax free withdrawals for college tuition down the road, when high school graduation rolls around. And as a mother of three grown children, I know that that time arrives before you know it.

I strongly support these targeted tax cuts to make college more affordable. In addition, the Federal Government must maintain its commitment to grant-based aid for those families and students struggling just to get by each day. The President recognizes this. That's why he has proposed to increase Pell grants from $2,700 to $3,000—the largest increase in Pell grants in two decades. Over 3.6 million students now eligible would receive a much needed $300 grant increase, and an additional 130,000 families could take advantage of the Pell program.

Practically everyone in this body went to college. That same opportunity should exist for all Americans. These proposals will help give them that opportunity.

Mr. Speaker, the President's education plan will make it clear once and for all that he is, indeed, the Education President. I hope that when the dust settles and the 105th Congress adjourns next year, this Congress will be known as the Education Congress. I will certainly do what I can to make that happen.

THE BALANCED BUDGET AMENDMENT AND SOCIAL SECURITY

The SPEAKER pro tempore (Mr. COBLE). Under the Speaker's announced policy of January 7, 1997, the gentleman from Wisconsin [Mr. NEUMANN] is recognized for 60 minutes as the designee of the majority leader.

Mr. NEUMANN. Mr. Speaker, we are here today really to talk about a very important issue. That is the issue of the balanced budget amendment and how Social Security relates to that issue.

TRIBUTE TO THE GREEN BAY PACKERS

Mr. Speaker, before I begin on that issue, I would like to take just a moment to pay special tribute to my idea of some real American heroes, the world champion Green Bay Packers. I would like to express our personal thanks to the players, Coach Holmgren, General Manager Ron Wolf, President Bob Harlan, and thousands of faithful friends all across this country and the Packers as a whole who have now reestablished themselves as world champions in the football world.

There is more to this than just the football world, and I think that is important. While winning the Super Bowl is exciting, far more credit should be given to the Green Bay players, who serve as role models for young people in our communities in Wisconsin. Parents can help their children understand the importance of living their values by pointing to role models who are also on this Green Bay Packers team, such as Reggie White. Reggie's success on the football field has not distorted his Judeo-Christian values. The fame he has earned as minister of defense has not led him to an immoral lifestyle. Instead, he has used his reputation and resources to help those in need. He has set his goals high and worked hard to reach them. He has kept his worldly fame in perspective, and has used it to share an eternal view.

I just want to add from a personal perspective, as a parent of three teenagers, it is truly a privilege to live in the great State of Wisconsin, where we have a world champion football team that also has players on it that as a parent we can point to those players and say, yes, they are the role models that we would like to see our children grow up like.

When I look at people like Reggie White, it is very easy for me to tell my 13-year-old son Matt that we would like to see you express some of those same values that Reggie White willingly shows after enduring some of the football games.

Mr. Speaker, as a lifelong fan, I am very proud of the accomplishments of the Green Bay Packers this season. I take even more pride in the character and integrity of the players and coaches who use their lives to set an example for our young people in the great State of Wisconsin and elsewhere all across America.

That having been said, I would like to turn our attention and our focus to a very important issue facing our Nation today. We are about to begin in the House of Representatives the debate on the balanced budget amendment to the Constitution of the United States. I have heard a lot of people say, you do not really need an amendment to the Constitution, why do you not just balance the budget. Maybe I should start there.

The people who say we do not need an amendment to the Constitution of the United States just plain ignore the history around this city of Washington, D.C. In the Gramm-Rudman-Hollings Act, Gramm-Rudman-Hollings Act, II, the budget deal of 1990, and the budget deal of 1992, Congresses and Presidents have repeatedly promised the American people that we would stop spending our children's money, and all of those promises, one right after the next, have fallen way to too much spending in Washington, DC. We currently stand $5.3 trillion in debt. That translates into $20,000 for every man, woman, and child in the United States of America.

For a family of five like mine, I have three teenagers at home and my wife, the Federal Government has literally borrowed $100,000 over basically the last 15 years. Families of five like mine are going to pay about $600 every month, every month, to do nothing but pay the interest on the Federal debt. This is a practice that we as a nation must stop if we wish to preserve the future of this great Nation for our children. If we wish to preserve the financial integrity of the future of this country, we must stop spending more money than we have and more money than the Federal Government brings in.

To that end, the balanced budget amendment is being brought forward here in the next 30 days. I rise today to speak in favor of the balanced budget amendment, and talk about a very important issue as it relates to the balanced budget amendment, and that is Social Security. I brought some charts with me here to make sure that this issue is as clear as possible here today.

The first chart I brought with me shows the actual dollars being collected out of the paychecks of all Americans and put into the Social Security trust fund. Today the Social Security account is literally going to collect $418 billion from the taxpayers in the United States of America. They are going to write out checks to our senior citizens for Social Security in the amount of about $353 billion. They are collecting $418, they are writing out checks for $353.

□ 1445

That leaves a $65 billion surplus in what they are collecting in the Social Security system. The idea is we are supposed to establish a big kitty of money. This kitty of money is to be used when there is not enough money coming in.

When the babyboom generation gets to retirement, sometime between now and the year 2012, the money coming in will be less than the money going out. And the idea is that, if we set this $65 billion aside, that money will then be there in a savings account so when there is a shortfall in the money coming in, we can go to the savings, get the money and continue making the payments to our senior citizens. That is how the system is supposed to work.

It has been set up that way since 1983. Collect more money than we are paying back out to our seniors in benefits, put it aside into a savings. After a period of time the savings account gets large enough so when there is a shortfall in the Social Security system, either because of a downturn in the economy or we reach the year 2012, whichever occurs first, we can then go to the savings account, get the money and continue making payments to our senior citizens. Unfortunately, that is not quite what we are doing with our Social Security money today.

In fact what we are doing today is we are taking that $65 billion, we are putting it into a big Government checkbook; that is to say, we are putting it in the Government's general account. We all know the Government spends more than what they have in their general account each year, so what we are really doing is overdrawing the big Government checkbook. So we are taking that $65 billion, putting it into the big Government checkbook that is overdrawn.

Of course at the end of the year there is no money to really put in the Social Security trust fund. So what we do instead is simply write an IOU to the Social Security trust fund.

I have proposed legislation out here, that is the reason I am rising today. It is called the Social Security Preservation Act, the Social Security Preservation Act. Here is what the Social Security Preservation Act does. It very simply takes that $65 billion and puts it directly down here in the Social Security trust fund. To me this is common sense. I come from a business world, not the political world. In the business world if we tell people that we have a pension fund that we expect to make payments to you in the future and I need to set money aside for it, I cannot set aside IOU's. I have to set aside real dollars.

The Social Security Preservation Act would require that the Federal Government set aside real dollars as opposed to spending those dollars on other government programs and then putting nothing but IOU's into the Social Security trust fund. It is very important we do this because when there is a shortfall in our ability to pay our checks to our senior citizens, when that happens we are going to need a savings account to go to in order to keep making the payments to our senior citizens.

So the Social Security Preservation Act is very, very straightforward. It simply says that that money that is being collected for Social Security be left in the Social Security trust fund as opposed to being spent on other Government programs. Make no mistake about it. Today, today that surplus Social Security money is being spent on other Government programs.

I said when I started that we were rising to talk about the balanced budget amendment and how Social Security relates to it. So let me go next to how this picture fits in with balancing the Federal budget.

When the Federal Government reports the debt each year or, rather, the deficit, that is the amount the Government is spending more than it is taking in. It is literally reporting the debt after it uses the Social Security trust fund money. This is a slightly less than honest way of reporting to the American people what is really going on in our budget.

Let me make this perfectly clear: In the year 1996, we reported a deficit to the American people of $106 billion. We did not tell the American people that, in addition to that $106 billion, we spent $65 billion out of the Social Security trust fund. So when we report the deficit to the American people today, what we are doing is reporting the deficit after we take the money out of the Social Security trust fund. That is wrong. That practice needs to be stopped, and it is time that we the American people demand that Congress act responsibly and start reporting an honest deficit to the American people.

The deficit last year was not really just the blue area which was reported to the American people, the blue area in this chart. Rather, it was the blue area plus the red area because that money belonged set aside in the Social Security trust fund. Let me go to the next step and talk about the balanced budget amendment to the Constitution of the United States.

When we pass a balanced budget amendment to the Constitution of the

United States, what we are really saying to the American people is that we are going to take that blue area and reduce it to zero. We are still going to be using the Social Security trust fund money when we say we are reaching a balanced budget. This is wrong. This practice should not continue.

Let us talk about why this is going on in our Nation today. The President talked about a budget last night in his State of the Union Address. When the President talks about balancing the budget in the year 2002, let me make this 100 percent clear, when the President says he is going to balance the budget in the year 2002, what he means is he is going to balance the budget by taking $104 billion out of the Social Security trust fund. If that is your idea of a balanced budget, it surely is not my idea of a balanced budget.

For the last 12 years, since 1983, year in and year out, this Congress has been reporting a deficit that uses the Social Security surplus money to mask or to reduce the true size or the appearance of the deficit. So let me again make it clear that, when the President proposes a balanced budget in the year 2002, what he is not telling the American people is that he fully intends to use $104 billion out of the Social Security trust fund to make the budget appear as if it is balanced.

This is the practice that must be stopped and our Social Security Preservation Act is the bill, is the piece of legislation that would stop it.

Let me go a step further. There are two ways that we can correct this issue. There are two ways that we can solve this problem. There are two ways that we can stop the Federal Government from taking the money that is supposed to be set aside for Social Security and spending it on other Government programs.

One way we can do it is to fix the constitutional amendment so that when we amend the Constitution, it says to balance the budget but you cannot use the Social Security money to do it. That is one way we could fix it.

A second way is not a balanced budget amendment to the Constitution but, rather, through the balanced budget amendment to the Constitution, but rather do it legislatively. Legislatively it is a very relatively simple matter to solve the problem. We simply say that the nonnegotiable Treasury bonds or the IOU's that are currently being put into the trust fund must be negotiable instruments or negotiable Treasury bonds. If we do that, what happens effectively is that we are now required to report the true deficit to the people of our Nation. And if we report the true deficit to the people in our Nation and then we balance the budget, we will at that time balance the budget without using the Social Security trust fund money.

I know there are a lot of viewers out there in America watching this today. I have to tell you something. This is not going to change because Mark Neumann stands up here and talks about it in Washington, DC. This is only going to change if the American people get actively involved in this process. What we need the viewers to do is to call their Members of Congress and ask them to become cosponsors of the Social Security Preservation Act. It is extremely important that you do this in the near future. If they do not hear from the American people, this will not come about.

We all need to understand, when this comes about, there is $104 billion of wasteful Washington spending that must be stopped. So we need to understand that this is not the most desirable Washington kind of bill that has ever been introduced. But if the American people honestly believe that we should not be using the Social Security trust fund money to balance the budget, remember when the President proposes this, he proposes that we use the $104 billion out of the Social Security trust fund. If you all think that is wrong, then you need to get in touch with your Members of Congress and let them know that you want them to be original cosponsors on the Social Security Preservation Act.

I see my friend from the State of Washington has joined me here today.

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

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

The SPEAKER pro tempore. (Mr. COBLE). The gentleman from Wisconsin is reminded to restrict his remarks to the Chair and not address the viewing audience.

The Chair recognizes the gentleman from Washington [Mr. METCALF].

Mr. NEUMANN. Mr. Speaker, I apologize.

Mr. METCALF. Mr. Speaker, I wanted to comment on this specifically because I am one of the seniors we are talking about. I know, I know a lot about how they feel about this issue. The seniors that understand it are irate that their money is not being there collecting interest with negotiable instruments but it is being taken out to mask the size of the deficit. That is to fool the American people and tell them, let them think that the deficit is much smaller than it actually is. In the year 2002, when we arrive there, we are still going to be over $100 billion a year still in a deficit position unless we fix this and a couple of other things.

I think we need to be honest with the seniors. It is their money. They paid it in. They trusted the government to have that money there when they need it and the sign says it is about honesty. That is exactly what it is about.

We have to be honest with the American people. The problem is the Congress has over the years tried to obfuscate and confuse the issue of the deficit, and it is time that we stand up and say what it is and be honest about it and then we can work toward an equitable solution in the long run.

I say it is absolutely essential to be honest with the seniors and to get that money taken off budget so it is there for the seniors when they need it. It does not change the ultimate outcome any because when we get to the year 2002, we are still going to be two or three years beyond that before we can really get the budget balanced under the present plan.

Mr. NEUMANN. If I could just interrupt briefly here, the good news is that we can do this without any dramatic changes in the overall budget process. I had some people in our conference even say to me, where are you going to get that extra money from. The reality is, because the economy is doing better than was originally anticipated, if we put the exact same budget on the floor of the House of Representatives that passed through here last year, it already got enough votes to pass. If we put that same bill on the floor, we can at least start setting aside the principal in the Social Security trust fund without doing anything different than we did before. Why is that? That is because the economy is performing better than was anticipated last March. So the difference between the March and January, where we are at right now today because the economy is doing better, if we pass the same spending levels that we had last year, we will in fact be able to put the Social Security trust fund aside without doing any additional cuts. What we are really saying is that that additional revenue that is being generated because the economy is doing better, we just cannot go and spend that money on other wasteful Washington spending.

Mr. METCALF. Mr. Speaker, that is the point. This is something that we have an opportunity here, we have an opportunity that is given us. And in the past, when we have had these little extra amounts of money, they just got spent.

That is absolutely immoral when we are desperately struggling to balance the budget. Here is a chance that we have, and I say that we must keep faith with the seniors and we must do this. I very much appreciate Congressman NEUMANN's actions in helping to bring this before us.

Mr. NEUMANN. We are not alone on this. There are a lot of especially Members of last year's freshman class that are working very, very hard on this issue. I sure appreciate the support. And more importantly, this is an issue for the American people.

The other thing that I would mention is, you mentioned that the senior citizens are irate. When senior citizens find out about this issue, last year they sent in 60,000 letters in support of this bill. When I introduced it the first year in Congress, my first year here in 1995, when I first introduced it, I was basically a lone voice. When people started finding out that in fact this Social Security trust fund money was being spent to mask the true size of the deficit and in fact that in the President's

budget proposal, in the President's budget proposal he intends to use this Social Security surplus money, the $104 billion right straight out of the Social Security fund, he intends to use that to make it look like the budget is balanced, when the senior citizens across America found out what was going on, we received 60,000 letters in 1996. And I have already received 25,000 letters of support of this bill from across America. I have them in my hands.

So the senior citizens are very much in support of this legislation. I urge my colleagues to join me in support of the Social Security Preservation Act.

I yield to the gentleman from Indiana, [Mr. SOUDER].

Mr. SOUDER. Mr. Speaker, I thought this was the Green Bay Packers special order.

Mr. NEUMANN. We did do the Green Bay Packer special order. I would be happy to do it again. We do have the world champion Green Bay Packers in Wisconsin, and we are very proud of them.

Mr. SOUDER. The Pack is back, and I appreciate your cheerleading for that. When we were over in Israel, you had this special Green Bay Packers flag you brought over there. You wanted to get a picture with the Prime Minister with it. You have been a Packer enthusiast for so long, it is great to see them back.

Mr. NEUMANN. As I said in my original remarks here today, it is more than just about football. It is about people achieving excellence and receiving the recognition that goes with achieving that excellence. And more importantly than that, it is about having a team with people on it that we can, as parents, point to and say, that is the role model I would like to have my kids see growing up. We have people like Reggie White, who are not afraid to show the Judeo-Christian value system that our young people can look to and say, that is how I want to turn out, too.

Mr. SOUDER. Many of the themes that we have in community involvement and individual involvement to see a small size city owned by many people and the commitment to that in this day and age of transient commitments and that type of thing is very refreshing. But I also wanted to support your efforts on the Social Security off budget bill that you have introduced and continue to work with.

If I could make a couple of points reiterating the points that you have made. That is, I have heard you make a number of these, even though I missed some of this presentation, so I assume there is some overlap but I want to say amen to what you have been doing and taking leadership, along with Congressman DAVID MCINTOSH of Indiana.

□ 1500

And that is that a lot of this is a question of integrity. And a lot of the reason many of us came to Washington is we were unhappy with the way things were being done.

We still have many attorneys here, some of us are not attorneys, and quite proud of that fact. It is a good blend to have in it. You were in the housing business, I was in the retail business, and if we take something that is supposed to be a pension fund, we have to have it funded at more than 100 percent in a bank account or we go to jail.

Now, Congress has conveniently exempted themselves from that type of coverage or we would be in prison, because you have a specific amount coming out for FICA. It is called a trust fund. We have passed separate bills calling it a trust fund to act like it is there, but it is not. We spend it on other things. That is a question of integrity.

Now, many people stand up here, including our distinguished President last night, and challenged us about Social Security and this question. But one thing that happens in Washington, I am not saying him or anybody in particular, but talk is real cheap. You can go like this pretty easily. The question is, What are the actions? What are you actually doing?

You are standing down there in the well. You have introduced this bill in the last Congress. It is not something you just invented as a tactical maneuver for the balanced budget debate. You presented a budget to this Congress that I and 88 others voted for that had Social Security off budget, proving that it can be done. We did not just talk, we acted.

A number of us voted against our party's budget last year because we were concerned that the additional spending was being spent. Excuse me, when they had additional revenue coming in, instead of putting it on the deficit, they spent it. So we voted against that budget. We have been consistent in trying to hold against that.

We also got ourselves in a little trouble by coming down with a 1.9-percent amendment to actually reduce the spending. Many of the people who are now saying, oh, let us take this $65 billion this year and take it off budget. Where were they? Now, some of them were there from the other party as well as our party, but many of them who have been talking about this, where were they on these tough decisions?

We have been there. You have been a leader with this. We are trying to do this. This is not something new we invented. This is not even new to us. I used to work for U.S. Senator DAN COATS. He introduced in 1980 in this body a bill to take Social Security off budget. This has been our party's initiative. We need to be in the forefront of this. This is fundamental principle.

I commend your leadership. There is no money there. Some people say, oh well, this does not replace all the funds and there are different ways we can do this. There is a new movie, this Jerry McGuire movie says, ''Show me the money. Where is it at?'' There is no money there.

Whether you are just coming into the system, whether you are a baby boomer, or a young person who views UFO's as twice more likely than that there will be money there in Social Security, this is a giant scam that most American people are working out. Maybe we cannot get the whole thing this year, but we want at least to get some steps, and we are down here pleading with our leadership, with the other body, to say we have an opportunity.

The President challenged us last night, many of the other party's leadership is challenging it. Hey, let us go do it. When they have a good idea, let us not argue over partisanship, let us say, hey, great idea, let us take Social Security off budget. We have been talking about this for years. Amen. Let us get it done.

So I commend your leadership, and we can continue to talk here and work with this, but I will yield back here and see if you want me to join at another point.

Mr. NEUMANN. Mr. Speaker, I see another good friend, my colleague from Oklahoma, Mr. COBURN.

Mr. COBURN. Mr. Speaker, I am glad to be here with you gentlemen. I just wanted to add a quote that was made in, I believe 1935, a Senator James Wadsworth asked, when they were contemplating the Social Security System, he said, ''In what kind of country are our grandchildren going to live? Shall it be a free country, or one in which the citizen is taught to be dependent upon the Government?''

We need to ask that question today, but we also need to ask another question. How can we continue to meet the current obligations of the Social Security system and the current obligations of the Federal Government as long as we continue to mask what the real problem is? We have to get back to being honest about our problems before we can ever hope to solve them.

The people in my district know we did not have a budget deficit of $104 billion last year. We had a budget deficit of $170 billion. We said that the entire time. First of all, one of the problems with the Congress is a crisis of confidence because we have not spoken the truth. The fact is we spent $170 billion more last year than we took in.

Part of that money was revenue that was raised and was supposed to be raised so at some point in the future we would be able to make the obligations under the Social Security system.

People in my district believe there should have been a trust fund established. Now, whether there was or not, we know there was not a trust fund established, but the expectation is that money should have been there and it should have been invested wisely. And the corollary, along with all the other moneys, had we invested them properly, we would not have this problem.

So the most important thing about your bill is the fact that we honestly deal with our problems. We owe it to the people of this country who are dependent on Social Security, we owe it

to the children who are not yet born who will be paying into this system to not mask our Federal deficit any longer by confusing the issue and not accounting for the money that we borrow, sometimes steal, that should have been allocated for the Social Security system.

So I want to encourage you. I think we have to have this as part of the solution to the problems on Social Security, but also part of the problem in solving the problem with our budget deficit and spending more than what we actually have.

Mr. NEUMANN. Mr. Speaker, I thank the gentleman, and I certainly could not agree with his comments more. It is about honesty, it is about integrity and being straightforward with the American people, certainly telling the American people we have a $107 billion deficit, and then going and getting $65 billion more out of the Social Security trust fund.

That is inappropriate behavior and has been going on since 1983, I might add. And now it is incumbent upon the Republicans to stop this practice from continuing as we go forward. It is our job as Republicans not to look the other way from a practice that is clearly wrong and just let it go on. It is our job as Republicans to turn this thing around and let us start doing it right, let us start setting that money aside.

I might just add that if this had been done right over the last 12 or 14 years here, there would currently be $550 billion sitting aside in the Social Security trust fund today, and the amount would grow by $65 billion in this year alone. So it would be up over $600 billion in a savings account to protect the Social Security system for our senior citizens right now, today.

I would add one more step. I have not forgotten about that $600 billion. It is not in my bill currently, but we did have legislation on the floor last year, and it will be reintroduced, that we would be able to pay that $600 billion back to the Social Security trust fund to get this fund solvent the way it is supposed to be.

The way we would do that is pretty straightforward. After we reach a balanced budget, we would recommend that we cap spending increases at the Federal Government level at a rate 1 percent below the rate of revenue growth. So if revenue goes up by 5 percent—remember, revenue goes up because of inflation and real growth in the economy—so if revenue goes up by 5 percent, we would simply cap Government spending increases at 4 percent, probably still faster than the rate of inflation.

Since spending is going up, if you have a balanced budget, spending goes up slower than revenue growth, you have created a small surplus. And that surplus, of course, grows each year that you follow this program. That surplus is the money that we need to put the funds back into the trust fund that was supposed to have been put there over the last 15 years, and then reassure the solvency of the Social Security trust fund.

Mr. COBURN. One other thing that I think is important that I would want the American public to know, is we cannot let chairmen of committees not speak truthfully about this problem. It is important that they ask the question of their elected representative of the truth about whether or not the deficit is really $107 billion or is it more than that.

It is also important that they ask their representative when they go to vote on the budget whether or not we took that into consideration as we considered that budget, and not allow the politics as usual, the careerism, to wave this off and say this is a nonissue. This is at the heart of the issue: being honest about what our real problems are so we can attack and solve them, not just for us and not just for those seniors today, but for the children and the young people who are going to be seniors tomorrow.

Mr. SOUDER. Mr. Speaker, I wanted to ask the gentleman from Wisconsin, to draw out a point here, and that is that people who have followed this debate understand this, and I assume that it has been touched on and we have talked around it here, but the reason there is a surplus is because there are more people paying in now, but we are headed to a point down the road here where there is not going to be enough money and we will have a big shortfall.

Mr. NEUMANN. Right. Today, there are three people for every one person drawing out of the Social Security system. By the year 2010 it will be two people for every one person drawing out.

You can see how that very rapidly reaches a point where you cannot take enough money out of that one paycheck, or those two paychecks, to pay one person's Social Security. That is the problem. Long term, there is a shortfall and we have an inability to pay the amount out in Social Security that has been promised to our senior citizens.

This really brings into the discussion the people that are in their 40s and 50s. This honesty issue and this reporting it straightforward and setting the money aside, it is not only about the senior citizens of today, it is about people in their forties and fifties who are today putting about $12 out of every $100 they earn into this Social Security account with the expectation that when they get there, when they are 65, 66, 67, that they will then receive their Social Security checks. You see, if we do not accumulate this kitty the money will not be there to make good on their checks.

I can give my colleagues some dates on this. By the year 2012, in the year 2012 there is no longer enough money coming in to make the payments back out, and that assumes a solid economy. That is kind of a best case scenario. And we all know in Washington when they give you a best case scenario, we are probably looking at the year 2005, 2006.

This is not a long-term problem but rather it is a very short-term problem. And I would just add it could be shorter than that. If we had an economic downturn next year, and it was reasonably severe, we could hit a shortfall in the Social Security account as early as next year if the economy were to go into a recession.

That is why I am so concerned that this issue get addressed right now, today, in this year's budget.

Mr. SOUDER. There are other things compounding this as well, and correct me and add to this if you have additional information, and that is that people are living longer than originally projected in Social Security.

Furthermore, the longer you live, and Congressman COBURN, as a doctor, knows this, there are more things that go wrong that are very expensive. It is one thing to replace your heart once, multiple times, other organs, but we have incorporated other programs inside Social Security. And so those who just say we can handle this on a cash basis are a little naive.

Other people say, well, if you just bump the age of retirement a couple more years, that would fix it. But look at this assumption they have. That assumes there is no change in the age that people are dying. If you bump the retirement age by 2 years but through health advances they die 4 years later, we are actually facing a bigger shortfall than we currently have.

A lot of the things that are trying to be put out to explain away this problem are actually good arguments that it could be much worse than it actually is.

Mr. COBURN. Well, thank goodness for our health care system, because in fact we have increased longevity to a tremendous amount, and that has been a detriment on the Social Security trust fund in terms of how they calculated what was going to be needed.

But we should not get tied up in that issue. The issue is, is it ethical to say that our deficit is $107 billion when in fact it is $172 billion. That is why people lack confidence in this body, is because we do not have the courage to oftentimes make the tough decisions because we will not face up to the facts.

The American public needs to know that the deficit is much larger than what they have been taught and it is much larger because of moneys borrowed from payments into the Social Security system. It needs to stop. It needs to stop because we owe that honesty to the American public.

And I thank the gentleman from Wisconsin for allowing me to participate.

Mr. NEUMANN. I had an interesting experience along the honesty and integrity line. I was doing an interview, and the person on the other end of the phone said to me, ''Is this really true?'' It was like they were in disbelief that the President would actually take $104

billion out of the Social Security trust fund to try to make it look like his budget was balanced. They were almost in a state of disbelief.

I brought with me this morning, it is a Washington Times article on January 18, 1997. The headline reads ''Clinton Budget to Use Trust Funds, Social Security Surplus Added In.'' I mean, there is absolutely no question that when the President says he is going to balance the budget in the year 2002, that what the President means is he is going to balance the budget by taking $140 billion out of the Social Security trust fund to make it look like it is balanced.

If anybody has any doubts on the accuracy of this, this is a very good article. His Treasury person was in talking and he says, ''We will include it. I think Congress is correct to include it in deficit calculations.'' And he just goes on and on about the fact that we should be using the Social Security trust fund money.

I have also noticed something that is very different here in Washington versus our townhall meetings back in Wisconsin. When I go through this issue back in our townhall meetings back in Wisconsin, everybody agrees that the money should be set aside.

□ 1515

But out here in Washington there are a whole bunch of people who believe that Social Security is a pay-as-you-go system, that we do not need to set that money aside, that after all we are collecting it this year, so why should we not spend it this year.

Then I ask them, what about 2004, 2005 when there is not enough money coming in? What are the choices going to be in 2004 or 2012 in the best case scenario? It is going to be to go into our families' paychecks and take more tax dollars out so we can continue making those Social Security checks. The second choice is to reduce our Social Security benefits to our seniors. I personally find both of those choices unacceptable. That is why we have got to solve this problem today.

Mr. SOUDER. I am not sure at what point, perhaps the gentleman would know this more, but as I have heard, there is a point out here where the FICA tax alone could be around 43 percent, depending on where the shortfall is. This is not just a small matter, it is a budget-busting matter that we have been able to disguise this and lulled into this because of the number of people working versus the people in the retirement system. But a day of reckoning is coming. The longer we wait, the tougher the reckoning.

Not only do individuals pay into this but a lot of people may not be aware that their employer is matching it. If you are self-employed, you know you have to pay both halves, and that one of the things I personally think we ought to be doing as a country and individual employers ought to be doing is showing what an individual's check would be if that match was not going in there.

So we are not only spending the amount you are putting in, we are spending the amount that the employer is putting in. This devastating tax would cripple our economic system.

Some people say, oh, there would be politically an uproar if we tried to change benefits and not do it. Quite frankly the baby boomers, I was born in 1950, we are going to be the biggest voting block when we are there and we do not intend to starve and the people who would have to pay our way are our kids and they are not going to intend to pay all of this if the Government defaults. The bottom line is we will probably bankrupt the country unless we do this because we will be a huge voting block, much bigger than the current senior citizens. It is a devastating outlook if we do not have the courage to face up to the integrity of the problem now.

Mr. NEUMANN. I think the gentleman is bringing up a good point here. This issue is not just an issue for seniors or even just an issue for people that are 40 and over hoping to get Social Security.

Let us talk for a minute about the impact of the Social Security Preservation Act on our people that are under the age of 40. Right now today with no money in the Social Security trust fund, these discussions that they are having about letting them privatize it or letting the people keep their own money in their own account, all of those discussions are not going to happen. The reason is because no one but no one can go to our seniors and say, ''I'm sorry, you don't get Social Security anymore.'' That is not going to work.

Let me paint a different scenario. Suppose the Social Security Preservation Act had been in place since 1983 and in this kitty of money, this Social Security trust fund, there was now $550 billion, real money, and it is actually there. Then we could go to the senior citizens and say, ''Look, there is a savings account. Your Social Security check is safe.''

I am going to talk to these people under the age of 40. Some of them would like to put their own money into their own Social Security trust fund and take some of the responsibility on themselves for their own retirement. We are talking about families here that work every day of the week, these families who get up in the morning every morning and go to work, work hard for a paycheck and they are struggling to make it from week to week and paycheck to paycheck.

What we would be doing is going to those people and saying, look, they are already putting $12 and some cents aside out of every $100 you earn. Why do you not take some of that money and put it into an account to take care of yourself in your own retirement, so it would be money that is already coming out of their paychecks, that now could go into a savings account on their behalf to build for their own retirement for them to take care of themselves when they reach the age of 65.

We cannot do that today. The reason we cannot even begin that discussion today is because that money that is supposed to be here in the Social Security trust fund has been spent on other Government programs and there is nothing there except for a bunch of IOU's. If the Social Security Preservation Act is put into place and we can accumulate this kitty of money so we can honestly look our senior citizens in the face and say, ''Yes, your Social Security is safe,'' then and only then can we begin some of these other conversations that are currently going on here in Washington, DC.

This is not just about seniors. Just think what it would mean for our working families if they could take some of that money that is already being set aside and they could put it aside in their own behalf to take care of themselves in retirement.

This is a bill that really crosses all age groups. It is in the people under 40, it is in the people from 40 to 60 who are hoping to get Social Security, and it most certainly is affecting our senior citizens of today where if we have an economic downturn there is not going to be enough money coming in and there is supposed to be a savings account there that is full of IOU's instead of cash. All generations here are impacted by this issue.

Mr. SOUDER. As the gentleman alluded to, it is a very pro-family policy to try to be honest about this, because most families in America have both parents working. Many of us, including me, have a child in college. You are trying to meet all the demands of your kids for this and you are working your head off and you do not know how in the world you are going to set aside much and we just kind of assume that when we get to retirement age, Social Security is going to be there even if we have some savings of our own, which many families do not have the luxury of doing, particularly the poorer the family the more dependent they are on this. The FICA tax comes out, no matter what income you are at, we take out the Social Security, and those people who are struggling and barely making it and drowning day to day and trying to figure out how to pay their car bill, insurance bill and health insurance and their housing costs and all this type of thing are watching it get drained into a system so it can be used as part of a general government program. How is that pro-family?

What is pro-family is to provide what it is supposed to be, is a security net for when you are older so you can try to use your current income, the rest of it, on living and trying to get above water. We are going to be in a state of shock, those about to come into the system. Based on the gentleman's numbers, it could be as early as those in

the late 50's, certainly those of us who are boomers, in the mid 40's and down, we are going to be in a state of shock if somebody says, ''Well, you're only going to have half of it there.'' Then pretty soon somebody says, ''None of it there.''

You are going to say, ''You mean I've worked all my life, and we scraped by and watched these dollars be taken out, and I gave up certain things and now it isn't there?'' What does the word trust fund mean?

Mr. NEUMANN. It is an improper practice. Both of us came out of the business world. If either of us had set up a pension fund and we said to our employees, ''You're going to get this pension when you retire,'' and then we put IOU's in the pension fund instead of real money, first off they would arrest both of us in the private sector for doing it, but secondly our employees would revolt back against the policy we were establishing.

That is where we are at on this issue. The American people need to understand the issue and then respond to help all of us in Washington get the message just how important this issue is.

Mr. SOUDER. Last year we even had a debate here on the House floor because there was a proposal that in the private pension programs from business, to lower the percent of, I think it was 145 percent down to 125 percent. Some of us had grave reservations about that. Yet here with zero percent, here we had this huge ruckus on this floor about whether businesses could lower the percent beyond 100 that is in reserve. In our own program we have zero.

Mr. NEUMANN. Does the gentleman see the irony in that debate? I know they ran ads against both of us saying we had reduced the pension funds when in reality what was done is those pension funds were required to keep not enough money to pay the pensions but enough money to pay the pensions and a 25-percent cushion. That is what that debate was about last year. Instead, if they had used those same resources to actually solve the Social Security problem, can you imagine how much farther ahead we would be as a nation? To honestly solve a real problem that is facing this country, not a pension fund that is funded at a level necessary to pay the benefits plus a 25-percent cushion, but rather they turned their attention and focused on the Social Security issue where there are zero dollars in the trust fund, and zero dollars in that pension fund, not 100 percent of what they need plus a 25-percent cushion but in this case zero, would it not have been great if they had used those resources to help us solve this problem instead?

I think I should maybe walk back through this once more.

Mr. SOUDER. I think it would be very good for people who came in part way through.

Mr. NEUMANN. We are dealing with the balanced budget amendment and how Social Security relates to the balanced budget amendment and a couple of ways to correct the problem that exists.

I just start through that the Social Security system today is collecting $418 billion. It is paying out to our senior citizens in benefits $353 billion. That is right, it is collecting more than it is paying out by $65 billion. That $65 billion is supposed to create a savings account, a kitty of money, a growing kitty of money. The reason we are doing that of course is because as more people reach retirement age you have got fewer dollars coming in and more dollars going out. At the time when these two numbers cross, when there is not enough money coming in to make good on the Social Security checks, we are supposed to have this savings account sitting there that we then go to, get the money and make good on the Social Security promises that have been made to our senior citizens.

The idea is that that money is supposed to be set aside. Unfortunately what the Federal Government is doing today is taking that $65 billion, putting it into the general fund or their big Government checkbook. They overdraw that checkbook each year. That is the deficit. Since there is no money left at the end of the year, they put IOU's down here in the Social Security trust fund instead of putting real dollars down in the trust fund.

The bill that we have introduced called the Social Security Preservation Act, again this is not Einstein kind of stuff, I come from the business world where you have to learn how to make cash flow work. The bill that we are proposing, the Social Security Preservation Act, very simply says take that $65 billion and put it down here in the trust fund instead of spending it on other Government programs. It is a very straightforward bill. Instead of spending the money on other Government programs and putting IOU's in the trust fund, put real dollars down there in the trust fund so there is something there to guarantee and protect our senior citizens.

How does that relate to the balanced budget amendment? When the Federal Government reports to the American people how much more money it is spending than what it is taking in, that is, the deficit each year, what they are reporting is the amount that they overspend what they have in their checkbook but they are not telling the American people about the fact that after that, there is another $65 billion they have taken out of the Social Security trust fund. So in addition to the deficit that is reported to the American people, they are taking an additional $65 billion out of the trust fund that they are not reporting.

This is an issue about honesty and integrity and being straightforward with the American people. The fact of the matter is that when we report a $107 billion deficit, the reality is the deficit is $172 billion.

How does that relate to the balanced budget and the balanced budget amendment that is currently under discussion here? Let me start with the President's State of the Union Address last night. Let me just make it 100 percent clear that when the President talks about balancing the budget, he is talking about still using that money from the Social Security trust fund, $104 billion in 2002, to reach what he calls a balanced budget.

Let me just say that once more so it is 100 percent clear. When the President says he is balancing the budget in the year 2002, what he means is he is taking $104 billion out of the Social Security trust fund to make the budget look like it is balanced. That practice is wrong and it is going to lead to a Social Security system that is just basically insolvent as we go forward.

So what are we doing about this? The Social Security Preservation Act that myself and many others in this Congress are introducing would require that we balance the budget by actually eliminating all of the deficit, including the Social Security deficit.

A lot of people have said to me, ''Well, MARK, you can't do that.'' So our Social Security Preservation Act would require that we actually reach a true zero, not just a zero that appears balanced while still using the Social Security money as the President has proposed.

A lot of people have said, ''Well, how are you going to go about doing that? Doesn't that mean we have to cut $104 billion more money out of the budget?''

First let me go over the ''cut'' word. Even if we did this exactly as I have it laid out here, spending would still increase each and every year from now through 2002. Spending would still go up, so there is no, quote, cuts in overall Government spending even if this is put into place.

But there is more good news. A lot of people in Washington would tell me that we cannot do this because the budget we passed last year was so tough that we cannot go any farther on reducing spending. First, I do not believe that. I believe there is still a lot of wasteful spending. But second, because the economy is doing better than anticipated, we have additional revenues coming into the Federal Government that will allow us to pass this piece of legislation without doing any spending reductions beyond what was already proposed last year. That is to say, if we passed the budget that has already passed both the House and the Senate, we can at least set aside the surplus money that is coming in this year in the Social Security system and also in 2002. That is, if we pass the budget that we passed last year again, we will in fact be able to put the Social Security money aside in 2002 without doing anything different than what has already passed through the House of Representatives and the Senate last year.

This is an exciting time in history. We are about to do something that is

clearly right and necessary for the future of this great Nation we live in, for our children's future. We have for generations, since 1969, we have as a government spent more money than we are taking in. We are on the verge of changing our most sacred document as a Nation, the Constitution of the United States. This is a very serious matter that is being addressed here when you go to change the Constitution of the United States of America. Does it need changing? I would only point to the fact that as a government we have not been able to restrain ourselves since 1969. We as a people, and when we say a government, it is really the American people, we have not been able to do what is right for the future of this Nation. This problem has been building. We have gotten away with it from 1969 until today.

We need the balanced budget amendment because the track record indicates we cannot do it without the balanced budget amendment. When it is in our Constitution, when it is in our most sacred document, that we must stop spending more money than we are taking in, that we must restore the financial stability for the future of this great Nation for our children's future, when that happens, we will get the job done by 2002. And we will not do it the way the President suggested, by taking $104 billion out of the Social Security trust fund to try and make it look like somehow we have balanced the budget.

□ 1530

We will not do it that way; we will do it the right way, we will do the honest way and the straightforward way for the good of the future of this great Nation we live in.

And I want to just go one step further. I think it is important that we talk about what has happened over the last 2 years and how significant balancing the budget is to the American people. Sometimes this gets lost in kind of Washington jargon that this is all about just the future; it is not about today. Well, I would like to point out that over the last 2 years we have reduced the deficit to the lowest number it has been in a generation. As a matter of fact, for the first time in 30 years we took $30 billion out of the appropriations process. That has not happened in the last 30 years, and that is not Washington mumbo jumbo. They actually reduced spending in the appropriations process by $30 billion.

Well, what happened when we reduced spending by $30 billion at the Federal Government level? Well, that meant the Federal Government borrowed $30 billion less out of the private sector. Still sounds Washington-like. Let me go the next step:

When the Government did not take that money out of the private sector there was more money in the private sector. When there is more money available, the interest rates stay down. When the rates stayed down that is good for the whole economy, in particular for our American citizens.

Anybody who is on a variable rate mortgage understands that when the Government did not borrow that $30 billion, it stayed available in the private sector and therefore interest rates went lower, that their mortgage payment is lower. But it is even further than that. When the interest rates stayed down, more people were able to afford to buy houses and cars and when people bought more houses and cars, other people had to go to work and build the houses and cars, and that really is what this is all about. It is really about providing opportunities for those people to leave the welfare rolls and go into the work force and have an opportunity to live the American dream.

That is what this is all about. It is about my children's future, and if I get excited talking about this issue, it is because when I see growing deficits and growing debts that has accumulated to $5.3 trillion I see the end of America as we know it today. I see economic problems that we are passing on to our children that cannot be resolved, and then when we start talking about balancing the budget and we see this working model where reducing spending has actually led to lower interest rates, producing more home sales and car sales, producing more job opportunities in the private sector, well, I know that is the future of America we are talking about. I know that my kids, when—they are all teenager now. If all three of them are teenagers, I know that is for my three teenagers to have a job opportunity.

That is what balancing the budget is about. It is about keeping the interest rates down so people can afford to buy houses and cars, and the people who build those houses and cars have job opportunities, so my children have a chance to live the American dream just as my wife and I have had during our generation.

That is what balancing the budget—that is what this issue is really all about.

Mr. SOUDER. In addition, and this is really good straight talk about the budget because these issues get so confusing, and from time to time we need to have some of this kind of stuff because part of the goal of politicians often is to confuse matters, to obscure what is underneath, and I think this has been very good straight talk because in addition to the interest rate, because to some degree we have had a somewhat stable interest rate even with this deficit which has confused matters. But there is another way to do it too, and that is to sell off your country because of your trade imbalances because we have partly disguised and kept interest rates down by bringing in foreign money through trade imbalances and then we start selling in the Midwest and Indiana and Wisconsin.

These are huge issues about companies being taken over, about farm land being taken over because we have not been in order and responsible in our own country and refuse to deal with our deficit. We have become foreign dependent, which is not where we want to be as a nation. So it not only entails our interest rate, it entails a lot of other issues that are relative to the budget and very disconcerting.

And you raised a very important point now twice that people need to understand that we have been through this with CBO and OMB and we spent a lot of time in meetings discussing this. But when they take a pessimistic or attempt to in the CBO scoring of the growth rate, knowing that somewhere along the line there is going to be a recession and that they do not project that because they average, I think, a 1.9. We update these things three times a year, I think it is, and in that process every time the growth rate comes in better we spend the money. We do not even keep the seed corn for a recession in this 2002 plan—really is not realistic because last year we spent more money when the growth rate was higher, so what do we do in a year when the growth rate is lower?

Now compound that over time and what you are in effect saying is we have had a good boom period, we have this huge thing hanging over our head in the Social Security trust fund, we have a national debt that is tremendous even without future obligations like Social Security, we are worried how we are going to pay Medicare, we are worried how we are going to pay the veterans, we are worried how we are going to pay railroad retirement, how we are going to meet our Government employees things.

So what do we do when we finally have a good growth period and we finally have some money? We spend it. If they would have been using the money that we gained in this past year, if not to retire the debt, which I believe they should have been doing, then it should have been in the Social Security or get the Social Security off. It is not as hard as people say, but it is harder if every time you want to run for office you want to promise a new program and you have a new idea to spend money out of Washington rather than paying the debts that are accumulating and the future obligations that are accumulating over your head. It is that for campaign season you need a new program, because unless you have a new program you are afraid you will not get reelected, and it is one of the tough things we are dealing with here in Washington because our promises are outrunning our funding.

Mr. NEUMANN. Mr. SOUDER, I just concluded a story that: It is a true story, where at a basketball game in Delavan, WI where my teenage son was playing, and I looked over at my wife and she was holding a baby of one of our friends, one of the teachers of the parochial school where my son attends, and I looked over at her with that baby on her lap and I mean I am supposed to be thinking about the basketball game.

But my mind wanders back out here to Washington, and I could not help but think what these issues mean to that baby that was sitting on Sue's lap, where we have already borrowed $20,000. We, our generation, has borrowed $20,000 that we are going to pass on to that baby.

That is not right and it is not fair. This issue is not just about numbers and budget. It is a moral issue. How can we as a Nation, how can we as a generation, possibly justify that we are taking that child's money, that poor old baby sitting on my wife's lap, how can we justify taking that baby's money and spending it on our programs today, and how can we justify saying we are balancing the budget by taking $104 billion out of the Social Security Trust Fund knowing full well that what that means is that when that baby reaches the work force, when it is time for that baby to have the opportunity to live the American dream, to have a chance at the American dream, that young child—what we are doing is we are saddling them with a situation where the Government is going to demand even more in taxes before they get to spend money on their children. It is just not an acceptable way to go.

I just conclude today by urging our colleagues to join us in supporting the Social Security Preservation Act. I would reach across the aisle, encourage our Democrat colleagues to join us on this bill. This is not a partisan issue. Preserving and protecting the Social Security system should be something that both Republicans and Democrats are very interested in, and I look forward to working with our colleagues on both sides of the aisle.

CREATING OPPORTUNITIES FOR OUR CHILDREN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 60 minutes as the designee of the minority leader.

Ms. JACKSON-LEE. I thank the Speaker very much for his kindness and I rise today to speak about children. Sorry my colleagues have left the floor of the House, and I appreciate their comments about a very important issue, and that is creating opportunities for our children. And might I say that although I will be speaking today about technology and joined by many of my colleagues, I would appreciate a slight bit of deference to just acknowledge that there is a disagreement when it comes to the balanced budget amendment.

We all want to get to the same place, and that is to balance the budget. I must add that in protecting Social Security I would bring attention to the gentleman's comments that when you include Social Security in the balanced budget amendment you then prohibit and inhibit the flowing of Social Security checks to our seniors throughout this Nation if they then have to face the burden of the balanced budget on their backs.

So I know we will have a vigorous debate, we want to have a future for this Nation, and I think it is key that we recognize that we might have different perspectives, and clearly I think we should exempt Social Security from that so that we can have an upright and a fair discussion on this issue and, in fact, preserve a future for our children.

Having said that, I am gratified today for the reason that I have come, and that is to capture the spirit of the President's message, but the work of so many of my colleagues and myself acknowledging the importance of the access of the Internet to all of our children. So I rise today, Mr. Speaker, to introduce a sense of the Congress resolution regarding the outstanding achievements of NetDay, the NetDay organization.

I, along with many Members of the House, have become acquainted with the NetDay organization through the activity generated in our home congressional districts by grassroots NetDay projects. I was proud to have had the honor of joining fellow Houstonians in the kickoff of the ceremony for the Houston independent school district's NetDay '96. I was happy to serve as the honorary chair for that event and under the leadership of our superintendent and our assistant superintendent for technology, the superintendent being Ron Page, the assistant superintendent being Dara Ann Burrow, and many volunteers, we can claim it as a success.

Albeit a success in many of our districts, we realize that we are just beginning, and so as a member of the Telecommunications Conference Committee, the Reform Act of 1996 which the 104th Congress passed, I am proud that my colleagues join together to insist that there must be universal telecommunications access to every school and library and classroom in this Nation.

Fortunately, for HISD, because of our program, 79,975 students now have Internet access in the elementary, junior, and high school. I say that it is still not enough. This was accomplished with the assistance of 652 volunteers who contributed their time to the neighborhood schools. The efforts of sponsored volunteers, students, teachers, and HISD personnel saved the Houston independent school district $28,000. With our school district's decision to hold NetDay '96 connection projects for each Saturday in the month of October, they ensure that every targeted school within minority and majority communities received an equal opportunity to have their neighborhood school library receive the necessary wiring for Internet access. With the entire Houston community support, we can reach the goal of universal access for all of Houston's children by the year 2000.

But we must go further than that, and we come to this Congress to go beyond our respective constituencies and localized communities. We must work toward universal access to the Internet. We must be vigilant in our efforts to promote software and hardware innovations. When I talk to my teachers, they emphasize that the infrastructure is so very important that they need the software. We must not forget that. We must have our children accessing material that is valuable and valued. I have learned that there are a number of software and hardware technologies which if employed will also block the ability of our young users to access Web sites that may not be appropriate for them.

In addition, the use of network systems by school districts can also provide protection for the Internet's youngest and most valid users. We in Congress must work to provide these important protective features to users of the national information infrastructure as educators work to assist us in guiding our children successfully toward the 21st century job marketplace.

That is where the work will be. Silicon Valley will not be Silicon Valley. It will probably be Silicon Nation. And I believe that we should not cease from searching for additional innovative ways to protect our children as we also work to provide them with the much needed skills for today and tomorrow. It is a fact that by the close of this century 60 percent of the new jobs will require computer skills that are currently held now by only 20 percent of our population. The work we do today will pay off for our children.

From Alabama to Wyoming, the NetDay organization has many places they can call home. In the State of Alaska the Anchorage school district reports that 70 percent of Alaska's students wired several schools as part of NetDay. In the State of California, the launching site for the entire NetDay effort, over 75,000 volunteers wired over 3,500 schools last fall.

The call that I raise up today and the call that I hope is heard: Are you listening throughout the Nation and can we do any less? Well, in the State of Texas a hundred schools were wired. Most of them were in the city of Houston. We obviously need more activity in the entire State of Texas as well as all over America.

It is evident from our first NetDay year that States have gone at varying degrees of success in their NetDay efforts. We still have a lot of work to do before every school is connected to the Internet. As a parent and a Member of Congress, I will continue to work toward a safe and secure Internet environment in which we can provide educational opportunities for our children.

That means, and we must get a little direct here, I do not think any of us would claim any opposition to the first amendment. I hold myself out as someone who vigorously defends the freedom of speech, but I can assure you I

will go a long way to working toward ensuring that we deny the proponents of pornography and obscenity the access to our children who are using the Internet.

I believe this important resolution that I offer today, hopefully as my colleagues have joined me in cosponsoring it, will go a long way in communicating the important role that NetDay plays in our Nation. This NetDay organization is promoting friendship and cooperation. It is certainly promoting the opportunity for all of us to work together.

□ 1545

It is important as well that we provide access to the superhighway. As we do that, it will be good that we as Members of the House of Representatives can show wholehearted support for the NetDay organization which has provided and should provide access for all children, rural, suburban and urban, regardless of whether they are poor or well off.

Yes, NetDay has proven it is possible to be inclusive when implementing public and private partnerships of this magnitude. I would like to thank my colleagues who signed on as original cosponsors of this resolution, and I thank you for your commitment to our Nation's children and I look forward to your great participation in what we do further.

Besides applauding and congratulating those who have participated in NetDay, emphasizing the grassroots aspects of providing elementary children and middle-school children with access to our computers, with applauding those who have given labor and materials and resources, and encouraging parents to be part of this, we also resolve in this resolution to do several things. That is, of course, to congratulate the organizers and sponsors and coordinators and volunteers of NetDay.

Also, NetDay should be used as a positive model for communities throughout the Nation. NetDay should continue to be used to assist students and parents and teachers across the Nation so that the Nation's children may be ready to obtain the benefits of computer networks and the Internet. We are resolving to strengthen their education and begin careers with more skills and opportunities, thus enabling them to compete more successfully in the global market. And then we resolve that businesses, unions, parents, teachers and school employees throughout the country should consider organizing NetDay activities to provide similar opportunities for the children in their communities.

The House of Representatives supports NetDay's commitment by way of providing the Nation's elementary and secondary schools with the technology, the technological infrastructure needed to help the Nation's children succeed.

Interestingly enough, we captured the spirit of the President's remarks, but I will applaud him for acknowledging last evening that we must bring the power of the information age into all our schools. He said, last year I challenged America to connect every classroom and library to the Internet by the year 2000 so that for the first time in history a child in the most isolated, rural town, the most comfortable suburb, the poorest inner city school, will have the same access to the same universe of knowledge. I ask you to support and complete this historic mission.

I am very gratified, Mr. Speaker, that there are those who have worked long years in this area and certainly come from communities where technology is a key element of their representation.

So I have been joined on the floor today by my colleague on the Committee on Science, the gentlewoman from Maryland [Mrs. MORELLA], who has served very ably in trying to network herself and provide the kind of synergism and energy in generating the technological infrastructure that we need not only for our children but for all Americans, but I am gratified that she knows that the emphasis of accessing the Internet on behalf of our children is a key responsibility that we have in the U.S. Congress.

I yield to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Speaker, I thank the gentlewoman from Texas for yielding, for arranging this special order, and for sponsoring this very important sense of Congress resolution to recognize the outstanding achievements of NetDay.

Mr. Speaker, every child in America deserves equal access to a quality education. Providing this access can be a real challenge in the midst of tight budgets, especially in small, rural and poor inner city schools. Every child and every school across the country must be afforded the opportunity to take advantage of everything the information highway has to offer.

Now, during the last Congress, I worked to include in the Telecommunications Act language that would provide schools, libraries, and rural health care facilities with affordable access to the Internet. The Federal, State, local joint board which was set up by the Federal Communications Commission has already recommended substantial discounts for public and nonprofit schools.

In conjunction with our work in Congress, thousands of volunteers also have joined together to wire our Nation's public schools to the Internet. NetDay is an exciting grassroots effort to ensure that all of our schools have access to the Internet.

Most schools just simply cannot afford advanced telecommunications services. Last year, less than 3 percent of classrooms in the United States had access to the Internet. By making access to schools affordable, and through the efforts of thousands of individuals and dozens of corporations, schools all over the United States are being afforded the opportunity to become wired to the Internet. In our great Nation so rich in information, we can no longer rely on the skills of the industrial age.

Telecommunications will excite young minds and provide all children access to the same rich learning resources, regardless of where they live. Telecommunications can help us provide a level playing field for all Americans to utilize the information superhighway. Through NetDay, volunteers are ensuring that the emerging telecommunications revolutions do not leave our critical public institutions, our private and nonprofit schools, behind.

I applaud the outstanding achievements of NetDay and the tireless work of our Nation's volunteers. Wiring our schools to the Internet is in the Nation's best interest and will bring equity to our educational system. Well educated and highly skilled individuals are the major resource of any modern society, and NetDay efforts in our Nation's communities will provide all Americans with skills that they need and the opportunities that they deserve to achieve their fullest potential through a quality education.

This Friday, February 7, is the first anniversary of the signing of the Telecommunications Act, and there will be a press conference to announce that NetDay will be held on April 19. I encourage everyone to join the NetDay volunteer effort and help ensure that our Nation's schools are wired. My State of Maryland will be so involved, and I will, and I hope that all Americans will in some way be connected with the access to the Internet.

Again, I want to thank the gentlewoman from Texas, not only for this special order and the resolution, but her commitment, through her terms in Congress, and I hope she will stay on the Committee on Science. We have not totally organized, so I am not sure, because she has always been very valuable on that.

Ms. JACKSON-LEE of Texas. I thank the gentlewoman, and may I inquire of the gentlewoman, just a very brief inquiry. It is, I think, worthwhile as we have this opportunity to present this special order, that though we acknowledge it in friendly terms that we are both at least now and with party affiliation on opposite sides of the aisle. But I think it is very important that this is acknowledged as a bipartisan effort to really prepare us.

We have all set bridges and visions for the 21st century, and I am sure we are all committed. But what does that actually mean? And as we fast approach or speed down the superhighway, I think it is important, and of course balanced budget amendments or balanced budget, that we recognize that when people are productive and working, that is half the battle of the economy. This access to the Internet, this learning process, and I guess I inquire of you, is so key to preparing us

to be steady and strong in the 21st century.

Mrs. MORELLA. There is just no doubt about it. We also know that 6 out of every 10 new jobs that will be created as we enter the new millennium are going to involve technology and are going to involve the importance of knowing something about Internet. We also know that our children, from first grade on, know how to use a computer. Now, why should they all not have access to this information? It is a library in their school, it is a library in their own home, in the club house; it is critically important that they have these skills. So again, I applaud you, and of course it is bipartisan. Everybody should agree with it.

Ms. JACKSON-LEE of Texas. I thank you for your kind words but also for your leadership.

Mr. Speaker, it gives me great pleasure to introduce to you certainly an esteemed Member of the freshman class, the gentleman from Memphis, TN [Mr. FORD], who probably more than anyone, knows the value, having sped fast along the superhighway himself of technology, of the importance of sharing this very important tool to our whole Nation.

Mr. FORD. Mr. Speaker, I am pleased to have this opportunity to join the gentlewoman from Texas [Ms. JACKSON-LEE] in this effort to commend those who have participated in this NetDay 1996 and to congratulate those for helping to build that bridge to the 21st century.

As a Member of Congress especially dedicated to youth and one that serves on the House Committee on Education and the Workforce, NetDay 1996 cannot have a more committed advocate than me. Let me first, though, take this opportunity to thank our President for the extraordinary challenge that he issued to all of America, including Democrats and Republicans in this Chamber, last night.

I was particularly excited to hear his emphasis on education and his calling to all Americans, including all in this Chamber again, Mr. Speaker, a call to action, to respond to the needs of our young people to help prepare for better and brighter tomorrow.

NetDay 1996 is this Nation's challenge to participate in the success of our youth's lives. Every parent, teacher, clergy member, neighbor, business leader, business employee, computer systems administrator, every single member of society can participate and take on the community responsibility to positively affect children's lives.

In 1996, Mr. Speaker, 100,000 NetDay volunteers installed wiring infrastructure to connect 25,000 elementary and secondary schools to the information superhighway. Parity and access to the Internet is fundamental to realize the true benefit of the information superhighway.

That is why I call on my colleagues on both sides of the aisle, for we demonstrated the courage and the wisdom in this Chamber to reform welfare. I would hope that we could exhibit that same courage, wisdom, decency, and show the same temerity in empowering our teachers and classrooms to prepare our children for the future.

In that vein, let me applaud the success of the two Illinois students and their classmates and teachers, brought to our attention last evening during the State of the Union Message, for they are examples of excellence that should be admired and replicated throughout this Nation.

In that vein, let me also speak in support of establishing national standards, not to create another level of Federal bureaucracy or additional levels of bureaucracy, Mr. Speaker, but to make and understand that education is as important a national security issue as any issue that we confront here in this Congress. The syndrome of inferiority and shortcoming that has beset many of our Nation's schools, let us pledge here in this Chamber, let us pledge today to responding to the call of action that the President issued last night that we will transform that syndrome into an atmosphere and environment of success, to expectations of success for our young people.

As I close, Mr. Speaker, I thank the gentlewoman from Texas and thank the cosponsors of this NetDay legislation. For there is no more important issue to America's competitiveness as we move into this next century, Mr. Speaker, than ensuring that every young person is afforded the opportunity, affording the best opportunity to be exposed to the quality education that we here in America can afford.

In that vein, I challenge every citizen to become a part of this effort. No school should be without its own assembly of volunteers from every hill and every hamlet. We must afford our children an opportunity to be first in the world. Mr. Speaker, this is the call to action and this young Member from Tennessee is ready to respond.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I want to thank the gentleman from Tennessee for a clarion call. Clearly, for this to be a movement in the U.S. Congress, leaders like HAROLD FORD are going to have to be right in the mix. And clearly for this to be both accepted and acceptable, we are going to have to reach across the barriers and the divides of our rural and urban centers of our southern cities and northern cities, of our communities that may be called barrios or may be called ghettos, or may be just called places for people to live.

So I accept the challenge certainly and hope that when we begin to talk about issues of balancing the budget, that there will be priorities, and that is why the balanced budget discussion cannot be done in a vacuum. This message this afternoon on the Internet is as much about that issue as it is about making sure our children have access to the Internet.

□ 1600

Mr. Speaker, it gives me great pleasure to yield 2 minutes to the honorable gentlewoman from Michigan DEBBIE STABENOW, whose State certainly has received a great economic boon from an original technology: the automobile.

I am very gratified that even with the importance of her obligations to her own immediate industry and technology dealing with the people mover, if you will, she is committed to science and technology as a member of the Committee on Science.

Ms. STABENOW. Mr. Speaker, I thank so much the gentlewoman from Texas for yielding to me on this important subject, and also for her excellent work on behalf of children, in promoting education on behalf of children.

Mr. Speaker, I rise today to recognize the outstanding achievements of NetDay, and to endorse the resolution presented by the distinguished Member from the State of Texas. Like my colleagues, I am committed to seeing that our schools and libraries are equipped with the tools that our children need for the 21st century. Today, that means access to computers and access to the Internet.

As I have frequently said at home in the great State of Michigan, there is more computer power today in the average gas station than the average classroom, and that must change if our children are to succeed in the world economy.

Unfortunately, too many schools and too many libraries do not have the basic infrastructure necessary to link themselves to the information superhighway. All too often the cost of wiring our public schools and libraries is prohibitive, given the limited fiscal resources available to the States and local governments.

For example, it has been estimated that it would cost more than $1,000 per classroom to install the basic wiring needed to access the Internet, in addition to the costs of purchasing computers and printers and software, which is also estimated to be in the nature of thousands of dollars per classroom.

Mr. Speaker, we simply cannot wait 20 years to provide the infrastructure and the basic level of technology that our children need to be successful. The founders of NetDay recognize this critical need, and I salute them. They also recognize that government alone cannot fulfill the objective, and in fact we must challenge our communities, the private sector, the universities, the labor unions, parents. All of us, working together, must come together in order to make sure our children have what they need in our schools.

NetDay is a model example of the public-private sector partnership that this administration spoke of and that I wholeheartedly endorse and am working on behalf of. Already I am in discussions in Michigan, in the Eighth District, with our private sector community, with our universities, parents,

local schools, so we too can have our children benefit from those activities that have been created by NetDay. I am excited about this adventure, and I pledge to act as a catalyst in my communities in the Eighth District in Michigan on behalf of the children in the Eighth District and on behalf of the children in the Nation.

I encourage my colleagues and my constituents to join myself, to join the leadership here today in supporting NetDay 1997.

I appreciate very much the opportunity to address the House on this matter. I thank the gentlewoman again for allowing me to participate today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from Michigan, and I am gratified that she will be setting the wheels moving in Michigan in helping her students.

Something that I had mentioned, and I applaud the gentlewoman again, this is not going to be easy. Our businesses that are prosperous, that may not be geared toward computer business directly, are really going to have to be part of providing the resources and assisting us in making good on our pledge.

Let me acknowledge locally a relationship that I am sure the gentlewoman is working on where our local Bell Co. has provided lower rates for teachers to surf the Internet for up to 100 hours a month. One of the key points is that our teachers must likewise have the training to be able to train the youngsters, and I have seen as much joy in our teachers who have now become computer literate or excited or have access, and then in their ability to teach. We must not leave that partnership out between child or student and teacher. I hope our business leaders will join you, as you have asked them to, in helping you promote this effort.

Mr. Speaker, let me acknowledge as well another leader in this area. That is NetDay cofounder, Mr. Michael Kauffman. We appreciate the effort that he is engaged in, along with Mr. John Gage, cofounders of NetDay. They obviously had an idea that would set a spinning wheel, a light spreading out across the Nation, and we are gratified now to applaud them here in Congress, but also to send out their reach even further than they might have expected.

Mr. Speaker, the gentleman from Maryland Mr. ELIJAH CUMMINGS, coming from Baltimore in the State of Maryland and also the State legislature, is an avid promoter of issues dealing with youth and children in his legislative record; but coming from a State that has a strong technological history and also a strong historic relationship with the Federal Government, I am gratified with his commitment to educating the inner city child, who if we abandon and leave by the wayside, ravaging around the edges of technology, we are not doing the job of creating opportunity for all Americans. The gentleman from Maryland, ELIJAH CUMMINGS, has already made good on that promise to help the least of the children in our community.

I yield to the gentleman from Maryland, Mr. ELIJAH CUMMINGS.

Mr. CUMMINGS. I thank the gentlewoman from Texas and I commend her on her hard work and leadership on this as a member of the Committee on Science and the conference committee on the Telecommunications Reform Act of 1996.

Mr. Speaker, I rise today to speak about the outstanding achievements of the NetDay project. This past October during NetDay East, over 140 schools were wired in my home district of Baltimore City alone. A second phase to be wired is planned for the spring of this year.

We must bring the 21st century into every classroom in America. Technological literacy is essential to succeed in the new economy. We must provide all students access to a computer, good software, and trained teachers. I encourage local businesses, public organizations, educational institutions, parents, teachers, and community members to participate in this effort by volunteering to help link our schools to the information highway, place computer equipment in classrooms, and provide training.

With 40 million people currently using the Internet and 100 million users expected by 1998, the time has come to avail our schools of this very valuable resource. We need to come together as a Nation and focus on the development of our children and communities. I want to stress the importance of equipping our children with the tools to compete successfully in the 21st century.

As we near the beginning of the 21st century, a knowledge-based economy is emerging, what many people call the new economy. The fastest growing industries, both domestically and globally, include microelectronics, telecommunications, computers, and biotechnology. In the 1950's, three out of every four Americans had manufacturing jobs. Today, fewer than 1 in 6 do. Recent studies show that the rates of return for industries that invest in knowledge and skill are more than twice those of industries that concentrate on plant and equipment.

Perhaps the most important transformation brought by the new economy is the changing nature of work for Americans. We now live and work in a knowledge-based economy where we succeed because of what we know, what we create, how we manage information, and how we organize ourselves to deliver it.

By the end of the decade, 60 percent of our Nation's jobs will require skills that only 20 percent of the existing U.S. population has. Many of these will be technologically based. Our new concern is not unemployment, but unemployability. With the ability to make goods and process information, white students, but only 39 percent of African-American students, use computers in school. African-American students also have less access to computers at home, 36 percent of white students are in families that own computers, while only 15 percent of African-American students have access to home computers.

Make no mistake, technology alone is not the panacea for all of our educational system's ills, but technology is a valuable tool which, when combined with a good curriculum and good teachers, can improve our children's education. The continuing leadership and initiative must come from local communities, cities, school boards, and the private and nonprofit sectors, and it is critical that the African-American community get involved. African-Americans need to recognize the importance of using these technologies to improve education, as well as to equip students with the necessary skills to perform tomorrow's jobs.

African-Americans, historically concentrated in agriculture, personal service, and blue collar occupations, are now disproportionately displaced in the emerging Information Age. The good news is that a few African-American entrepreneurs are taking advantage of telecom and information technologies. But there is still very little computer software geared to minorities. There are still relatively few minority firms with a presence on the World Wide Web.

I cannot overstate the importance of exposing our young people, especially those living in traditionally underserved areas, to such technologies as the Internet, which open a whole new world for them which may inspire learning.

In order for the NetDay project to be fully successful, it is imperative that minority and rural communities are involved. Now is the time to commit to helping underserved minority schools. The longer we wait, the wider the gap between these kids and the kids who are technology-fluent expands. I want to thank the gentlewoman again for her leadership.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Maryland, and particularly Baltimore, really for his strong emphasis about being frank about many of our children living in inner city America, particularly our African-American children who would not be able to access this new technology beyond that access opportunity from adults and family members and leaders of their community.

This raises the question of the challenge that I started out with. This message is about children and technology, but it is also about balancing the budget and priorities. Interestingly enough, in fiscal year 1996 I offered an amendment to increase the funding of the National Telecommunication Information Administration to provide more dollars for access to the Internet to our rural and urban centers. We did not find

enough commitment, if you will, to realize the importance of ensuring that effort at that time.

I will again be raising the issue of ensuring that there is sufficient funding, but I recognize and applaud, as I have come to do today, the private sector's involvement in making sure that we have access. It is important as we do that, that we include not only those so actively involved that I applaud from the majority community, but Asians and Hispanics and African-Americans.

So I have committed, as I did last year, to continue to put together presentations on how to capture the 21st century marketplace through the Internet, and emphasize the value of minority entrepreneurs and women being some of the providers of this technology. It is all about interlocking. It is all about building on partnerships. As I close my remarks at this time, it is about welfare reform.

How joyous have I seen welfare reform participants, or those who will have to be part of welfare reform, when they have gone through a computer class and have become computer literate and are ready to go out in entry-level positions as a data entry clerk; or, might I say, as the President called last evening for a national crusade for education standards, maybe, I say to the gentleman from New York [Mr. OWENS] we will be testing our children on computers. Therefore, if we are doing that, far be it from us to deny the opportunity to those children to be able to not only test educationally, but as well to ensure that they know how to access the tool upon which they will be tested.

GENERAL LEAVE

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order.

The SPEAKER pro tempore. (Mr. COBLE). Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I started with the President's remarks before I introduced the gentleman from New York [Mr. OWENS] because I wanted to ask him, paradoxically, was he involved in the articulation and certainly the creating of that call, the national crusade for educational standards.

The gentleman from New York, MAJOR OWENS, who is an original cosponsor of this resolution that I offered today, is a graduate of Morehouse College and Atlanta University, but he comes to us as a librarian. I imagine he has pored over many pages and recognizes what technology can do for learning.

More importantly, I have watched the gentleman from New York [Mr. OWENS] speak eloquently and without rest on the issue of educating children, on the issue of providing education, on the issue of providing education for providing opportunity.

□ 1445

This resolution that I will file today is only the beginning of action items for funding, for partnership, for prevention of pornography and obscenity, for access by children, all legislative agenda items that we will have to submit to. But the key element that Congressman OWENS brings to this discussion today is his unabiding and overwhelming commitment to education.

I am delighted, and I yield to the gentleman from New York [Mr. OWENS] on this matter and on the question of education.

Mr. OWENS. Mr. Speaker, I thank the gentlewoman from Texas and congratulate her on the vision she has demonstrated by having this, by putting forward this resolution and having this special order to alert us to the fact that this resolution on NetDay needs our support. The gentlewoman from Texas is very much on target. This, of course, is a vital component of the education effort that must go forward, and I sat here, just as she did last night, and was quite moved by the President's speech, certainly the part about education, and was certainly moved by the fact that when he spoke about a bipartisan approach to education, there was thunderous applause here on the floor and everybody got up on both sides. We can look forward to a very productive 105th Congress in terms of education.

We must congratulate ourselves, those of us who insisted for the last 2 years that the Congress of the United States listen to the commonsense of the American people. They said over and over again that we want education to be a high priority. There were people who would not listen in the last Congress for a long time. They came here and they insisted that, first of all, we might consider eliminating the Department of Education, just wipe it out. Then they talked about massive cuts in Federal aid to education. I think in 1995, the appropriations bill, there were proposals to cut almost $4 billion from the Federal education budget. We did a turnaround and moved from that low point of proposing a cut of almost $4 billion to the appropriations bill of 1996, where the majority Republicans in this House proposed, and I congratulate them, a $4 billion increase. It was almost a $4 billion increase. I congratulate the majority. I congratulate Congressman GOODLING, who is head of the education committee and certainly played a major role in that. The children of America will benefit.

Let us lay aside partisan considerations. It helped the Republicans to win the election. We will talk about that at a later date. They were brilliant in their understanding, finally, that commonsense dictated that the Congress Members take a strong position on education.

I hope that that brilliance will endure and go on. The spirit of NetDay, as a part of whatever we do on education, the spirit of NetDay must be kept alive. The spirit of NetDay is partially a spirit of volunteerism. It is also a spirit of understanding the role of telecommunications and modern education technology in our educational system.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me appropriately, as the gentleman has done, applaud the President for being pronounced and enunciating very clearly the message of education as well, and I keep coming back to this theme because I can assure you that will you be on the floor of the House over these next 2 years, as you have been in the past, trying to prioritize and convince people that balancing the budget is important but that it is absolutely imperative that we invest in children and in education.

I say this because I do not want NetDay to be taken away from, though I applaud the private sector involvement that will encourage it, that we will have to make hard decisions. I hope we are not giving lip service, far be it from me to claim that of any of my colleagues, but that we realize that though we will not be reckless in spending money, there will have to be some shifting of funds and it is worthy of us to do so to create the work force, of which then we will not have to claim that they are on welfare, they are unemployable or underemployed. I hope people are listening to say, they have something here today. If they educate, they will prevent them from the trials and tribulations that many have passed through in years past.

Mr. OWENS. Mr. Speaker, the gentlewoman is very much on target. All of these things are inextricably interwoven. You cannot have education go forward unless you have a commitment from the Federal Government through the budget and the appropriations process. I just wanted to talk for a minute about what I mean when I say the spirit of NetDay must go forward. There are some States that have not had their NetDay yet.

In New York State, we had NetDay on September 21. I think it was a little premature. And I want to say to the people who were in charge of NetDay that it was basically a failure for New York City. I congratulate all the Governors across the country who have assumed responsibility and become very active and become the drum majors for the NetDay effort, but the Governor of New York announced that 3,000 schools were wired in New York State. I went looking for the schools in my district, which is a district that has 70 elementary and secondary schools and 10 high schools. I could not find but one school that had been wired on that day.

I said maybe it just passed over us and the rest of New York City, which has more than 1,000 schools. New York City has more than 1,000 schools, and I looked for schools that had been wired on NetDay in New York City and we found less than 25 that had really been wired. Wiring in NetDay terminology is

the wiring of 5 classrooms plus the library of the school. That is the definition of wiring. It did not take place in even 25 schools in all of New York City.

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is appropriate that I address this same issue in another part of the House, and at this time I will yield the balance of my time to the gentleman from New York [Mr. OWENS]. He will continue commenting.

The SPEAKER pro tempore (Mr. COBLE). The Chair cannot recognize with that request. The gentleman from New York can request a 5-minute special order on his own time.

Mr. OWENS. Mr. Speaker, is this some new rule for 1997 because in the past we have done this?

The SPEAKER pro tempore. That has been the practice for a long, long time.

Mr. OWENS. Mr. Speaker, it has been done regularly on the floor of the House.

The SPEAKER pro tempore. The Chair will rule that the gentleman from New York may be recognized for 5 minutes on his own time if he requests unanimous consent to do that.

Ms. JACKSON-LEE of Texas. Mr. Speaker, is it because——

The SPEAKER pro tempore. If the gentlewoman wants to yield to the gentleman for the balance of her time, she needs to remain on the floor. Otherwise, the gentleman from New York may request and the Chair will grant him a 5-minute special order.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I will at this time allow the gentleman to continue and will come to the floor again, if time causes me to ask for a change.

The SPEAKER pro tempore. The gentlewoman understands that she cannot leave the floor. She must stay on the floor.

Ms. JACKSON-LEE of Texas. I do understand that. Let me at least, as I am staying on the floor, thank all of those who participated on this very important occasion and as well to emphasize the clarion call that was made.

I would further support for the NetDay resolution from all of my colleagues.

Mr. Speaker, I yield the balance of my time to the gentleman from New York [Mr. OWENS]. I will be studious as to my time element.

The SPEAKER pro tempore. The gentleman from New York [Mr. OWENS] has 13 minutes remaining.

Mr. OWENS. Mr. Speaker, I thank the gentlewoman and I respectfully request from the leadership of both parties, please clarify this and not have a double standard on the floor because we certainly did this in the last Congress.

The SPEAKER pro tempore. If the gentleman will suspend a minute. The Chair will say to the gentleman from New York, this has been the rule for as long as the Chair has been here. That has been a good while so we can look into that at a later time.

Mr. OWENS. I would appreciate that, Mr. Speaker.

Mr. Speaker, the spirit of NetDay, I said, has to be kept alive because even after NetDay takes place as it did in New York City on September 21, you find that it was basically a failure in terms of the number of schools that were wired. Let us keep it going in order to get schools wired.

After the headlines and the public relations brouhaha is over, let us keep the spirit where volunteers assemble, volunteers take advantage of the fact that we have a national NetDay operation which purchases equipment very cheaply and makes it available, all that should go on. We are trying to make that happen in my district, the 11th Congressional District in Brooklyn.

We established, because of the failure of NetDay in our district, we established a project called Central Brooklyn NetWatch. central Brooklyn NetWatch is a joint project sponsored by my office in conjunction with the Husain Institute of Technology. NetWatch is a volunteer project utilizing the free services of the Husain Institute of Technology to assist the schools of central Brooklyn in completing school wiring for telecommunications services. Launched on October 23, National Education Funding Support Day, NewWatch is an attempt to guarantee that the inner-city schools of central Brooklyn will not be left behind as we move the education processes and methodology into the 21st century.

Here are volunteers, and we started a project of just trying to wire 10 schools in 10 weeks. Let me show you what inner-city schools are up against across the country. We found it difficult to wire 10 schools in 10 weeks because the wiring problem meets the construction and repair problem. The asbestos problem in New York City stymies the process of trying to wire the schools. You cannot bore holes in the schools' walls and ceilings unless you have assurance that there is no asbestos there.

We had a crisis in New York City, 3 years ago, where schools were kept closed for 3 weeks before they opened because they were trying to deal with the asbestos problems. Many of us thought the asbestos problem was over. It is still very much there in many of our schools. That is one of the reasons why we wired so few schools on NetDay.

Now we need the President's construction money. The President's program on construction is a vital part of trying to go forward with telecommunications improvements. So it is all interwoven and you need to go forward on that. I would like to conclude, since I know the gentlewoman wants to go.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like the gentleman to get his additional 5 minutes. So I would ask the Speaker if the gentleman can get his additional 5 minutes on his own time and this way I can leave the floor. Then he can get an additional 5 minutes as opposed to having to try and conclude at this point.

The SPEAKER pro tempore. By unanimous consent, Ms. JACKSON-LEE, if the gentlewoman wants to leave the floor and then Mr. OWENS, the gentleman from New York, can request a 5-minute special order, in which case the Chair will grant that request. Is that what the gentlewoman wants to do?

Ms. JACKSON-LEE of Texas. Mr. Speaker, that is what I would like to do.

Mr. Speaker, I thank all those who have participated and will join me in support of NetDay and the access of children to the Internet.

Mr. Speaker, I rise to introduce a sense-of-the-Congress resolution regarding the outstanding achievements of the NetDay organization.

I, along with many Members of the House, have become acquainted with the NetDay organization through the activity generated in our home congressional districts by grassroots NetDay projects.

I was proud to have had the honor of joining fellow Houstonians in the kickoff ceremony for the Houston Independent School District's NetDay96.

I also served as honorary chair of the Planning Committee for the Houston Independent School District NetDay event.

Under the leadership of Dr. Rod Page, superintendent of the Houston Independent School District, Daryl Ann Borel, assistant superintendent for technology, and her staff, the H.I.S.D. NetDay project was a success.

As a member of the conference committee on the Telecommunications Reform Act of 1996, I was pleased to see the intent of the universal telecommunications access provisions of that law being fulfilled through the H.I.S.D.'s NetDay project.

Because of the Houston Independent School District's NetDay Project 72,975 students now have Internet access in the libraries of their elementary, junior, and high schools. That is still not enough. This was accomplished with the assistance of 652 volunteers who contributed their time to neighborhood schools. The efforts of sponsors, volunteers, students, teachers, and H.I.S.D. personnel saved the Houston Independent School District $28,860.

With H.I.S.D.'s decision to hold NetDay96 connection projects for each Saturday in the month of October, they ensured that every targeted school within minority and majority communities received an equal opportunity to have their neighborhood school library receive the necessary wiring for Internet access.

With the entire Houston community's support we can reach the goal of universal access for all of Houston's children by the year 2000.

As we work toward universal access to the Internet we must also be vigilant in our efforts to promote software and hardware innovation that will make access for our children as safe as possible. I have learned that there are a number of software and hardware technologies, which if employed, will block the ability of young users to access websites that may not be appropriate for them. In addition, the use of networked systems by school districts can also provide protection for the Internet's youngest users.

We in Congress must work to provide these important protective features to users of the national information infrastructure as educators work to assist us in guiding our children successfully toward the 21st century job marketplace.

I believe that we should not cease from searching for additional innovative ways to protect our children as we also work to provide them with the much needed skills for today and tomorrow.

It is a fact that by the close of this century 60 percent of the new jobs will require computer skills that are currently held by only 20 percent of our population. The work we do today will pay off for our children.

From Alabama to Wyoming the NetDay organization has many places it can call home. In the State of Alaska, the Anchorage School District reports that 70 percent of Alaska's students wired several schools as part of NetDay.

In the State of California, the launching site for the entire national NetDay effort, over 75,000 volunteers wired over 3,500 schools last fall.

While in the State of Texas 100 schools were wired, the majority of which were in the city of Houston, TX. We need more activity in the entire State of Texas, as well as all over America.

It is evident from our first NetDay year that States have garnered varying degrees of success in their NetDay efforts. We still have a lot of work to do before every school is connected to the Internet.

As a parent and a Member of Congress, I will continue to work toward a safe and secure Internet environment in which we can provide educational opportunities for our children. That means also working to deny the proponents of pornography and obscene material from having access to our children using the internet.

I believe this important resolution will go a long way in communicating the important role the NetDay organization is playing in the promotion of universal access to the information superhighway for all of our Nation's children.

It is good that we, as Members of the House of Representatives, can show our whole hearted support for the NetDay organization, which has provided and should provide access for all children; rural, suburban, and urban, regardless of whether they are poor or well off. Yes, NetDay has proven it is possible to be inclusive when implementing private and public partnerships of this magnitude.

I would like to thank my colleagues who have signed on as original cosponsors of this resolution. I thank you for your commitment to our Nation's children, and I look forward with great anticipation, as many of you do, to the NetDay '97 events.

At this time I would like to read the resolution into the RECORD.

Mrs. LOWEY. Mr. Speaker, NetDay is a tremendous opportunity to ensure that all of our children will be able to compete in the high-technology world of tomorrow. I would like to commend NetDay and its organizers for the tremendous efforts that they have made in the last year to wire all of our Nation's schools to the information superhighway. Through NetDay, 20 percent of U.S. schools were wired to the Internet in 1996 alone. Almost every community in the country, including my own, have been able to reap the benefits of this organization.

NetDay is the perfect partnership between businesses, government, educational institutions, and local communities that provides ongoing support for our schools. NetDay is made possible through the technical support of companies such as IBM, and Bell Atlantic who provide the technical skill to wire schools, financial sponsors who purchase the wiring packages for classrooms, and thousands of volunteers who give up their evenings and weekends for our children. This effort demonstrates the powerful impact that voluntarism can have on our community. Usually, connecting a classroom to the Internet costs approximately $1,000. NetDay has been able to bring this cost below $400.

The Internet is transforming the way we live, communicate, study, and conduct business. On the Internet, the educational opportunities that are open to our children are limited only by their own imagination. Students can browse a library in Europe as easily as they can browse one just down the hall. More importantly, resources which were once only available to affluent suburban schools can now be accessed by students in remote rural areas or poor inner city areas. In the future, our children's access to the information superhighway will not only be a determining factor in whether or not America can remain competitive, but whether we will truly be able to remain the indispensable Nation.

President Clinton has set a goal of wiring every school in the country to the Internet by the year 2000. Thanks to service organizations such as NetDay, and similar smaller programs throughout the country, we are well on our way to achieving that goal.

MORE ON NETDAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. Owens] is recognized for 5 minutes.

Mr. OWENS. Mr. Speaker, what I am trying to say is that the spirit of NetDay must be kept alive. The spirit of last night's thundering applause for the President when he spoke on education must be kept alive. We cannot do that unless we recognize there are some hard problems that must be overcome. The President's program on construction and repair is a vital part of being able to wire the schools. You cannot have the telecommunications, which will benefit schools greatly.

It will allow schools to expand beyond books and pencil and paper and the limitations and get into what our young people are already into. They look at television a great deal. They look at videos. Are they going to respond to teaching that is done using the techniques that they are aware of and exposed to in their environment outside the schools?

One important part of it is to pass the President's initiative on school construction. He has an initiative which calls for up to 50 percent interest subsidy for new school construction and renovation. He has another initiative which calls for $20 billion in school construction spurred by $5 billion in Federal jump-start funding over 4 years, which will be discussed at greater length in the future.

□ 1630

But that is absolutely necessary for the telecommunications movement to go forward that is encouraged by NetDay to take place.

There is another item that you must all be alerted to: the education rate for telecommunications services; affordable access for all schools and libraries. This Congress in 1996 passed a telecommunications bill which the President signed into law on February 8, 1996. The President signed this law which reformed the Nation's telecommunications laws that will increase competition and lower prices for all consumers, including libraries and schools.

In this law was a mandate from Congress which said that the FCC had to find ways to give discounts or special consideration to libraries and schools in providing telecommunication services. On November 7, 1996, the Federal-State Joint Board on Universal Service unanimously recommended that schools and libraries receive discounts for telecommunications services, Internet services and internal connections.

The recommendations call for discounts that range from 20 to 90 percent, with an average discount of 60 percent. The FCC has until May 1997 to develop the rules for implementing the recommendations of the joint board.

What am I talking about? I am saying that in the poorest schools and rural areas and in inner-city communities the poorest schools may get up to a 90 percent discount, 90 percent on their telephone bill, on their bill for Internet on-line services, on the initial connecting bills. It may happen if the FCC follows through on the recommendations that have already been received.

I think everybody should write to the FCC or should write to the telecommunications company and thank them for cooperating and understanding that we cannot go forward with the education of all Americans unless we have this kind of provision which lowers the cost of telecommunications services for all schools.

It is very important that we support the recommendations from the Federal-State joint board because the FCC has until May to develop the rules and vote on these rules.

Please understand that the spirit of NetDay that the gentlewoman from Texas, Congresswoman SHEILA JACKSON-LEE, has put forth so appropriately, the spirit of NetDay should go forward in many ways, but one way we can carry the spirit of NetDay forward is by letting the FCC know that we want the recommendation for the 20 to 90 percent discount on telecommunication services to be passed as rapidly as possible.

The schools which you need to help most, the poorest schools in the United States, are the schools which have the most difficult problems in teaching. They will not be able to benefit from

the technological revolution, they will not be able to benefit from the new telecommunications that will be available unless they have some way to solve the problem of the operations cost. The operations cost.

Most schools do not have telephones, you know. I mean, they have a limited number of telephones. In New York we have a school serving 2,000 youngsters that may have 5 or 6 telephones. A telephone should be in every classroom because we have been aware of telephone technology for a long time. There are thousands of ways telephones can be used to improve the operation of the schools and the operation of the structure, but even that is not there. Before you get to videotapes and television sets and the Internet and the computers, we need the telephone.

We can take a giant step forward by understanding that the universal fund that the FCC is now considering should be supported, and immediately; in the spirit of NetDay, we can go forward to try to convince the telecommunications companies to also support the FCC recommendation for a 20 to 90 percent discount on telecommunication services.

RULES OF PROCEDURE FOR THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, 105TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. SHUSTER] is recognized for 5 minutes.

Mr. SHUSTER. Mr. Speaker, in accordance with clause 2(a) of rule XI of the rules of the House, I am submitting for printing in the RECORD a copy of the rules of the Committee on Transportation and Infrastructure for the 105th Congress, adopted on January 8, 1997.

RULES OF THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

(Adopted January 8, 1997)

RULE I.—GENERAL PROVISIONS

(a) *Applicability of House Rules.*—(1) The Rules of the House are the rules of the Committee and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in the Committee and its subcommittees.

(2) Each subcommittee is part of the Committee, and is subject to the authority and direction of the Committee and its rules so far as applicable.

(3) Rule XI of the Rules of the House, which pertains entirely to Committee procedure, is incorporated and made a part of the rules of the Committee to the extent applicable.

(b) *Authority to Conduct Investigations.*—The Committee is authorized at any time to conduct such investigations and studies as it may consider necessary or appropriate in the exercise of its responsibilities under Rule X of the Rules of the House and (subject to the adoption of expense resolutions as required by Rule XI, clause 5 of the Rules of the House) to incur expenses (including travel expenses) in connection therewith.

(c) *Authority to Print.*—The Committee is authorized to have printed and bound testimony and other data presented at hearings held by the Committee. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee shall be paid from applicable accounts of the House described in clause 1(h)(1) of Rule X of the Rules of the House.

(d) *Activities Report.*—(1) The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the Committee under Rules X and XI of the Rules of the House during the Congress ending on January 3 of such year.

(2) Such report shall include separate sections summarizing the legislative and oversight activities of the Committee during that Congress.

(3) The oversight section of such report shall include a summary of the oversight plans submitted by the Committee pursuant to clause 2(d) of Rule X of the Rules of the House, a summary of the actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the Committee, and any recommendations made or actions taken thereon.

(e) *Publication of Rules.*—The Committee's rules shall be published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

RULE II.—REGULAR, ADDITIONAL AND SPECIAL MEETINGS

(a) *Regular Meetings.*—Regular meetings of the Committee shall be held on the first Wednesday of every month to transact its business unless such day is a holiday, or the House is in recess or is adjourned, in which case the Chairman shall determine the regular meeting day of the Committee for that month. The Chairman shall give each member of the Committee, as far in advance of the day of the regular meeting as the circumstances make practicable, a written notice of such meeting and the matters to be considered at such meeting. If the Chairman believes that the Committee will not be considering any bill or resolution before the full Committee and that there is no other business to be transacted at a regular meeting, the meeting may be canceled or it may be deferred until such time as, in the judgment of the Chairman, there may be matters which require the Committee's consideration. This paragraph shall not apply to meetings of any subcommittee.

(b) *Additional Meetings.*—The Chairman may call and convene, as he or she considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other committee business. The Committee shall meet for such purpose pursuant to the call of the Chairman.

(c) *Special Meetings.*—If at least three members of the Committee desire that a special meeting of the Committee be called by the Chairman, those members may file in the offices of the Committee their written request to the Chairman for that special meeting. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the Committee shall notify the Chairman of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within 7 calendar days after the filing of the request, a majority of the members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the Committee shall notify all members of the Committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting.

(d) *Vice Chairman.*—The Chairman shall appoint a vice chairman of the Committee and of each subcommittee. If the Chairman of the Committee or subcommittee is not present at any meeting of the Committee or subcommittee, as the case may be, the vice chairman shall preside. If the vice chairman is not present, the ranking member of the majority party on the Committee or subcommittee who is present shall preside at that meeting.

(e) *Prohibition on Sitting During Joint Session.*—The Committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

(f) *Addressing the Committee.*—(1) A Committee member may address the Committee or a subcommittee on any bill, motion, or other matter under consideration or may question a witness at a hearing—

(A) only when recognized by the Chairman for that purpose; and

(B) subject to subparagraphs (2) and (3), only for 5 minutes until such time as each member of the Committee or subcommittee who so desires has had an opportunity to address the Committee or subcommittee or question the witness.

A member shall be limited in his or her remarks to the subject matter under consideration. The Chairman shall enforce this subparagraph.

(2) The Chairman of the Committee or a subcommittee, with the concurrence of the ranking minority member, or the Committee or subcommittee by motion, may permit an equal number of majority and minority party members each to question a witness for a specified period not longer than 30 minutes.

(3) The Chairman of the Committee or a subcommittee, with the concurrence of the ranking minority member, or the Committee or subcommittee by motion, may permit committee staff for majority and minority party members to question a witness for equal specified periods.

(4) Nothing in subparagraph (2) or (3) affects the right of a Member (other than a member designated under subparagraph (2)) to question a witness for 5 minutes in accordance with subparagraph (2) or (3).

(g) *Meetings to Begin Promptly.*—Each meeting or hearing of the Committee shall begin promptly at the time so stipulated in the public announcement of the meeting or hearing.

RULE III.—OPEN MEETINGS AND HEARINGS; BROADCASTING

(a) *Open Meetings.*—Each meeting for the transaction of business, including the markup of legislation, and each hearing of the Committee or a subcommittee shall be open to the public, except as provided by clause 2(g) of Rule XI of the Rules of the House.

(b) *Broadcasting.*—Whenever a meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 3 of Rule XI of the Rules of the House.

RULE IV.—RECORDS AND ROLL CALLS

(a) *Keeping of Records.*—The Committee shall keep a complete record of all Committee action which shall include—

(1) in the case of any meeting or hearing transcripts, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical and typographical corrections authorized by the person making the remarks involved, and

(2) a record of the votes on any question on which a roll call is demanded.

The result of each such roll call vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting. A record vote may be demanded by one-fifth of the members present.

(b) *Property of the House.*—All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the member serving as Chairman of the Committee; and such records shall be the property of the House and all members of the House shall have access thereto.

(c) *Availability of Archived Records.*—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule XXXVI of the Rules of the House. The Chairman shall notify the ranking minority member of the Committee of any decision, pursuant to clause 3(b)(3) or clause 4(b) of such rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

RULE V.—POWER TO SIT AND ACT; SUBPOENA POWER

(a) *Authority to Sit and Act.*—For the purpose of carrying out any of its functions and duties under Rules X and XI of the Rules of the House, the Committee and each of its subcommittees, is authorized (subject to paragraph (b)(1) of this rule)—

(1) to sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned and to hold such hearings, and

(2) to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents,

as it deems necessary. The Chairman of the Committee, or any member designated by the Chairman, may administer oaths to any witness.

(b) *Issuance of Subpoenas.*—(1) A subpoena may be issued by the Committee or subcommittee under paragraph (a)(2) in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present. Such authorized subpoenas shall be signed by the Chairman of the Committee or by any member designated by the Committee. If a specific request for a subpoena has not been previously rejected by either the Committee or subcommittee, the Chairman of the Committee, after consultation with the ranking minority member of the Committee, may authorize and issue a subpoena under paragraph (a)(2) in the conduct of any investigation or activity or series of investigations or activities, and such subpoena shall for all purposes be deemed a subpoena issued by the Committee. As soon as practicable after a subpoena is issued under this rule, the Chairman shall notify all members of the Committee of such action.

(2) Compliance with any subpoena issued by the Committee or subcommittee under paragraph (a)(2) may be enforced only as authorized or directed by the House.

(c) *Expenses of Subpoenaed Witnesses.*—Each witness who has been subpoenaed, upon the completion of his or her testimony before the Committee or any subcommittee, may report to the offices of the Committee, and there sign appropriate vouchers for travel allowances and attendance fees. If hearings are held in cities other than Washington, DC, the witness may contact the counsel of the Committee, or his or her representative, before leaving the hearing room.

RULE VI.—QUORUMS

(a) *Working Quorum.*—One-third of the members of the Committee or a subcommittee shall constitute a quorum for taking any action other than the closing of a meeting pursuant to clauses 2(g) and 2(k)(5) of Rule XI of the Rules of the House, the authorizing of a subpoena pursuant to paragraph (b) of Committee rule V, the reporting of a measure or recommendation pursuant to paragraph (b)(1) of Committee Rule VIII, and the actions described in paragraphs (b), (c) and (d) of this rule.

(b) *Quorum for Reporting.*—A majority of the members of the Committee or a subcommittee shall constitute a quorum for the reporting of a measure or recommendation.

(c) *Approval of Certain Matters.*—A majority of the members of the Committee or a subcommittee shall constitute a quorum for approval of a resolution concerning any of the following actions:

(1) A prospectus for construction, alteration, purchase or acquisition of a public building or the lease of space as required by section 7 of the Public Buildings Act of 1959.

(2) Survey investigation of a proposed project for navigation, flood control, and other purposes by the Corps of Engineers (section 4 of the Rivers and Harbors Act of March 4, 1913, 33 U.S.C. 542).

(3) Construction of a water resources development project by the Corps of Engineers with an estimated Federal cost not exceeding $15,000,000 (section 201 of the Flood Control Act of 1965).

(4) Deletion of water quality storage in a Federal reservoir project where the benefits attributable to water quality are 15 percent or more but not greater than 25 percent of the total project benefits (section 65 of the Water Resources Development Act of 1974).

(5) Authorization of a Natural Resources Conservation Service watershed project involving any single structure of more than 4,000 acre feet of total capacity (section 2 of P.L. 566, 83rd Congress).

(d) *Quorum for Taking Testimony.*—Two members of the Committee or subcommittee shall constitute a quorum for the purpose of taking testimony and receiving evidence.

RULE VII.—HEARING PROCEDURES

(a) *Announcement.*—The Chairman, in the case of a hearing to be conducted by the Committee, and the appropriate subcommittee chairman, in the case of a hearing to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of such hearing at least one week before the hearing. If the Chairman or the appropriate subcommittee chairman, as the case may be, with the concurrence of the ranking minority member of the Committee or subcommittee as appropriate, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman shall make the announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record and shall promptly enter the appropriate information into the Committee scheduling service of the House Information Resources as soon as possible after such public announcement is made.

(b) *Written Statement; Oral Testimony.*—So far as practicable, each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee or subcommittee, at least 2 working days before the day of his or her appearance, a written statement of proposed testimony and shall limit his or her oral presentation to a summary of the written statement.

(c) *Minority witnesses.*—When any hearing is conducted by the Committee or any subcommittee upon any measure or matter, the minority party members on the Committee or subcommittee shall be entitled, upon request to the Chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.

(b) *Summary of Subject Matter.*—Upon announcement of a hearing, to the extent practicable, the Committee shall make available immediately to all members of the Committee a concise summary of the subject matter (including legislative reports and other material) under consideration. In addition, upon announcement of a hearing and subsequently as they are received, the Chairman shall make available to the members of the Committee any official reports from departments and agencies on such matter.

(e) *Questioning of Witnesses.*—The questioning of witnesses in Committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority member and all other members alternating between the majority and minority parties. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the members of the majority nor the members of the minority. The Chairman may accomplish this by recognizing two majority members for each minority member recognized.

(f) *Investigative Hearings.*—(1) Clause 2(k) of Rule XI of the Rules of the House (relating to additional rules for investigative hearings) applies to investigative hearings of the Committee and its subcommittees.

(2) A subcommittee may not begin a major investigation without approval of a majority of such subcommittee.

RULE VIII.—PROCEDURES FOR REPORTING BILLS AND RESOLUTIONS

(a) *Filing of Reports.*—(1) The Chairman of the Committee shall report promptly to the House any measure or matter approved by the Committee and take necessary steps to bring the measure or matter to a vote.

(2) The report of the Committee on a measure or matter which has been approved by the Committee shall be filed within 7 calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the members of the Committee, for the reporting of that measure or matter. Upon the filing of any such request, the clerk of the Committee shall transmit immediately to the Chairman of the Committee notice of the filing of that request.

(b) *Quorum; Roll Call Votes.*—(1) No measure, matter or recommendation shall be reported from the Committee unless a majority of the Committee was actually present.

(2) With respect to each roll call vote on a motion to report any measure or matter of a

public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the Committee report on the measure or matter.

(c) *Required Matters.*—The report of the Committee on a measure or mater which has been approved by the Committee shall include the items required to be included by clauses 2(1)(3) and 2(1)(4) of Rule XI and clause 7 of Rule XIII of the Rules of the House.

(d) *Additional Views.*—If, at the time of approval of any measure or matter by the Committee, any member of the Committee gives notice of intention to file supplemental, minority, or additional views, that member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such views in accordance with clause 2(1)(5) of Rule XI of the Rules of the House.

(e)(1) *Approval of Committee Views.*—All Committee and subcommittee prints, reports, documents, or other materials, not otherwise provided for under this rule, that purport to express publicly the views of the Committee or any of its subcommittees or members of the Committee or its subcommittees shall be approved by the Committee or the subcommittee prior to printing and distribution and any member shall be given an opportunity to have views included as part of such material prior to printing, release and distribution in accordance with paragraph (d) of this rule.

(2) A Committee or subcommittee document containing views other than those of members of the Committee or subcommittee shall not be published without approval of the Committee or subcommittee.

RULE IX.—OVERSIGHT

(a) *Purpose.*—The Committee shall carry out oversight responsibilities as provided in this rule in order to assist the House in—

(1) its analysis, appraisal, and evaluation of (A) the application, administration, execution, and effectiveness of the laws enacted by the Congress, or (B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation, and

(2) its formulation, consideration, and enactment of such modifications or changes in those laws, and of such additional legislation, as may be necessary or appropriate.

(b) *Oversight Plans.*—Not later than February 15 of the first session of each Congress, the Committee shall adopt its oversight plans for that Congress in accordance with clause 2(d)(1) of Rule X of the Rules of the House.

(c) *Review of Laws and Programs.*—The Committee and the appropriate legislative subcommittee shall cooperatively review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the Committee, and the organization and operation of the Federal agencies and entities having responsibilities in or for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated. In addition, the Committee and the appropriate legislative subcommittee shall cooperatively review and study any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the Committee (whether or not any bill or resolution has been introduced with respect thereto), and shall on a continuing basis undertake future research and forecasting on matters within the jurisdiction of the Committee.

(d) *Review of Tax Policies.*—The Committee and the appropriate legislative subcommittee shall cooperatively review and study on a continuing basis the impact or probable impact of tax policies affecting subjects within the jurisdiction of the Committee.

RULE X.—REVIEW OF CONTINUING PROGRAMS; BUDGET ACT PROVISIONS

(a) *Ensuring Annual Appropriations.*—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. For the purposes of this paragraph, a Government agency includes the organization units of government listed in clause 7(d) of Rule XIII of the Rules of the House.

(b) *Review of Multi-year Appropriations.*—The Committee shall review from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefore would be made annually.

(c) *Views and Estimates.*—The Committee shall, on or before February 25 of each year, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions, and (2) an estimate of the total amount of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction which it intends to be effective during that fiscal year.

(d) *Budget Allocations.*—As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, the Committee (after consulting with the appropriate committee or committees of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 or section 602 (in the case of fiscal years 1991 through 1995) of the Congressional Budget Act of 1974.

(e) *Reconciliation.*—Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process, it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

RULE XI.—COMMITTEE BUDGETS

(a) *Biennial Budget.*—The Chairman, in consultation with the chairman of each subcommittee, the majority members of the Committee and the minority members of the Committee, shall, for each Congress, prepare a consolidated Committee budget. Such budget shall include necessary amounts for staff personnel, necessary travel, investigation, and other expenses of the Committee.

(b) *Additional Expenses.*—Authorization for the payment of additional or unforeseen Committee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out herein.

(c) *Travel Requests.*—The Chairman or any chairman of a subcommittee may initiate necessary travel requests as provided in Committee Rule XIII within the limits of the consolidated budget as approved by the House and the Chairman may execute necessary vouchers thereof.

(d) *Monthly Reports.*—Once monthly, the Chairman shall submit to the Committee on House Oversight, in writing, a full and detailed accounting of all expenditures made during the period since the last such accounting from the amount budgeted to the Committee. Such report shall show the amount and purpose of such expenditure and the budget to which such expenditure is attributed. A copy of such monthly report shall be available in the Committee office for review by members of the Committee.

RULE XII.—COMMITTEE STAFF

(a) *Appointment by Chairman.*—The Chairman shall appoint and determine the remuneration of, and may remove, the employees of the Committee not assigned to the minority. The staff of the Committee not assigned to the minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he or she determines appropriate.

(b) *Appointment by Ranking Minority Member.*—The ranking minority member of the Committee shall appoint and determine the remuneration of, and may remove, the staff assigned to the minority within the budget approved for such purposes; except that no minority staff person shall be compensated at a rate which exceeds that paid his or her majority party staff counterpart. The staff assigned to the minority shall be under the general supervision and direction of the ranking minority member of the Committee who may delegate such authority as he or she determines appropriate.

(c) *Intention Regarding Staff.*—It is intended that the skills and experience of all members of the Committee staff shall be available to all members of the Committee.

RULE XIII.—TRAVEL OF MEMBERS AND STAFF

(a) *Approval.*—Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of Committee members and staff. Travel to be reimbursed from funds set aside for the Committee for any member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel shall be authorized by the Chairman for any member and any staff member in connection with the attendance of hearings conducted by the Committee or any subcommittee and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman in writing the following:

(1) the purpose of the travel:

(2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made;

(3) the location of the event for which the travel is to be made;

(4) the names of members and staff seeking authorization.

(b) *Subcommittee Travel.*—In the case of travel of members and staff of a subcommittee to hearings, meetings, conferences, and investigations involving activities or subject matter under the legislative assignment of such subcommittee, prior authorization must be obtained from the subcommittee chairman and the Chairman. Such prior authorization shall be given by the Chairman only upon the representation by the chairman of such subcommittee in writing setting

forth those items enumerated in subparagraphs (1), (2), (3), and (4) of paragraph (a) and that there has been a compliance where applicable with Committee Rule VII.

(c) *Travel Outside the United States.*—(1) In the case of travel outside the United States of members and staff of the Committee or of a subcommittee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the Committee or pertinent subcommittee, prior authorization must be obtained from the Chairman, or, in the case of a subcommittee from the subcommittee chairman and the Chairman. Before such authorization is given there shall be submitted to the Chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) the purpose of the travel;

(B) the dates during which the travel will occur;

(C) the names of the countries to be visited and the length of time to be spent in each;

(D) an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of Committee jurisdiction involved; and

(E) the names of members and staff for whom authorization is sought.

(2) Requests for travel outside the United States may be initiated by the Chairman or the chairman of a subcommittee (except that individuals may submit a request to the Chairman for the purpose of attending a conference or meeting) and shall be limited to members and permanent employees of the Committee.

(3) At the conclusion of any hearing, investigation, study, meeting or conference for which travel has been authorized pursuant to this rule, each staff member involved in such travel shall submit a written report to the Chairman covering the activities and other pertinent observations or information gained as a result of such travel.

(d) *Applicability of Laws, Rules, Policies.*—Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Oversight pertaining to such travel, and by the travel policy of the Committee as set forth in the Committee Travel Manual.

RULE XIV.—ESTABLISHMENT OF SUBCOMMITTEES; SIZE AND PARTY RATIOS; CONFERENCE COMMITTEES

(a) *Establishment.*—There shall be 6 standing subcommittees. These subcommittees, with the following sizes (including delegates) and majority/minority ratios are:

(1) Subcommittee on Aviation (_____ Members: _____ majority, _____ minority)

(2) Subcommittee on Coast Guard and Maritime Transportation (_____ Members: _____ majority, _____ minority)

(3) Subcommittee on Public Buildings and Economic Development (_____ Members: _____ majority, _____ minority)

(4) Subcommittee on Railroads (_____ Members: _____ majority, _____ minority)

(5) Subcommittee on Surface Transportation (_____ Members: _____ majority, _____ minority)

(6) Subcommittee on Water Resources and Environment (_____ Members: _____ majority, _____ minority).

(b) *Ex Officio Members.*—The Chairman and ranking minority member of the Committee shall serve as ex officio voting members on each subcommittee.

(c) *Ratios.*—On each subcommittee there shall be a ratio of majority party members to minority party members which shall be no less favorable to the majority party than the ratio for the full Committee. In calculating the ratio of majority party members to minority party members, there shall be included the ex officio members of the subcommittees.

(d) *Conferees.*—The Chairman of the Committee shall recommend to the Speaker as conferees the names of those members (1) of the majority party selected by the Chairman and (2) of the minority party selected by the ranking minority member of the Committee. Recommendations of conferees to the Speaker shall provide a ratio of majority party members to minority party members which shall be no less favorable to the majority party than the ratio for the Committee.

RULE XV.—POWERS AND DUTIES OF SUBCOMMITTEES

(a) *Authority to Sit.*—Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee chairmen shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

(b) *Disclaimer.*—All Committee or subcommittee reports printed pursuant to legislative study or investigation and not approved by a majority vote of the Committee or subcommittee, as appropriate, shall contain the following disclaimer on the cover of such report: ''This report has not been officially adopted by the Committee on (or pertinent subcommittee thereof) and may not therefore necessarily reflect the views of its members.''

(c) *Consideration by Committee.*—Each bill, resolution, or other matter favorably reported by a subcommittee shall automatically be placed upon the agenda of the Committee. Any such matter reported by a subcommittee shall not be considered by the Committee unless it has been delivered to the offices of all members of the Committee at least 48 hours before the meeting, unless the Chairman determines that the matter is of such urgency that it should be given early consideration. Where practicable, such matters shall be accompanied by a comparison with present law and a section-by-section analysis.

RULE XVI.—REFERRAL OF LEGISLATION TO SUBCOMMITTEES

(a) *General Requirement.*—Except where the Chairman of the Committee determines, in consultation with the majority members of the Committee, that consideration is to be by the full Committee, each bill, resolution, investigation, or other matter which relates to a subject listed under the jurisdiction of any subcommittee established in Rule XIV referred to or initiated by the full Committee shall be referred by the Chairman to all subcommittees of appropriate jurisdiction within two weeks. All bills shall be referred to the subcommittee of proper jurisdiction without regard to whether the author is or is not a member of the subcommittee.

(b) *Recall from Subcommittee.*—A bill, resolution, or other matter referred to a subcommittee in accordance with this rule may be recalled therefrom at any time by a vote of a majority of the members of the Committee voting, a quorum being present, for the Committee's direct consideration or for reference to another subcommittee.

(c) *Multiple Referrals.*—In carrying out this rule with respect to any matter, the Chairman may refer the matter simultaneously to two or more subcommittees for concurrent consideration or for consideration in sequence (subject to appropriate time limitations in the case of any subcommittee after the first), or divide the matter into two or more parts (reflecting different subjects and jurisdictions) and refer each such part to a different subcommittee, or make such other provisions as he or she considers appropriate.

RULES OF PROCEDURE FOR THE COMMITTEE ON RESOURCES 105TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alaska [Mr. YOUNG] is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Speaker, pursuant to clause 2(a) of rule XI of the Rules of the House of Representatives, I submit for publication in the CONGRESSIONAL RECORD the rules of procedure for the 105th Congress adopted by the Committee on Resources on February 5, 1997.

RULES FOR THE COMMITTEE ON RESOURCES

RULE 1. RULES OF THE HOUSE; VICE CHAIRMEN

(a) Applicability of House Rules.

(1) The Rules of the House of Representatives, so far as they are applicable, are the rules of the Committee and its Subcommittees.

(2) Each Subcommittee is part of the Committee and is subject to the authority, direction and rules of the Committee. References in these rules to ''Committee'' and ''Chairman'' shall apply to each Subcommittee and its Chairman wherever applicable.

(3) House Rule XI is incorporated and made a part of the rules of the Committee to the extent applicable.

(b) Vice Chairmen.—Unless inconsistent with other rules, the Chairman shall appoint a Vice Chairman of the Committee and Vice Chairmen of each of the Subcommittees. If the Chairman of the Committee or Subcommittee is not present at any meeting of the Committee or Subcommittee, as the case may be, the Vice Chairman shall preside. If the Vice Chairman is not present, the ranking Member of the Majority party on the Committee or Subcommittee who is present shall preside at that meeting.

RULE 2. MEETINGS IN GENERAL

(a) Scheduled Meetings.—The Committee shall meet at 11 a.m. on the first Wednesday of each month that the House is in session, unless that meeting is canceled by the Chairman. The Committee shall also meet at the call of the Chairman subject to advance notice to all Members of the Committee. Special meetings shall be called and convened by the Chairman as provided in clause 2(c)(2) of House Rule XI. Any Committee meeting or hearing that conflicts with a party caucus, conference, or similar party meeting shall be rescheduled at the discretion of the Chairman, in consultation with the Ranking Minority Member. The Committee may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

(b) Open Meetings.—Each meeting for the transaction of business, including the markup of legislation, and each hearing of the Committee or a Subcommittee shall be open to the public except as provided by clause 2(g) of House Rule XI.

(c) Broadcasting.—Whenever a meeting for the transaction of business, including the

markup of legislation, or a hearing is open to the public, that meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 3 of House Rule XI.

(d) Oversight Plan.—No later than February 15 of the first session of each Congress, the Committee shall adopt its oversight plans for that Congress in accordance with clause 2(d)(1) of House Rule X.

RULE 3. PROCEDURES IN GENERAL

(a) Agenda of Meetings; Information for Members.—An agenda of the business to be considered at meetings shall be delivered to the office of each Member of the Committee no later than 48 hours before the meeting. This requirement may be waived by a majority vote of the Committee at the time of the consideration of the measure or matter. To the extent practicable, a summary of the major provisions of any bill being considered by the Committee, including the need for the bill and its effect on current law, will be available for the Members of the Committee no later than 48 hours before the meeting.

(b) Meetings and Hearings to Begin Promptly.—Each meeting or hearing of the Committee shall begin promptly at the time stipulated in the public announcement of the meeting or hearing.

(c) Addressing the Committee.—A Committee Member may address the Committee or a Subcommittee on any bill, motion, or other matter under consideration or may question a witness at a hearing only when recognized by the Chairman for that purpose. The time a Member may address the Committee or Subcommittee for any purpose or to question a witness shall be limited to five minutes, except as provided in Committee rule 4(g). A Member shall limit his remarks to the subject matter under consideration. The Chairman shall enforce the preceding provision.

(d) Quorums.

(1) A majority of the Members shall constitute a quorum for the reporting of any measure or recommendation, the authorizing of a subpoena or the closing of any meeting or hearing to the public under clause 2(g) of House Rule XI. Testimony and evidence may be received at any hearing at which there are at least two Members of the Committee present. For the purpose of transacting all other business of the Committee, one third of the Members shall constitute a quorum.

(2) When a call of the roll is required to ascertain the presence of a quorum, the offices of all Members shall be notified and the Members shall have not less than 10 minutes to prove their attendance. The Chairman shall have the discretion to waive this requirement when a quorum is actually present or whenever a quorum is secured and may direct the Clerk to note the names of all Members present within the 10-minute period.

(e) Participation of Members in Committee and Subcommittees.—All Members of the Committee may sit with any Subcommittee during any hearing, and by unanimous consent of the Members of the Subcommittee may participate in any meeting or hearing. However, a Member who is not a Member of the Subcommittee may not vote on any matter before the Subcommittee, be counted for purposes of establishing a quorum or raise points of order.

(f) Proxies.—No vote in the Committee or Subcommittee may be cast by proxy.

(g) Roll Call Votes.—Roll call votes shall be ordered on the demand of one-fifth of the Members present, or by any Member in the apparent absence of a quorum.

(h) Motion.—A motion to recess from day to day and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege.

(i) Layover and Copy of Bill.—No measure or recommendation reported by a Subcommittee shall be considered by the Committee until two calendar days from the time of Subcommittee action. No bill shall be considered by the Committee unless a copy has been delivered to the office of each Member of the Committee requesting a copy. These requirements may be waived by a majority vote of the Committee at the time of consideration of the measure or recommendation.

(j) Access to Dais and Conference Room.—Access to the hearing rooms' daises and to the conference rooms adjacent to the Committee hearing rooms shall be limited to Members of Congress and employees of Congress during a meeting of the Committee.

(k) Cellular Telephones.—The use of cellular telephones is prohibited on the Committee dais during a meeting of the Committee.

RULE 4. HEARING PROCEDURES

(a) Announcement.—The Chairman shall publicly announce the date, place, and subject matter of any hearing at least one week before the hearing unless the Chairman, with the concurrence of the Ranking Minority Member, determines that there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote. In these cases, the Chairman shall publicly announce the hearing at the earliest possible date. The Clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record and shall promptly enter the appropriate information into the Committee scheduling service of the House Information Systems as soon as possible after the public announcement is made.

(b) Written Statement; Oral Testimony.—Each witness who is to appear before the Committee or a Subcommittee shall file with the Clerk of the Committee or Subcommittee, at least two working days before the day of his or her appearance, a written statement of proposed testimony. Each witness shall limit his or her oral presentation to a five-minute summary of the written statement, unless the Chairman, in consultation with the Ranking Minority Member, extends this time period.

(c) Minority Witnesses.—When any hearing is conducted by the Committee or any Subcommittee upon any measure or matter, the Minority party Members on the Committee or Subcommittee shall be entitled, upon request to the Chairman by a majority of those Minority Members before the completion of the hearing, to call witnesses selected by the Minority to testify with respect to that measure or matter during at least one day of hearings thereon.

(d) Information for Members.—After announcement of a hearing, the Committee shall make available as soon as practicable to all Members of the Committee a tentative witness list and to the extent practicable a memorandum explaining the subject matter of the hearing (including relevant legislative reports and other necessary material). In addition, the Chairman shall make available to the Members of the Committee any official reports from departments and agencies on the subject matter as they are received.

(e) Subpoenas.—The Committee may authorize and issue a subpoena under clause 2(m) of House Rule XI if authorized by a majority of the Members voting. In addition, the Chairman of the Committee may authorize and issue subpoenas during any period of time in which the House of Representatives has adjourned for more than three days. Subpoenas shall be signed by the Chairman of the Committee, or any Member of the Committee authorized by the Committee, and may be served by any person designated by the Chairman or Member.

(f) Oaths.—The Chairman of the Committee or any Member designated by the Chairman may administer oaths to any witness before the Committee.

(g) Opening Statements; Questioning of Witnesses.

(1) Opening statements by Members may not be presented orally, unless the Chairman or his designee makes a statement, in which case the Ranking Minority Member or his designee may also make a statement. If a witness scheduled to testify at any hearing of the Committee is a constituent of a Member of the Committee, that Member shall be entitled to introduce the witness at the hearing.

(2) The questioning of witnesses in Committee and Subcommittee hearings shall be initiated by the Chairman, followed by the Ranking Minority Member and all other Members alternating between the Majority and Minority parties. In recognizing Members to question witnesses, the Chairman shall take into consideration the ratio of the Majority to Minority Members present and shall establish the order of recognition for questioning in a manner so as not to disadvantage the Members of the Majority or the Members of the Minority. A motion is in order to allow an equal number of designated Majority and Minority party Members to question a witness for a specified period. This period shall not exceed 30 minutes total for the Majority party Members and 30 minutes total for the Minority party Members.

(h) Investigative Hearings.—Clause 2 of House Rule XI shall govern investigative hearings of the Committee and its Subcommittees.

RULE 5. FILING OF COMMITTEE REPORTS

(a) Duty of Chairman.—Whenever the Committee authorizes the favorable reporting of a measure from the Committee, the Chairman or his designee shall report the same to the House of Representatives and shall take all steps necessary to secure its passage without any additional authority needing to be set forth in the motion to report each individual measure. In appropriate cases, the authority set forth in this rule shall extend to moving in accordance with the Rules of the House of Representatives that the House be resolved into the Committee of the Whole House on the State of the Union for the consideration of the measure; and to moving in accordance with the Rules of the House of Representatives for the disposition of a Senate measure that is substantially the same as the House measure as reported.

(b) Filing.—A report on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House of Representatives is not in session) after the day on which there has been filed with the Committee Clerk a written request, signed by a majority of the Members of the Committee, for the reporting of that measure. Upon the filing with the Committee Clerk of this request, the Clerk shall transmit immediately to the Chairman notice of the filing of that request.

(c) Supplemental, Additional or Minority Views.—Any Member may, if notice is given at the time a bill or resolution is approved by the Committee, file supplemental, additional, or minority views. These views must be in writing and signed by each Member joining therein and be filed with the Committee Clerk not less than two additional calendar days (excluding Saturdays, Sundays and legal holidays except when the House is in session on those days) of the time the bill or resolution is approved by the Committee. This paragraph shall not preclude the filing

of any supplemental report on any bill or resolution that may be required for the correction of any technical error in a previous report made by the Committee on that bill or resolution.

(d) Review by Members.—Each Member of the Committee shall be given an opportunity to review each proposed Committee report before it is filed with the Clerk of the House of Representatives. Nothing in this paragraph extends the time allowed for filing supplemental, additional or minority views under paragraph (c).

(e) Disclaimer.—All Committee or Subcommittee reports printed pursuant to legislative study or investigation and not approved by a majority vote of the Committee or Subcommittee, as appropriate, shall contain the following disclaimer on the cover of the report:

''This report has not been officially adopted by the [Committee on Resources] [Subcommittee] and may not therefore necessarily reflect the views of its Members.''.

RULE 6. ESTABLISHMENT OF SUBCOMMITTEES; FULL COMMITTEE JURISDICTION; BILL REFERRALS

(a) Subcommittees.—There shall be five standing Subcommittees of the Committee, with the following jurisdiction and responsibilities:

Subcommittee on National Parks and Public Lands

(1) Measures and matters related to the National Park System and its units, including Federal reserve water rights.

(2) The National Wilderness Preservation System, except for wilderness created from forest reserves from the public domain, and wilderness in Alaska.

(3) Wild and Scenic Rivers System, National Trails System, national heritage areas and other national units established for protection, conservation, preservation or recreational development administered by the Secretary of the Interior, other than coastal barriers.

(4) Military parks and battlefields, national cemeteries administered by the Secretary of the Interior, parks in and within the vicinity of the District of Columbia and the erection of monuments to the memory of individuals.

(5) Federal outdoor recreation plans, programs and administration including the Land and Water Conservation Fund, except those in public forests.

(6) Plans and programs concerning non-Federal outdoor recreation and land use, including related plans and programs authorized by the Land and Water Conservation Fund Act of 1965 and the Outdoor Recreation Act of 1963, except those in public forests.

(7) Preservation of prehistoric ruins and objects of interest on the public domain and other historic preservation programs and activities, including national monuments, historic sites and programs for international cooperation in the field of historic preservation.

(8) Matters concerning the following agencies and programs: Urban Parks and Recreation Recovery Program, Historic American Buildings Survey, Historic American Engineering Record, and U.S. Holocaust Memorial.

(9) Except for public lands in Alaska, public lands generally, including measures or matters relating to entry, easements, withdrawals, grazing and Federal reserved water rights.

(10) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.

(11) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Forests and Forest Health

(1) Except in Alaska, forest reservations, including management thereof, created from the public domain.

(2) Except for forest lands in Alaska, public forest lands generally, including measures or matters related to entry, easements, withdrawals and grazing.

(3) Except in Alaska, Federal reserved water rights on forest reserves.

(4) Wild and Scenic Rivers System, National Trails System, national heritage areas and other national units established for protection, conservation, preservation or recreational development administered by the Secretary of Agriculture.

(5) Federal and non-Federal outdoor recreation plans, programs and administration in public forests.

(6) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Fisheries Conservation, Wildlife and Oceans

(1) Fisheries management and fisheries research generally, including the management of all commercial and recreational fisheries, the Magnuson-Stevens Fishery Conservation and Management Act, interjurisdictional fisheries, international fisheries agreements, aquaculture, seafood safety and fisheries promotion.

(2) Wildlife resources, including research, restoration, refuges and conservation.

(3) All matters pertaining to the protection of coastal and marine environments, including estuarine protection.

(4) Coastal barriers.

(5) Oceanography.

(6) Ocean engineering, including materials, technology and systems.

(7) Coastal zone management.

(8) Marine sanctuaries.

(9) U.N. Convention on the Law of the Sea.

(10) Sea Grant programs and marine extension services.

(11) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Water and Power

(1) Generation and marketing of electric power from Federal water projects by Federally chartered or Federal regional marketing authorities.

(2) All measures and matters concerning water resources planning conducted pursuant to the Water Resources Planning Act, water resource research and development programs and saline water research and development.

(3) Compacts relating to the use and apportionment of interstate waters, water rights and major interbasin water or power movement programs.

(4) All measures and matters pertaining to irrigation and reclamation projects and other water resources development programs, including policies and procedures.

(5) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

Subcommittee on Energy and Mineral Resources

(1) All measures and matters concerning the U.S. Geological Survey, except for the activities and programs of the Water Resources Division or its successor.

(2) All measures and matters affecting geothermal resources.

(3) Conservation of United States uranium supply.

(4) Mining interests generally, including all matters involving mining regulations and enforcement, including the reclamation of mined lands, the environmental effects of mining, and the management of mineral receipts, mineral land laws and claims, long-range mineral programs and deep seabed mining.

(5) Mining schools, experimental stations and long-range mineral programs.

(6) Mineral resources on public lands.

(7) Conservation and development of oil and gas resources of the Outer Continental Shelf.

(8) Petroleum conservation on the public lands and conservation of the radium supply in the United States.

(9) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

(b) Full Committee.—The Full Committee shall have the following jurisdiction and responsibilities:

(1) Measures and matters concerning the transportation of natural gas from or within Alaska and disposition of oil transported by the trans-Alaska oil pipeline.

(2) Measures and matters relating to Alaska public lands, including forestry and forest management issues, and Federal reserved water rights.

(3) Environmental and habitat measures and matters of general applicability.

(4) Measures relating to the welfare of Native Americans, including management of Indian lands in general and special measures relating to claims which are paid out of Indian funds.

(5) All matters regarding the relations of the United States with the Indians and the Indian tribes, including special oversight functions under clause 3(e) of Rule X of the Rules of the House of Representatives.

(6) All matters regarding Native Alaskans and Native Hawaiians.

(7) All matters related to the Federal trust responsibility to Native Americans and the sovereignty of Native Americans.

(8) All matters regarding insular areas of the United States.

(9) All measures or matters regarding the Freely Associated States and Antarctica.

(10) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources within the jurisdiction of the Committee.

(11) All measures and matters retained by the Full Committee under Committee rule 6(e).

(12) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Committee under House Rule X.

(c) Ex-officio Members.—The Chairman and Ranking Minority Member of the Committee may serve as ex-officio, Members of each standing Subcommittee to which the Chairman or the Ranking Minority Member have not been assigned. Ex-officio Members shall have the right to fully participate in Subcommittee activities but may not vote and may not be counted in establishing a quorum.

(d) Powers and Duties of Subcommittees.—Each Subcommittee is authorized to meet, hold hearings, receive evidence and report to the Committee on all matters within its jurisdiction. Each Subcommittee shall review and study, on a continuing basis, the application, administration, execution and effectiveness of those statutes, or parts of statutes, the subject matter of which is within that Subcommittee's jurisdiction; and the organization, operation, and regulations of any Federal agency or entity having responsibilities in or for the administration of such statutes, to determine whether these statutes are being implemented and carried out in accordance with the intent of Congress.

Each Subcommittee shall review and study any conditions or circumstances indicating the need of enacting new or supplemental legislation within the jurisdiction of the Subcommittee.

(e) Referral to Subcommittees; Recall.

(1) Except as provided in paragraph (2) and for those matters within the jurisdiction of the Full Committee, every legislative measure or other matter referred to the Committee shall be referred to the Subcommittee of jurisdiction within two weeks of the date of its referral to the Committee. If any measure or matter is within or affects the jurisdiction of one or more Subcommittees, the Chairman may refer that measure or matter simultaneously to two or more Subcommittees for concurrent consideration or for consideration in sequence subject to appropriate time limits, or divide the matter into two or more parts and refer each part to a Subcommittee.

(2) The Chairman, with the approval of a majority of the Majority Members of the Committee, may order a legislative measure or other matter retained for consideration by the Full Committee or refer it to a select or special Subcommittee. A legislative measure or other matter referred by the Chairman to a Subcommittee may be recalled from the Subcommittee for direct consideration by the Full Committee, or for referral to another Subcommittee, provided Members of the Committee receive one week written notice of the recall and a majority of the Members of the Committee do not object. In addition, a legislative measure or other matter referred by the Chairman to a Subcommittee may be recalled from the Subcommittee at any time by majority vote of the Committee for direct consideration by the Full Committee or for referral to another Subcommittee.

(f) Consultation.—Each Subcommittee Chairman shall consult with the Chairman of the Full Committee prior to setting dates for Subcommittee meetings with a view towards avoiding whenever possible conflicting Committee and Subcommittee meetings.

(g) Vacancy.—A vacancy in the membership of a Subcommittee shall not affect the power of the remaining Members to execute the functions of the Subcommittee.

RULE 7. TASK FORCES, SPECIAL OR SELECT SUBCOMMITTEES

(a) Appointment.—The Chairman of the Committee is authorized, after consultation with the Ranking Minority Member, to appoint Task Forces, or special or select Subcommittees, to carry out the duties and functions of the Committee.

(b) Ex-Officio Members.—The Chairman and Ranking Minority Member of the Committee shall serve as ex-officio Members of each Task Force, or special or select Subcommittee.

(c) Party Ratios.—The ratio of Majority Members to Minority Members, excluding ex-officio Members, on each Task Force, special or select Subcommittee shall be as close as practicable to the ratio on the Full Committee.

(d) Temporary Resignation.—A Member can temporarily resign his or her position on a Subcommittee to serve on a Task Force, special or select Subcommittee without prejudice to the Member's seniority on the Subcommittee.

(e) Chairman and Ranking Minority Member.—The Chairman of any Task Force, or special or select Subcommittee shall be appointed by the Chairman of the Committee. The Ranking Minority Members shall select a Ranking Minority Member for each Task Force, or standing, special or select Subcommittee.

RULE 8. RECOMMENDATION OF CONFEREES

Whenever it becomes necessary to appoint conferees on a particular measure, the Chairman shall recommend to the Speaker as conferees those Majority Members, as well as those Minority Members recommended to the Chairman by the Ranking Minority Member, primarily responsible for the measure. The ratio of Majority Members to Minority Members recommended for conferences shall be no greater than the ratio on the Committee.

RULE 9. COMMITTEE RECORDS

(a) Segregation of Records.—All Committee records shall be kept separate and distinct from the office records of individual Committee Members serving as Chairmen or Ranking Minority Members. These records shall be the property of the House and all Members shall have access to them in accordance with clause 2(e)(2) of House Rule XI.

(b) Availability.—The Committee shall make available to the public for review at reasonable times in the Committee office the following records:

(1) transcripts of public meetings and hearings, except those that are unrevised or unedited and intended solely for the use of the Committee; and

(2) the result of each rollcall vote taken in the Committee, including a description of the amendment, motion, order or other proposition voted on, the name of each Committee Member voting for or against a proposition, and the name of each Member present but not voting.

(c) Archived Records.—Records of the Committee which are deposited with the National Archives shall be made available pursuant to the Rules of the House of Representatives. The Chairman of the Committee shall notify the Ranking Minority Member of any decision to withhold a record pursuant to the Rules of the House of Representatives, and shall present the matter to the Committee upon written request of any Committee Member.

(d) Records of Closed Meetings—Notwithstanding the other provisions of this rule, no records of Committee meetings or hearings which were closed to the public pursuant to the Rules of the House of Representatives shall be released to the public unless the Committee votes to release those records in accordance with the procedure used to close the Committee meeting.

(e) Classified Materials.—All classified materials shall be maintained in an appropriately secured location and shall be released only to authorized persons for review, who shall not remove the material from the Committee offices without the written permission of the Chairman.

RULE 10. COMMITTEE BUDGET AND EXPENSES

(a) Budget.—At the beginning of each Congress, after consultation with the Chairman of each Subcommittee, the Chairman shall propose and present to the Committee for its approval a budget covering the funding required for staff, travel, and miscellaneous expenses.

(b) Expense Resolution.—Upon approval by the Committee of each budget, the Chairman, acting pursuant to clause 5 of House Rule XI, shall prepare and introduce in the House a supporting expense resolution, and take all action necessary to bring about its approval by the Committee on House Oversight and by the House of Representatives.

(c) Amendments.—The Chairman shall report to the Committee any amendments to each expense resolution and any related changes in the budget.

(d) Additional Expenses.—Authorization for the payment of additional or unforeseen Committee expenses may be procured by one or more additional expense resolutions processed in the same manner as set out under this rule.

(e) Monthly Reports.—Copies of each monthly report, prepared by the Chairman for the Committee on House Oversight, which shows expenditures made during the reporting period and cumulative for the year, anticipated expenditures for the projected Committee program, and detailed information on travel, shall be available to each Member.

RULE 11. COMMITTEE STAFF

(a) Rules and Policies.—Committee staff members are subject to the provisions of clause 6 of House Rule XI, as well as any written personnel policies the Committee may from time to time adopt.

(b) Majority and Nonpartisan Staff.—The Chairman shall appoint, determine the remuneration of, and may remove, the legislative/investigative and administrative employees of the Committee not assigned to the Minority. The legislative/investigative and administrative staff of the Committee not assigned to the Minority shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of these staff members and delegate any authority he determines appropriate.

(c) Minority Staff.—The Ranking Minority Member of the Committee shall appoint, determine the remuneration of, and may remove, the legislative/investigative and administrative staff assigned to the Minority within the budget approved for those purposes. The legislative/investigative and administrative staff assigned to the Minority shall be under the general supervision and direction of the Ranking Minority Member of the Committee who may delegate any authority he determines appropriate.

(d) Availability.—The skills and services of all Committee staff shall be available to all Members of the Committee.

RULE 12. COMMITTEE TRAVEL

In addition to any written travel policies the Committee may from time to time adopt, all travel of Members and staff of the Committee or its Subcommittees, to hearings, meetings, conferences and investigations, including all foreign travel, must be authorized by the Full Committee Chairman prior to any public notice of the travel and prior to the actual travel. In the case of Minority staff, all travel shall first be approved by the Ranking Minority Member. Funds authorized for the Committee under clause 5 of House Rule XI are for expenses incurred in the Committee's activities within the United States.

RULE 13. CHANGES TO COMMITTEE RULES

The rules of the Committee may be modified, amended, or repealed, by a majority vote of the Committee, provided that 48 hours written notice of the proposed change has been provided each Member of the Committee prior to the meeting date on which the changes are to be discussed and voted on. A change to the rules of the Committee shall be published in the Congressional Record no later than 30 days after its approval.

RULE 14. OTHER PROCEDURES

The Chairman may establish procedures and take actions as may be necessary to carry out the rules of the Committee or to facilitate the effective administration of the Committee, in accordance with the rules of the Committee and the Rules of the House of Representatives.

EDUCATION AT A CROSSROADS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. HOEKSTRA] is recognized for 60 minutes.

Mr. HOEKSTRA. Mr. Speaker, I want to continue the dialog on education.

In my role in Congress I have the opportunity to serve as chairman of the Subcommittee on Oversight and Investigations of the Committee on Education and the Workforce. In that committee last year, we researched the Office of Management and Budget documents to get a better understanding of how the executive branch defined education at the Federal level. In researching their documents we found out that when you take a look at education from a Washington level, you find 760 programs spread over 39 different agencies spending about $120 billion per year.

Our work in the last Congress has led us to initiate a new project here in 1997. We call that project Education At A Crossroads: What Works and What is Wasted.

What we are really saying is before we begin any major new initiatives in the education area, let us take a look at this broad range of Federal programs and find out what really is working and what is not working. Let us go around the country and take a look at local school districts, at parents, at teachers, and at school boards that are educating kids and providing a good environment where kids can learn.

Last night the President really did not spend a lot of time talking about it, the specific problems, but he did highlight, obviously, the area of education. At many different levels we can say that education may be in somewhat of a crisis, or there are symptoms that say we may have a significant problem.

Statistics tell us that one-half of all adult Americans are functionally illiterate. This includes not being able to write a letter to explain a billing error or figure out a departure on a bus schedule. Sixty-four percent of 12th graders do not read at a proficient level. In many cases these students cannot read their own high school diplomas. In international comparisons, United States students scored worse in math than any other major industrialized country except for Jordan.

Now, if we take that down another level, last week we had a hearing out in California. In California, think about this, 25 percent of all the students entering higher education need remedial education. They have graduated from high school, they have been accepted into college, and now they need remedial education. What does that mean? It means that they cannot read or write at an eighth grade level.

In Michigan, our Governor may propose that he needs and the State needs to take over eight failing school districts because they have high dropout rates, low test scores, and low graduation rates.

Right here in Washington, DC, right outside of this building, we are spending $8,300 per student and we are getting some of the lowest test scores in the country.

What is the vision or what is the picture that many people have of education today when they are asked about it? The general public see three recurring images: They see metal detectors in high schools, they see kids outside of the school during school hours, and they see checkout clerks who cannot make change. You put this all together, it is clear something needs to be done in education.

We have known this for quite some time. The Federal Government's solution, as I outlined earlier, 760 bureaucracies or programs spread across 39 departments, agencies, and commissions, spending 120 billion in taxpayers' dollars on education in 1995.

What are these programs focused on? Of the programs, 3.6 percent are science related, 1.9 percent are reading related, and 1.1 percent are math related. Less than 10 percent of these programs are focused on either science, reading, or math. What else do they do? One of the programs pays for closed captioning of things like ''Baywatch.''

That is an educational program. Perhaps the problem we have in Washington is not that we are not spending enough dollars or that we have too many programs, we are spending it on the wrong things. That is why we are saying before we embark on major new programs and major new initiatives, let us take a look at what we are doing today.

I think we all believe that when it comes to education we can do better, we need to do better. Our children only begin to receive a high quality education—we have heard this from hearings, we have gone into a number of areas around the country—when what? When we focus on basic academics, where we have strong parental involvement, and where dollars end up in the classroom and do not get sucked up by a bureaucracy.

Let us talk about some of the goals and some of the programs that we are working on and some of the process that we are going to go through. In Crossroads With Education, we are going around the country taking a look at classes and at schools that work where kids learn.

We have had the opportunity to go to east Harlem, some of the toughest neighborhoods in the country. We have gone to schools in public housing projects in Chicago. Last week we were in south central L.A. The exciting thing about each one of these areas and each one of these neighborhoods is we saw schools that were providing a wonderful environment for learning, and they were not doing it because of Federal programs. In most cases they were doing it in spite of Federal programs.

They were experimenting and they were doing innovative things where there was a barrier to them getting Federal dollars. The Federal Government, in many of its laws, is actually stopping innovation and creativity at the local level rather than facilitating it.

Again, what works? Basic academics, parental involvement. Each one of these schools really has had parental involvement. Parents feel like they have control of their school. And when parents have the opportunity to control their school and to be involved with their kids, it makes a difference. Each one of these had a strong inspirational leader who had a vision for their school and is driving to make that school serve the patients and the kids and not a bureaucracy.

We are focusing on dollars to the classroom. A study that was just completed said that when a dollar comes to Washington, only 85 cents of it makes it back into the classroom. And that is when you are only taking a look at the Federal bureaucracy. If you take a look at the applications that local school districts and States have to spend time and effort and energy on to get these Federal dollars, if you take a look at the time and expense that they have to monitor their programs and send reports back to Washington, I am sure that you could take a look at these dollars that go to Washington and say for every dollar that goes to Washington, probably less than 60 or 65 cents of it makes it back into the classroom.

This is not about moving more money and bigger programs into Washington, this is about taking the dollars that Washington has committed to spending on education and getting them back in the classroom.

One of the exciting things we are going to be doing is we are going to be going back to the Department of Education, these other 38 agencies, and saying how hard is it to apply for these grants? How complex is the process? How many people are applying for how many grants? What kind of paperwork is involved once people receive these grants? When they file reports back to Washington, when they send them back to the Education Department, does anybody read them? Is any action taken off of these reports?

The Federal dollars going into the District. We have done superintendent surveys and the one message we get back consistently is, yeah, the broad outlines and the things that you are trying to solve from Washington work, but when you send us the dollars, the parameters are so tight, yeah, we do what you tell us to do, but that does not really enable us to do what we need to do and what we want to do in our schools.

It leads to the comment of one of the principals that we talked to last week. When she was talking she said, when I worked in the public school district and I was a public school principal, before I became a public school principal in a charter school, I had to worry about not the 3 R's, I had to worry about the 3 B's. That is kind of like her reaction working either with her school district or working with the Federal Government.

The 3 B's. What are they? I had to worry about bussing. Are the buses running on time?

□ 1645

I had to worry about budgets to make sure that the dollars fell in the right categories and that I stayed within the budget. And then I had to worry about the buts. What are the buts? The buts are every time I had a good idea and every time my parents came into the school with a good idea about what they wanted to do in this school and I went to the centralized administration, I would get the comment back, ''That is a good idea, but if we let you do it, everybody else will have to be able to do it.''

''But the rules don't allow for that.''

''But yet we can't do that.''

''But we've never done that before.''

When the parents took over that school and created a public school, but a charter public school with parental involvement, the buts went away and we now have a high quality, high performing school in one of the toughest areas in one of our major cities.

We want to minimize what is wasted in education. We want dollars back into the classroom. We want the dollars focused on what really works. And it is really important that we work in a collaborative fashion, that we work in a collaborative fashion with parents, with school boards, with local school boards to ensure that they are given the tools and the control to create the schools that best meet the needs of their kids.

What we are going to be doing, we are going to be continuing this process for the next 12 months. Obviously we have done a lot of work in 1996. We have already done a lot of work in 1997. But before we go out and spend another $50 billion as Band-Aids on a system that is currently broken, we need to evaluate the current system and put the money into things that work.

There are wonderful success stories out there, there are wonderful environments, there are wonderful schools, and they are all wonderful kids and they are learning. What we need to do is to make sure that we help them and do not continue to hurt them with programs from Washington that do not work.

Why are we experiencing some of the failure today? Too often we have put bureaucrats ahead of kids. When we get done with education reform in this Congress, we are going to put kids ahead of bureaucrats. Too often we have put social engineering ahead of the basics. It is time to focus on reading, writing, and math. It is time to focus on the basics.

We have put money into the bureaucracy, not into the classroom. We need to move the dollars out of the bureaucracy. We need to move the dollars to the local level so that they can get into the classroom.

Before we put 1 million new tutors on the streets, we need to ask the basic question, Why are kids not learning today? We have at least 14 literacy programs in the Federal Government. Kids are spending 6 to 7 hours a day in school. Why are they not learning today? Do we need to revamp these 14 literacy programs? Do we need to take a look at what is going on in the classroom?

Those are the kinds of questions that over the next 6 to 12 months, the Education and Oversight Subcommittee is going to be looking at. As we develop answers to those kinds of questions, we will be developing, hopefully in collaboration with the President, the proposals that will put kids in front of bureaucrats, it will move dollars into the classroom, and it will move us in education back to focusing on the basics, reading, writing, and math.

Like I said earlier, the wonderful thing about this project is I have seen success stories from one end of the country to the next. It is about common sense, it is about getting back to the basics and it is about doing the right things.

As we work on getting back to that commonsense approach, we can and we will improve education. It is an exciting process and an exciting challenge on which to work.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. OBEY (at the request of Mr. GEPHARDT) for today on account of illness.

Mr. FOGLIETTA (at the request of Mr. GEPHARDT) for today on account of illness.

Mrs. CARSON (at the request of Mr. GEPHARDT) for today on account of illness.

Mr. BARRETT of Wisconsin (at the request of Mr. GEPHARDT) for today on account of the birth of a baby girl.

Mrs. CHENOWETH (at the request of Mr. ARMEY) for today and the balance of the week on account of the death of her mother.

Mr. YOUNG of Florida (at the request of Mr. ARMEY) for today and for the balance of the week on account of a death in the family.

Mr. HOYER (at the request of Mr. GEPHARDT) for today on account of illness in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. UNDERWOOD, for 5 minutes, today.

Mr. SKAGGS, for 5 minutes, today.

Ms. SLAUGHTER, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. FARR of California, for 5 minutes, today.

(The following Members (at the request of Mr. RILEY) to revise and extend their remarks and include extraneous material:)

Mr. SMITH of Michigan, for 5 minutes each day, today and on February 11.

Mr. PITTS, for 5 minutes, today.

Mr. FOLEY, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Mrs. LOWEY, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. OWENS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) and to include extraneous material:)

Mr. BENTSEN.

Mr. BECERRA.

Mr. BLUMENAUER.

Mr. ACKERMAN.

Mr. STARK.

Ms. HARMAN.

Ms. SANCHEZ.

Mr. TOWNS.

Ms. NORTON.

(The following Members (at the request of Mr. RILEY) and to include extraneous material:)

Ms. MOLINARI.

Mr. WELDON of Pennsylvania.

Mrs. JOHNSON of Connecticut.

Mrs. ROUKEMA.

Mr. GILMAN, in two instances.

Mr. FRELINGHUYSEN.

(The following Members (at the request of Mr. HOEKSTRA) and to include extraneous material:)

Mr. GALLEGLY.

Mrs. MYRICK.

Mr. STUMP.

Mr. MORAN of Virginia in two instances.

Ms. EDDIE BERNICE JOHNSON of Texas in two instances.

Mr. KUCINICH in two instances.

Mr. LEVIN.

Mr. FILNER in two instances.

Mr. BASS.

Mrs. MORELLA in two instances.

Mr. GALLEGLY.

Mr. FRANKS of New Jersey in two instances.

Mr. FARR of California.

Mrs. KELLY.

Mr. FRANK of Massachusetts.

Mrs. LOWEY.

Mr. PACKARD.

Mr. MCDERMOTT.

Mr. TRAFICANT.

Mr. RIGGS.

Mr. KENNEDY of Massachusetts in two instances.

Mr. BARCIA.

Mr. ENGEL.

Mrs. KENNELLY of Connecticut.

Ms. KAPTUR.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 4. Concurrent Resolution commending and thanking the Honorable Warren Christopher for his exemplary service as Secretary of State; to the Committee on International Relations.

ADJOURNMENT

Mr. HOEKSTRA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Thursday, February 6, 1997, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1387. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Florida Grapefruit, Florida Oranges and Tangelos, and Florida Tangerines; Grade Standards [Docket No. FV–96–301] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1388. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Shelled Almonds and Almonds in the Shell; Grade Standards [Docket No. FV–95–305] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1389. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Grapes Grown in a Designated Area of Southeastern California; Assessment Rate [Docket No. FV96–925–1 IFR] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1390. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Olives Grown in California; Assessment Rate [Docket No. FV–96–932–4 IFR] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1391. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Fluid Milk Promotion Order; Amendments to the Order [DA–96–09] received January 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1392. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Cattle Exportations; Tuberculosis and Brucellosis Test Requirements [APHIS Docket No. 96–005–2] received January 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1393. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Official Brucellosis Tests [APHIS Docket No. 96–033–2] received January 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1394. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Change in Disease Status of Great Britain Because of Exotic Newcastle Disease [Docket No. 97–003–1] received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1395. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Financial Reporting and Debt-Equity Ratio Requirements for Futures Commission Merchants and Introducing Brokers [17 CFR Parts 1, 3, 145, and 147] received January 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1396. A letter from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Carboxin; Pesticide Tolerances for Emergency Exemptions [OPP–300450; FRL–5584–5] (RIN: 2070–AB78) received January 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1397. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule—Eligibility and Scope of Financing; Loan Policies and Operations; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; General Provisions; Definitions; Disclosure to Shareholders; Nondiscrimination in Lending; Capital Adequacy and Customer Eligibility (RIN: 3052–AB10) received January 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1398. A letter from the Administrator, Farm Service Agency, transmitting the Agency's final rule—Implementation of the Noninsured Crop Disaster Assistance Program Provisions of the Federal Agriculture Improvement and Reform Act of 1996 (RIN: 0560–AE85) received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1399. A letter from the Administrator, Farm Service Agency, transmitting the Agency's final rule—Disaster Reserve Assistance Program (RIN: 0560–AF11) received January 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1400. A letter from the Administrator, Farm Service Agency, transmitting the Agency's final rule—Update of the Parity Price Regulations (RIN: 0560–AF08) received February 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1401. A letter from the Administrator, Food and Consumer Service, transmitting the Service's final rule—Food Stamp Program: Revisions in Use and Disclosure Rules Involving the Sharing of Information Provided by Retail and Wholesale Food Concerns with Other Federal and State Agencies (RIN: 0584–AC00) received January 6, 1997, pursuant to 5 U.S.C., 801(a)(1)(A); to the Committee on Agriculture.

1402. A communication from the President of the United States, transmitting his request to make available appropriations totaling $39.2 million on budget authority for the Department of the Interior, and designate the amount made available as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended—Received in the U.S. House of Representatives January 30, 1997, pursuant to 31 U.S.C. 1107 (H. Doc. No. 105–34); to the Committee on Appropriations and ordered to be printed.

1403. A communication from the President of the United States, transmitting his request to make available appropriations totaling $212,000,000 in budget authority for the Department of Health and Human Services' Low Income Home Energy Assistance Program, and designate the amount made available as an emergency requirement pursuant to section 251(b)(2)(d)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended—Received in the U.S. House of Representatives January 31, 1997, pursuant to 31 U.S.C. 1107 (H. Doc. No. 105–35); to the Committee on Appropriations and ordered to be printed.

1404. A letter from the Acting Comptroller General of the United States, the General Accounting Office, transmitting a review of the President's first special impoundment message for fiscal year 1997—Received in the U.S. House of Representatives January 28, 1997, pursuant to 2 U.S.C. 685 (H. Doc. No. 105–37); to the Committee on Appropriations and ordered to be printed.

1405. A communication from the President of the United States, transmitting his findings that the July 1, 1997, limitation on obligations imposed by subsection (a) of section 518A of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 is having a negative impact on the proper functioning of the population planning program—Received in the U.S. House of Representatives January 31, 1997 (H. Doc. No. 105–36); to the Committee on Appropriations and ordered to be printed.

1406. A letter from the Chairman, Department of Defense Retirement Board of Actuaries, transmitting the Board's third report on the status of the Department of Defense military retirement fund, pursuant to 10 U.S.C. 1464(c); to the Committee on National Security.

1407. A letter from the Secretary of Energy, transmitting the Department's report entitled ''Linking Legacies: Connecting the Cold War Nuclear Weapons Production Processes to their Environmental Consequences,'' pursuant to Public Law 103–160, section 3154 (107 Stat. 1952); to the Committee on National Security.

1408. A letter from the Assistant Comptroller General of the United States transmitting the Office's report on the United States-Japan Fighter Aircraft Program; to the Committee on National Security.

1409. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Preference for U.S. Firms on MILCON Overseas Construction [DFARS Case 96–D328] received January 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

1410. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Contingent Fees-Foreign Military Sales [DFARS Case 96–D021] received January 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

1411. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Procurement Integrity [DFARS Case 96–D310] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

1412. A letter from the Director, Administration and Management, Department of Defense, transmitting the Department's final rule—Courts of Criminal Appeals Rules of Practice and Procedure (32 CFR Part 150) received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

1413. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense

Federal Acquisition Regulation Supplement; Elimination of Certifications [DFARS Case 96–D306] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

1414. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Metalworking Machinery-Trade Agreements [DFARS Case 96–D030] received January 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

1415. A letter from the Deputy Under Secretary (Industrial Affairs and Installations), Department of Defense, transmitting the strategic and critical materials report during the period October 1995 through September 1996, pursuant to 50 U.S.C. 98h–2(b); to the Committee on National Security.

1416. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Regulation C, Home Mortgage Disclosure [Docket No. R–0951] received January 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

1417. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to Turkey, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

1418. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to the Republic of Korea, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

1419. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to Egypt, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

1420. A letter from the Federal Register Liaison Officer, Office of Thrift Supervision, transmitting the Office's final rule—Regulatory Citations to the Uniformed Financial Institutions Rating System (RIN: 1550–AA99) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

1421. A letter from the Acting Executive Director, Thrift Depositor Protection Oversight Board, transmitting the Board's final rule—Book-Entry Procedure [12 CFR Part 1511] received December 18, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

1422. A letter from the Assistant Secretary, Department of Education, transmitting Final Regulations—Disability and Rehabilitation Research Projects and Centers Program, pursuant to 20 U.S.C. 1232(f) GEPA section 437(f); to the Committee on Education and the Workforce.

1423. A letter from the Secretary of Education, transmitting Final Regulations—Direct Grant Programs, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

1424. A letter from the Assistant Secretary for Children and Families, Administration for Children and Families, transmitting the Administration's final rule—Head Start Fellows Program (RIN: 0970–AB56) received January 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1425. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the final regulations for direct grant programs, pursuant to 5 U.S.C. 801(a)(1)(B). Referred to the Committee on Education and the Workforce. February 5, 1997.

1426. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the notice of final funding priority for certain programs administered by the Office of Special Education and Rehabilitative Services, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Education and the Workforce.

1427. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Projects with Industry (RIN: 1820–AB33) received January 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1428. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Department's ''Major'' final rule—Service Contract Act; Labor Standards For Federal Service Contracts (Wage and Hour Division, Employment Standards Administration) (RIN: 1215–AA78) received December 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1429. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Department's final rule—Service Contract Act; Labor Standards For Federal Service Contracts (RIN: 1215–AA78) received January 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1430. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits [29 CFR Part 4044] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1431. A letter from the Assistant Secretary for Communications and Information, Department of Commerce, transmitting the Department's final rule—Telecommunications and Information Infrastructure Assistance Program [docket No. 970103002–7002–01] (RIN: 0660–ZA02) received January 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1432. A letter from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks [AD–FRL–5682–3] received January 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1433. A letter from the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Ohio Stage II Vapor Recovery Program (FRL 5649–6) received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1434. A letter from the Director of the State and Site Identification Center, Environmental Protection Agency, transmitting the Agency's final rule—National Priorities List for Uncontrolled Hazardous Waste Sites [FRL–5668–3] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1435. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of the Commission's Rules to Provide for Operation of Unlicensed NII Devices in the 5 GHz Frequency Range [ET Docket No. 96–102; Rm–8648; RM–8653] received January 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1436. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Sanford and Robbins, North Carolina) [MM Docket No. 95–134, RM–8679; RM–8720] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1437. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Ely, Hermantown & Pine City, Minnesota, and Siren, Wisconsin) [MM Docket No. 96–105; RM–8793; RM–8852] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1438. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Colonial Heights, Tennessee) [MM Docket No. 93–28; RM–8172; RM–8299] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1439. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Willcox, Arizona and Lordsburg, New Mexico) [MM Docket No. 95–50; RM–8581; RM–8662] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1440. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Nekoosa, Wisconsin) [MM Docket No. 96–76; RM–8770] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1441. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Boulder and Lafayette, Colorado) [MM Docket No. 96–64; RM–8747] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1442. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service [MM Docket No. 87–268] received January 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1443. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them [PR Docket No. 92–235] and Examination of Exclusivity and Frequency Assignment Policies of the Private Land Mobile Radio Services—Amendment of the Commission's Rules Concerning Maritime Communications [PR Docket No. 92–257] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1444. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended [CC Docket No. 96–149] received January 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1445. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Telecommunications Act of

1996: Accounting Safeguards Under the Telecommunications Act of 1996 [CC Docket No. 96–150] received January 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1446. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Access Charge Reform [CC Docket No. 96–262]; Price Cap Performance Review for Local Exchange Carriers [CC Docket No. 94–1]; Transport Rate Structure and Pricing [CC Docket No. 91–213]; and Usage of the Public Switched Network by Information Service and Internet Access Providers [CC Docket No. 96–263] received January 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1447. A letter from the Chair, Federal Energy Regulatory Commission, transmitting the Federal Energy Regulatory Commission's report on Government dam use charges under section 10(e)(2) of the Federal Power Act; to the Committee on Commerce.

1448. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Dental Services; Endodontic Dry Heat Sterilizer [Docket No. 95N–0033] received January 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1449. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Uniform Compliance Date (January 1, 1998) for Food Labeling Regulations [Docket No. 96N–0094] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1450. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Uniform Compliance Date (January 1, 2000) for Food Labeling Regulations [Docket No. 96N–0094] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1451. A letter from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Criteria for the Release of Individuals Administered Radioactive Material (RIN: 3150–AE41) received January 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1452. A letter from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State (RIN: 3150–AF49) received January 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1453. A letter from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Duplication Fees (RIN: 3150–AF60) received January 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1454. A letter from the Secretary of Health and Human Services, transmitting the Department's report entitled ''A National Strategy to Prevent Teen Pregnancy,'' pursuant to section 905 of the Personal Responsibility and Work Opportunity Act of 1996 [PRWORA]; to the Committee on Commerce.

1455. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Notification Procedures for States Implementing ''Alternative Mechanisms'' in the Individual Health Insurance Market [BPD–882–N] received January 13, 1997, pursuant to section 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1456. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Redetermination of Medicaid Eligibility Due to Welfare Reform (Health Care Financing Administration) (RIN: 0938–AH76) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1457. A letter from the Secretary of Transportation, transmitting the Department's fiscal year 1996 annual report to Congress on progress in conducting environmental remedial action at federally owned or operated facilities, pursuant to Public Law 99–499, section 120(e)(5) (100 Stat. 1669); to the Committee on Commerce.

1458. A letter from the Director, Defense Security Assistance Agency, transmitting a report of those foreign military sales customers with approved cash flow financing in excess of $100 million as of October 1, 1996, pursuant to 22 U.S.C. 2765(a)(5)(B); to the Committee on International Relations.

1459. A letter from the Director, Defense Security Assistance Agency, transmitting a report containing the status of each loan and each contract of guaranty for which there remains any outstanding unpaid obligation or potential liability, pursuant to 22 U.S.C. 2765(a)(11); to the Committee on International Relations.

1460. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on PLO compliance, pursuant to Public Law 101–246, section 804(b) (104 Stat. 78); to the Committee on International Relations.

1461. A letter from the Acting Secretary, Department of State, transmitting a list of all sales and licensed commercial exports under the act of major weapons or weapons-related defense equipment valued at $7,000,000 or more, or of any other weapons or weapons-related defense equipment valued at $25,000,000 or more, which the administration considers eligible for approval during the calendar year 1996 and which may, therefore, result in notification to the Congress this year, pursuant to 22 U.S.C. 2765(a); to the Committee on International Relations.

1462. A communication from the President of the United States, transmitting an unclassified report on the Loan Guarantees to Israel Program and on economic conditions in Israel, pursuant to Public Law 102–391, section 601 (106 Stat. 1701); to the Committee on International Relations.

1463. A communication from the President of the United States, transmitting a report on actions and expenses directly related to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to organizations that disrupt the Middle East peace process—Received in the U.S. House of Representatives January 31, 1997, pursuant to 50 U.S.C. 1641(c) and 50 U.S.C. 1703(C) (H. Doc. No. 105–38); to the Committee on International Relations and ordered to be printed.

1464. A letter from the Secretary of Commerce, transmitting the Bureau of Export Administration's annual report for fiscal year 1996, and the 1997 report to the Congress on foreign policy export controls, pursuant to 50 U.S.C. app. 2413 and 50 U.S.C. app. 2405(f); to the Committee on International Relations.

1465. A letter from the Assistant Secretary (Force Management Policy), Department of Defense, transmitting a report on the audit of the American Red Cross for the year ending June 30, 1996, pursuant to 36 U.S.C. 6; to the Committee on International Relations.

1466. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1467. A letter from the Director, Bureau of Economic Analysis, transmitting the Bureau's final rule—International Services Surveys: BE–20 Benchmark Survey of Selected Services Transactions with Unaffiliated Foreign Persons [Docket No. 960918263–6345–02] (RIN: 0691–AA27) received January 15, 1997, pursuant to 5 U.S.C. 801(a)91)(A); to the Committee on International Relations.

1468. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Terrorism List Governments Sanctions Regulations; Authorization for Government Stipends and Scholarships for Students (Office of Foreign Assets Control) (31 CFR Part 596) received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

1469. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Encryption Items Transferred from the U.S. Munitions List to the Commerce Control List [Docket No. 960918265–6366–03] (RIN: 0694–AB09) received January 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

1470. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Entity List [Docket No. 961205341–6341–01] (RIN: 0694–AB24) received January 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

1471. A letter from the Chief Counsel, Office of Foreign Assets Control, transmitting the Office's final rule—Blocked Persons, Specially Designated Nationals, Specially Designated Terrorists, Specially Designated Narcotics Traffickers, and Blocked Vessels: Additional Designations and Removal of Four Individuals [31 CFR Chapter V] received January 15, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

1472. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–441, ''Real Property Tax Rates for Tax Year 1997 Amendment Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1473. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–442, ''District of Columbia Moratorium on the 1997 Real Property Assessments for Real Property Tax Year 1998 Amendment Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1474. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–503, ''Victims of Violent Crime Compensation Act of 1996'' received January 24, 1997, pursuant to d.C. Code, section 1–223(c)(1); to the Committee on Government Reform and Oversight.

1475. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–504, ''Mandatory Use of Seat Belts Amendment Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–223(c)(1); to the Committee on Government Reform and Oversight.

1476. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–506, ''Collateral Reform Temporary Amendment Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1477. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–490, ''Closing of Portions of 3rd Street, N.W., and L Street, N.W., Adjacent to Squares 525, 526, 556, and 558, S.O. 90–18, Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1478. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–493, ''Risk-Based Capital Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1479. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–494, ''Uniform Partnership Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–233(d)(1); to the Committee on Government Reform and Oversight.

1480. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–496, ''Naming of Public Spaces Amendment Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1481. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–497, ''Uniform Commercial Code Negotiable Instruments Amendment Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1482. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–500, ''Uniform Commercial Code Investment Securities Revision Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1483. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–501, ''Newborn Health Insurance Amendment Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1484. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–502, ''Real Estate Licensure Amendment Act of 1996'' received January 24, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1485. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–520, ''Second Criminal Code Technical Amendments Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1486. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–521, ''Air Pollution Control Temporary Amendment Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1487. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–343, ''Council Contract Approval Modifciation Temporary Amendment Act of 1995 Temporary Amendment Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1488. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–414, ''Economic Recovery Conformity Temporary Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1489. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–507, ''Mortgage Lender and Broker Act of 1996 Time Extension Temporary Amendment Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1490. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–517, ''Closing of a Portion of Ingraham Street, N.E., and Public Alleys Adjacent to Squares 3700 and 3701, S.O. 96–27, Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1491. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–519, ''Second Technical Amendments Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1492. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–523, ''Correctional Treatment Facility Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1493. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–495, ''Health Maintenance Organization Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1494. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–498, ''Uniform Commercial Code—Letters of Credit Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1495. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–499, ''Uniform Commercial Code—Bulk Sales Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1496. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–510, ''Sex Offender Registration Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1497. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–514, ''BNA Washington, Inc., Real Property Tax Deferral Amendment Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1498. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–511, ''Boating While Intoxicated Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1499. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–513, ''Closing of a Public Alley in Square 107, S.O. 95–56, Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1500. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–518, ''Title 47, D.C. Code Enactment Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1501. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–515, ''Joseph H. Cole Fitness Center Designation Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1502. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–516, ''Closing of a Portion of M Street, S.W. Adjacent to Square 651, S.O. 95–239 Act of 1996'' received January 31, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1503. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–505, ''Hospital and Medical Services Corporation Regulatory Act of 1996'' received February 3, 1997, pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

1504. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a copy of D.C. Act 11–458, ''Initiative 51 Real Property Assessment and Tax Initiative of 1996'' received January 16, 1997, pursuant to D.C. Code, section 1–233(c)(1) (See Executive Communication No. 1505); to the Committee on Government Reform and Oversight.

1505. A letter from the Chairman Pro Tempore, Council of the District of Columbia, transmitting a letter in writing dated February 4, 1997, which reads as follows ''* * * The Council is in receipt of the opinion of the Acting General Counsel to the House of Representatives that D.C. Act 11–458 must be submitted to the D.C. Financial Responsibility and Management Assistance Authority for approval prior to its submission to Congress. Therefore, I ask that you disregard the Previous transmittal.'' signed, Charlene Drew Jarvis, Chairman Pro Tempore of the Council (See Executive Communication No. 1504); to the Committee on Government Reform and Oversight.

1506. A letter from the Acting Comptroller General of the United States, transmitting a list of all reports issued or released in December 1996, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform and Oversight.

1507. A letter from the Comptroller General of the United States, transmitting a copy of his report for fiscal year 1996 on each instance a Federal agency did not fully implement recommendations made by the GAO in connection with a bid protest decided during the fiscal year, pursuant to 31 U.S.C. 3554(e)(2); to the Committee on Government Reform and Oversight.

1508. A letter from the Administrator, Agency for International Development, transmitting the semiannual report of the Agency's inspector general for the period April 1, 1996, through September 30, 1996, and the semiannual report on audit management and resolution, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

1509. A letter from the Executive Director, Committee for Purchase from People Who are Blind or Severely Disabled, transmitting the Committee's final rule—Addition to the Procurement List—received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1510. A letter from the Executive Director, Committee for Purchase from People Who are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List [A7–006]—received January 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1511. A letter from the Secretary, Mississippi River Commission, Department of the Army, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1996, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

1512. A letter from the Executive Director, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a report analyzing the experience of the Authority with the review of legislative acts submitted by the Council of the District of Columbia during the fiscal year which ended September 30, 1996, pursuant to Public Law 104–8, section 234; to the Committee on Government Reform and Oversight.

1513. A letter from the Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1996, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

1514. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1996, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

1515. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—General Services Administration Acquisition Regulation; Acquisition of Leasehold Interests in Real Property [APD 2800.12A, CHGE 74] (RIN: 3090–AF92) received January 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1516. A letter from the Chairman, National Endowment for the Humanities, transmitting the fiscal year 1996 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.se

1517. A letter from Deputy Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Abolishment of San Joaquin, California, Nonappropriated Fund Wage Area (RIN: 3206–AH59) received January 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1518. A letter from Director, Office of Personnel Management, transmitting the Office's final rule—Presidential Management Interim Program (RIN: 3206–AH53) received January 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

1519. A letter from the Administrator, Panama Canal Commission, transmitting the fiscal year 1996 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1520. A letter from the Secretary of the Treasury, transmitting the annual report for the Department of the Treasury's community development financial institutions fund for fiscal year 1996, pursuant to Public Law 103–325, section 117(a) (108 Stat. 2187); to the Committee on Government Reform and Oversight.

1521. A letter from the Secretary of Agriculture, transmitting the fiscal year 1996 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1522. A letter from the Secretary of Defense, transmitting the fiscal year 1996 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1523. A letter from the Secretary of Energy, transmitting the fiscal year 1996 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1524. A letter from the Secretary of Health and Human Services, transmitting the 1996 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1525. A letter from the Secretary of Transportation, transmitting the fiscal year 1996 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1526. A letter from the Chairman, Thrift Depositor Protection Oversight Board, transmitting results of audits conducted by the Office of Inspector General, pursuant to 5 U.S.C. app. 8G(h)(2); to the Committee on Government Reform and Oversight.

1527. A letter from the Administrator, U.S. Small Business Administration, transmitting the fiscal year 1996 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1528. A letter from the Clerk, U.S. Court of Appeals, District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals for the District of Columbia Circuit (No. 95–5386—J. Roderick MacArthur Foundation and Lance E. Lindblom versus Federal Bureau of Investigation); to the Committee on Government Reform and Oversight.

1529. A letter from the Executive Vice President, U.S. Institute of Peace, transmitting the report on the activities of the inspector general for the years ended September 30, 1995 and 1994, as well as the report of the independent auditors, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5 (b); to the Committee on Government Reform and Oversight.

1530. A letter from the Secretary of Health and Human Services, transmitting the first annual report required of the Director, Indian Health Service, under the Indian Lands Open Dump Cleanup Act, pursuant to Public Law 103–399, section 4(b) (108 Stat. 4166); to the Committee on Resources.

1531. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

1532. A letter from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting notice on leasing systems for the central Gulf of Mexico, sale 166, scheduled to be held in March 1997, pursuant to 43 U.S.C. 1337(a)(8); to the Committee on Resources.

1533. A letter from the Assistant Secretary for Water and Science, Department of the Interior, transmitting the Department's report entitled ''High Plains States Groundwater Demonstration Program 1996 Interim Report to the Congress,'' pursuant to 43 U.S.C. 390g–2(c)(2); to the Committee on Resources.

1534. A letter from the Secretary of the Interior, transmitting the Department's report on the administration of the Marine Mammal Protection Act of 1972, pursuant to 16 U.S.C. 1373(f); to the Committee on Resources.

1535. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Migratory Bird Hunting; Approval of Bismuth-Tin Shot as Nontoxic for Hunting Waterfowl and Coots (RIN: 1018–AD94) received January 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1536. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Native American Graves Protection and Repatriation Act Regulations—Civil Penalties (RIN: 1024–AC48) received January 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1537. A letter from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Hydrogen Sulfide Requirements for Operations in the Outer Continental Shelf (RIN: 1010–AB50) received January 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1538. A letter from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Training of Leasee and Contractor Employees Engaged in Oil, Gas, and Sulphur Operations in the Outer Continental Shelf (RIN: 1010–AB99) received January 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1539. A letter from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Minerals Management Service—Department of the Interior (RIN: 1010–AC19) received January 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1540. A letter from the Assistant Secretary for Land Minerals Management, Department of the Interior, transmitting the Department's final rule—Adoption Fee for Wild Free-Roaming Horses and Burros (Bureau of Land Management) [NV–960–1060–00–24 1A] (RIN: 1004–AC61) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1541. A letter from the Director, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Two Insects from the Santa Cruz Mountains of California (RIN: 1018–AC50) received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1542. A letter from the Acting Director, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Two Plants and Threatened Status for Four Plants from Southern California (RIN: 1018–AB88) received January 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1543. A letter from the Acting Director, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the Northern Population of the Copperbelly Water Snake (RIN: 1018–AB75) received January 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1544. A letter from the Acting Director, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Determination of

Endangered Status for Pseudobahia bahiifolia (Hartweg's golden sunburst) and Threatened Status for Pseudobahia peirsonii (San Joaquin adobe sunburst), Two Grassland Plants from the Central Valley of California (RIN: 1018–AB88) received January 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1545. A letter from the Director, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the San Diego Fairy Shrimp (RIN: 1018–AC83) received January 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1546. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Amendments to the Northeast Multispecies, Atlantic Sea Scallop, and American Lobster Fishery Management Plans [Docket No. 9609262275–6372–02; ID 091196A] (RIN: 0648–AI83) received January 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1547. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Amendment 5 [Docket No. 960910252–6329–02; I.D. 082296B] (RIN: 0648–AI77) received January 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1548. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 17 [Docket No. 961105310–6374–02; I.D. 102396A] (RIN: 0648–AJ31) received January 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1549. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Financial Assistance for Research and Development Projects in the Gulf of Mexico and Off the U.S. South Atlantic Coastal States; Marine Fisheries Initiative (MARFIN) [Docket No. 970114007–7007–01; I.D. 010897C] (RIN: 0648–ZA26) received January 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1550. A letter from the Acting Deputy Assistant Administrator, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Point Reyes/Farallon Islands National Marine Sanctuary; Name Change [Docket No. 970103001–7001–01] (RIN: 0648–XX79) received January 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1551. A letter from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610; Pacific Cod for Processing by the Inshore Component in the Western and Central Regulatory Areas [Docket No. 961126333–6333–01; I.D. 012497A and Docket No. 960129018–6018–01; I.D. 122396A] received January 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1552. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Surf Clam and Ocean Quahog Fisheries; 1997 Fishing Quotas [Docket No. 961114317–7008–02; I.D. 102596B] (RIN: 0648–XX70) received January 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1553. A letter from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 940553–4223; I.D. 012197A] received February 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1554. A letter from the Acting Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—Texas Regulatory Program and Abandoned Mine Land Reclamation Plan [SPATS No. TX–025–FOR] received January 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

1555. A letter from the Secretaries of Transportation and Commerce, transmitting the Department's report entitled ''Regulating Vessel Traffic In The Monterey Bay National Marine Sanctuary,'' pursuant to 16 U.S.C. 1433 note; to the Committee on Resources.

1556. A letter from the Director, National Institutes of Health, Department of Health and Human Services, transmitting the Department's final rule—Removal of Obsolete Patent Regulations (RIN: 0925–AA15) received December 16, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1557. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's final rule—Formula Grants [OJP (OJJDP) No. 1106] (RIN: 1121–AA43) received January 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1558. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's final rule—Motor Vehicle Theft Prevention Act Program Regulations [OJP No. 1081] (RIN: 1121–AA38) received January 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1559. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's final rule—Grants to Encourage Arrest Policies [OJP No. 1019] (RIN: 1121–AA35) received January 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1560. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the Service's final rule—Exceptions to the Educational Requirements for Naturalization for Certain Applicants [INS No. 1702–96] (RIN: 1115–AE02) received January 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A) (See Executive Communication No. 1561); to the Committee on the Judiciary.

1561. A letter from the Commissioner, Immigration and Naturalization Service, transmitting notification that the INS will delay publication of the final rule titled ''Exceptions to the Educational Requirements for Naturalization for Certain Applicants.'' in order to resolve outstanding legal issues—received February 3, 1997 (See Executive Communication No. 1560); to the Committee on the Judiciary.

1562. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the Service's final rule—Priority Dates for Employment-Based Petitions [INS No. 1647–95] (Rin: 1115–AE24) received January 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1563. A letter from the Office of the Comptroller of the Currency, transmitting the Comptroller's final rule—Rules of Practice and Procedure (CMP Inflation Adjustments) [Docket No. 97–03] (RIN: 1557–AB57) received January 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1564. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Savoonga, AK (Federal Aviation Administration) [Airspace Docket No. 96–AAL–23] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1565. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Ambler, AK (Federal Aviation Administration) [Airspace Docket No. 96–AAL–22] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1566. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class D Airspace; Hollywood, FL (Federal Aviation Administration) [Airspace Docket No. 96–ASO–25] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1567. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E2 Airspace; Somerset, KY (Federal Aviation Administration) [Airspace Docket No. 96–ASO–23] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1568. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E2 Airspace; Sawyer Airport, Gwinn, MI (Federal Aviation Administration) [Airspace Docket No. 96–AGL–18] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1569. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation) Model PA–31T2 Airplanes (Federal Aviation Administration) [Docket No. 95–CE–21–AD; Amdt. 39–9885; AD 97–02–01] (RIN: 2120–AA64) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1570. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F28 Mark 0100 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–70–AD; Amdt. 39–9887; AD 97–02–03] (RIN: 2120–AA64) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1571. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F27 Mark 050 and F28 Mark 0100 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–79–AD; Amdt. 39–9890; AD 97–02–06] (RIN: 2120–AA64) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1572. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Series Airplanes (Federal Aviation Administration) [Docket No. 95–NM–201–AD; Amdt. 39–9891; AD 96–25–06 R1] (RIN:

2120–AA64) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1573. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300, A300–600, A310, and A320 Series Airplanes (Federal Aviation Administration) [Docket No. 95–NM–227–AD; Amdt. 39–9888; AD 97–02–04] (RIN: 2120–AA64) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1574. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company 100, 200, 300, and 400 Series Airplanes (Federal Aviation Administration) [Docket No. 96–CE–46–AD; Amdt. 39–9884; AD 97–01–13] (RIN: 2120–AA64) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1575. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Jetstream Model 4101 Airplanes (Federal Aviation Administration) [Docket No. 96–NM–243–AD; Amdt. 39–9889; AD 97–02–05] (RIN: 2120–AA64) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1576. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airtell International, Inc., Centaurus Model C3–100 Ground Proximity Warning System (GPWS), as Installed in Various Airplanes (Federal Aviation Administration) [Docket No. 96–NM–242–AD; Amdt. 39–9883; AD 97–01–12] (RIN: 2120–AA64) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1577. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Aircraft, Inc. SA26, SA226, and SA227 Series Airplanes (Federal Aviation Administration) [Docket No. 96–CE–64–AD; Amdt. 39–9886; AD 97–02–02] (RIN: 2120–AA64) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1578. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A321 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–166–AD; Amdt. 39–9880; AD 97–01–09] (RIN: 2120–AA64) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1579. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100 and –200 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–145–AD; Amdt. 39–9881; AD 97–01–10] (RIN: 2120–AA64) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1580. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Point Lay Long Range Site (LRRS), AK (Federal Aviation Administration) [Airspace Docket No. 96–AAL–25] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1581. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Klawock, AK (Federal Aviation Administration) [Airspace Docket No. 96–AAL–24] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1582. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Koyuk, AK (Federal Aviation Administration) [Airspace Docket No. 96–AAL–21] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1583. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Hemet, CA (Federal Aviation Administration) [Airspace Docket No. 96–AWP–8] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1584. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Galax, VA (Federal Aviation Administration) [Airspace Docket No. 96–AEA–13] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1585. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Sidney, NE (Federal Aviation Administration) [Airspace Docket No. 96–ACE–24] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1586. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Alliance, NE (Federal Aviation Administration) [Airspace Docket No. 96–ACE–22] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1587. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Sioux City, IA (Federal Aviation Administration) [Airspace Docket No. 96–ACE–11] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1588. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Miami, FL (Federal Aviation Administration) [Airspace Docket No. 96–ASO–28] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1589. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Claxton, GA (Federal Aviation Administration) [Airspace Docket No. 96–ASO–24] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1590. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Montauk, NY; Correction (Federal Aviation Administration) [Airspace Docket No. 96–AEA–09] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1591. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 28765; Amdt. No. 1773] (RIN: 2120–AA66) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1592. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 28767; Amdt. No. 1775] (RIN: 2120–AA65) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1593. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 28766; Amdt. No. 1774] (RIN: 2120–AA65) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1594. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 28778; Amdt. No. 1777] (RIN: 2120–AA65) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1595. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 28779; Amdt. No. 1778] (RIN: 2120–AA65) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1596. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Liquefied Natural Gas Regulations—Miscellaneous Amendments (Research and Special Programs Administration (RSPA, DOT) (RIN: 2137–AC91) received January 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1597. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–235–AD] (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1598. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 727 and 737 Series Airplanes (Federal Aviation Administration) [Docket No. 95–NM–106–AD] (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1599. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Robinson Helicopter Company Model R22 Helicopters (Federal Aviation Administration) [Docket No. 96–SW–14–AD] (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1600. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Airworthiness Directives; Boeing Model 757 and 767 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–125–AD] (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1601. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Jetstream BAe Model ATP Airplanes (Federal Aviation Administration) [Docket No. 95–NM–160–AD] (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1602. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300, A310, and A300–600 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–33–AD] (RIN: 2120–AA64(received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1603. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Britten-Norman BN–2, BN–2A, & BN–2B Series Airplanes [Docket No. 96–CE–33–AD] (Federal Aviation Administration) (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1604. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–300, –400, and –500 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–156–AD] (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1605. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300–600 and Model A310 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–46–AD] (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1606. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9, DC–9–80, and C–9 (Military) Series Airplanes and Model MD–88 Airplanes (Federal Aviation Administration) [Docket No. 96–NM–99–AD] (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1607. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 727 Series Airplanes (Federal Aviation Administration) [Docket No. 95–NM–223–AD] (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1608. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Contrucciones Aeronauticas, S.A. (CASA) Model CN–235 Series Airplanes (Federal Aviation Administration) [Docket No. 96–NM–76–AD] (RIN 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1609. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC–9, DC–9–80, and C–9 (Military) Series Airplanes, Model MD–88 Airplanes, and Model MD–90 Airplanes (Federal Aviation Administration) [Docket No. 97–NM–01–AD] (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1610. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empressa Brasileira de Aeronautica, S.A. (EMBRAER) Model EMB–120 Series Airplanes (Federal Aviation Administration) [Docket No. 95–NM–192–AD] (RIN: 2120–AA64) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1611. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Toledo, OH (Federal Aviation Administration) [Airspace Docket No. 96–AGL–15] (RIN: 2120–AA66) (1997–0022) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1612. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (63), AMDT. No. 1776 (Federal Aviation Administration) (RIN: 2120–AA65) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1613. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Sioux City, IA (Federal Aviation Administration) [Airspace Docket No. 96–ACE–25] (RIN: 2120–AA66) (1997–0023) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1614. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airpsace; Wentzville, MO (Federal Aviation Administration) [Airspace Docket No. 97–ACE–01] (RIN: 2120–AA66) (1997–0024) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1615. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Jefferson City, MO (Federal Aviation Administration) [Airspace Docket No. 96–ACE–18] (RIN: 2120–AA66) (1997–0025) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1616. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Omaha, NE (Federal Aviation Administration) [Airspace Docket No. 96–ACE–21] (RIN: 2120–AA66) (1997–0026) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1617. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Restricted Area R–2601 Fort Carson, CO (Federal Aviation Administration) [Airspace Docket No. 95–ANM–28] (RIN: 2120–AA66) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1618. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Change Controlling Agency for Restricted Areas R–2905A and R–2905B, Tyndall AFB, FL (Federal Aviation Administration) [Airspace Docket No. 96–ASO–31] (RIN: 2120–AA66) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1619. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Holyoke, Colorado (Federal Aviation Administration) [Airspace Docket No. 96–ANM–010] (RIN: 2120–AA66) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1620. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Removal of Class E Airspace and Establishment of Class E Airspace; Coeur d'Alene, Idaho (Federal Aviation Administration) [Airspace Docket No. 96–ANM–23] (RIN: 2120–AA66) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1621. A letter from the Chairman, Surface Transportation Board, transmitting the Board's final rule—Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—1997 Update [STB Ex Parte No. 542] received January 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1622. A letter from the Chairman, Surface Transportation Board, transmitting the Board's final rule—Revision of Regulations for Interlocking Rail Officers [STB Ex Parte No. 543] received January 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1623. A letter from the Chairman, Surface Transportation Board, transmitting the Board's final rule—Railroad Contracts [STB Ex Parte No. 541] received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1624. A letter from the Director of the Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Delegation of Subpoena Authority and Description of Means of Service (RIN: 2900–AH00) received December 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1625. A letter from the Director of the Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Adjudication Regulations; Miscellaneous (RIN: 2900–AI43) received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1626. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Loan Guaranty: Limitation on Discount Points Financed in Connection With Interest Rate Reduction Refinancing Loans (RIN: 2900–AH90) received January 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1627. A letter from the Chief Counsel, Bureau of the Public Debt, transmitting the Bureau's final rule—Regulations Governing Book-Entry Securities of the Student Loan Marketing Association (Sallie Mae) [31 CFR Part 354] received January 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and means.

1628. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco, and Firearms, transmitting the Bureau's final rule—Redwood Valley Viticultural Area (95R–053P) [TDATF–386; RE: Notice No. 838] (RIN: 1512–AA07) received January 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1629. A letter from the Administrator, Health Care Financing Administration, transmitting the Administration's final rule—Medicare Program; Electronic Cost Reporting for Skilled Nursing Facilities and Home Health Agencies [BPD–788–F] (RIN: 0938–AH12) received January 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1630. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and Determination Letters [Rev. Proc. 97–8] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1631. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Computation of Foreign Taxes Deemed Paid Under Section 902 Pursuant to a Pooling Mechanism for Undistributed Earnings and Foreign Taxes [TD 8708] (RIN: 1545–AL98) received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1632. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and Determination Letters [Rev. Proc. 97–6] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1633. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and Determination Letters [Rev. Proc. 97–1] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1634. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and Determination Letters [Rev. Proc. 97–4] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1635. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and Determination Letters [Rev. Proc. 97–5] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1636. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definition of Private Activity Bonds [TD 8712] (RIN: 1545–AU62) received January 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1637. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Intangibles Under Sections 1060 and 338 [TD 8711] (RIN: 1545–AU82) received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1638. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Gross Income [Rev. Rul. 97–5] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1639. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rules for Certain Reserves [Rev. Rul. 97–2] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1640. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rules and Regulations [Rev. Proc. 97–14] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1641. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rules and Regulations [Rev. Proc. 97–13] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1642. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-In, First-Out Inventories [Rev. Rul. 97–6] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1643. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Closing Agreements [Rev. Proc. 97–15] received January 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1644. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 97–7] received January 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1645. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Revisions of the Section 338 Consistency Rules with Respect to Target Affiliates that are Controlled Foreign Corporations [TD 8710] (RIN: 1545–AO73) received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1646. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Section 42(d)(5) Federal Grants [TD 8713] (RIN: 1545–AU93) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1647. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Notice of Intent to Issue Guidance Allowing Farmers to Expeditiously Change Their Method of Accounting for Deferred Payment Sales Contracts in Computing Alternative Minimum Tax [Notice 97–13] received January 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1648. A letter from the Chief, Regulations Unit, Internal Revenue Service transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 97–8] received January 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1649. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-In, First-Out Inventories [Rev. Rul. 97–8] received January 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1650. A letter from the National Director, Tax Forms and Publications Division, Internal Revenue Service, transmitting the Service's final rule—Charge Imposed for Each Request for a Copy of a Tax Return or Other Related Document [Rev. Proc. 97–11] received January 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1651. A letter from the Secretary of the Treasury, transmitting a report on the taxation of Social Security and Railroad Retirement benefits in calendar year 1992, pursuant to 42 U.S.C. 401 note; to the Committee on Ways and Means.

1652. A letter from the Chief of Staff, Social Security Administration, transmitting the Administration's final rule—Federal Old-Age, Survivors and Disability Insurance; Determining Disability and Blindness; Extension of Expiration Date for Growth Impairment Listings [Regulations No. 4] (RIN: 0960–AE60) received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1653. A letter from the Chief of Staff, Social Security Administration, transmitting the Administration's final rule—Reduction in Supplemental Security Income (SSI) Payable to Institutionalized Children Whose Medical Costs are Covered by Private Insurance (RIN: 0960–AE61) received January 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1654. A letter from the Director of the Office of Administration and Management, Department of Defense, transmitting the certification that the total cost for the planning, design, construction, and installation of equipment for the renovation of the Pentagon will not exceed $1,118,000,000, pursuant to Public Law 104–208, section 8079; jointly, to the Committees on National Security and Appropriations.

1655. A letter from the Secretaries of Transportation and Defense, transmitting notification that $300 million appropriated to the Department of Defense for transfer to the Coast Guard will be used only for the performance of national security functions of the Coast Guard in support of the Department of Defense; jointly, to the Committees on National Security and Transportation and Infrastructure.

1656. A letter from the Administrator, Agency for International Development, transmitting the Agency's report covering allocations under the economic support fund and international organizations and programs accounts, pursuant to 22 U.S.C. 2413(a); jointly, to the Committees on International Relations and Appropriations.

1657. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that Nigeria has adopted a regulatory program governing the incidental taking of certain sea turtles, pursuant to Public Law 101–162, section 609(b)(2) (103 Stat. 1038); jointly, to the Committees on Resources and Appropriations.

1658. A letter from the Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting a plan that reduces the number of Army Corps of Engineers divisions to no less than six and no more than eight, with each division responsible for at least four district offices, pursuant to Public Law 104–206 (110 Stat. 2989); jointly, to the Committees on Transportation and Infrastructure and Appropriations.

1659. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs; Requirements for Physician Incentive Plans in Prepaid Health Care Organizations [OMC–010–F] (RIN: 0938–AF74) received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); jointly, to the Committees on Ways and Means and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LoBIONDO (for himself, Mr. CONDIT, Mrs. ROUKEMA, Mr. SAXTON, Mr. STARK, Mr. STUPAK, and Mr. TRAFICANT):

H.R. 585. A bill to amend title XVIII of the Social Security Act to provide for prospective payment under the Medicare Program for inpatient services of rehabilitation hospitals and units based on discharges classified by functional-related groups; to the Committee on Ways and Means.

By Mr. GANSKE (for himself, Mr. MARKEY, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BALDACCI, Mr. BALLENGER, Mr. BARCIA of Michigan, Mr. BARRETT of Wisconsin, Mr. BENTSEN, Mr. BOEHLERT, Mr. BORSKI, Mr. BOUCHER, Mr.

BROWN of Ohio, Mr. BURTON of Indiana, Mr. CANADY of Florida, Mr. CHABOT, Mr. CHAMBLISS, Mrs. CLAYTON, Mr. CLEMENT, Mr. COBURN, Mr. CONDIT, Mr. COOKSEY, Mr. CRAPO, Mr. CUMMINGS, Mr. DAVIS of Virginia, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. DELAHUNT, Ms. DELAURO, Mr. DELLUMS, Mr. DOOLEY of California, Mr. EHLERS, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FATTAH, Mr. FILNER, Mr. FOGLIETTA, Mr. FOX of Pennsylvania, Mr. FRANK of Massachusetts, Mr. FROST, Ms. FURSE, Mr. GEJDENSON, Mr. GILLMOR, Mr. GILMAN, Mr. GORDON, Mr. GRAHAM, Mr. GREEN, Mr. GREENWOOD, Mr. HANSEN, Mr. HASTINGS of Florida, Mr. HEFLEY, Mr. HINCHEY, Mr. HOSTETTLER, Mr. HOUGHTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. KELLY, Mr. KENNEDY of Massachusetts, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND of Wisconsin, Mr. KING of New York, Mr. KLECZKA, Mr. KLINK, Mr. LAFALCE, Mr. LATHAM, Mr. LEACH, Mr. LEWIS of Georgia, Mr. LATOURETTE, Mr. LOBIONDO, Ms. LOFGREN, Mrs. LOWEY, Mr. MCDERMOTT, Ms. MCKINNEY, Mrs. MALONEY of New York, Mr. MARTINEZ, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MENENDEZ, Mr. MILLER of California, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Mrs. MYRICK, Mr. NADLER, Mr. NETHERCUTT, Mr. NEAL of Massachusetts, Mr. NEY, Mr. NORWOOD, Mr. OLVER, Mr. OWENS, Mr. OXLEY, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. PICKETT, Mr. PORTER, Mr. POSHARD, Ms. PRYCE of Ohio, Mr. RAHALL, Mrs. ROUKEMA, Mr. RUSH, Mr. SANDERS, Mr. SAWYER, Mr. SAXTON, Mr. SCARBOROUGH, Mr. SERRANO, Mr. SKAGGS, Mr. SKEEN, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Mr. SOLOMON, Mr. STARK, Mr. STOKES, Mr. TAUZIN, Mr. THORNBERRY, Mrs. THURMAN, Mr. TRAFICANT, Mr. WELDON of Florida, Mr. WALSH, Mr. WAXMAN, Mr. WEYGAND, Mr. WHITFIELD, Mr. WISE, and Ms. WOOLSEY):

H.R. 586. A bill to prohibit the restriction of certain types of medical communications between a health care provider and a patient; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BENTSEN:

H.R. 587. A bill to amend the Internal Revenue Code of 1986 to eliminate tax subsidies for ethanol fuel; to the Committee on Ways and Means.

By Mr. BEREUTER (for himself, Mr. CASTLE, Mr. COSTELLO, Mrs. KELLY, Mr. HASTINGS of Florida, Mr. HAMILTON, Mr. PICKETT, Mr. MCINTOSH, Mr. BUNNING of Kentucky, Mr. EVANS, Mr. DAN SCHAEFER of Colorado, Mr. HEFLEY, Mr. FROST, Mr. MOLLOHAN, Ms. WOOLSEY, Mr. FALEOMAVAEGA, Mr. MILLER of California, Ms. NORTON, Mr. SKAGGS, Mr. POSHARD, Mr. FAZIO of California, Mr. DAVIS of Illinois, Mr. STARK, Mr. BARRETT of Nebraska, Mr. MORAN of Virginia, Mr. LIPINSKI, Mr. VENTO, Mr. EHLERS, Mr. WELLER, Mr. BOEHLERT, Mr. FAWELL, Mr. LEACH, Mrs. TAUSCHER, Ms. PELOSI, Mrs. MORELLA, Mr. RAHALL, and Mr. HINCHEY):

H.R. 588. A bill to amend the National Trails System Act to create a new category of long-distance trails to be known as national discovery trails, to authorize the American Discovery Trail as the first trail in that category, and for other purposes; to the Committee on Resources.

By Mr. BILBRAY (for himself, Ms. HARMAN, Mr. HORN, Mr. WHITE, Mr. CALVERT, Mr. CUNNINGHAM, Mr. PACKARD, Mr. BAKER, Mr. HAYWORTH, Mr. HUNTER, Mr. LEWIS of California, Mr. KING of New York, and Mr. DREIER):

H.R. 589. A bill to amend the Fair Housing Act, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENAUER (for himself, Mr. CONYERS, Mr. FARR of California, and Mr. TRAFICANT):

H.R. 590. A bill to amend the act of September 30, 1961, to limit the antitrust exemption applicable to broadcasting agreements made by leagues of professional sports, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN of California (for himself, Mr. DEFAZIO, Mr. DELLUMS, Mr. ENGEL, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. MARTINEZ, Mrs. MEEK of Florida, Mrs. MINK of Hawaii, Ms. NORTON, Mr. PASTOR, Mr. POMEROY, Mr. SANDERS, Mr. TORRES, and Mr. WAXMAN):

H.R. 591. A bill to require the Commissioner of Social Security and the Secretary of the Treasury to develop and implement measures to eliminate and prevent mismatching of earnings information maintained by the Social Security Administration and the Internal Revenue Service resulting in underpayment of Social Security benefits; to the Committee on Ways and Means.

By Mr. BURTON of Indiana:

H.R. 592. A bill to establish a priority in the disposal of real property resulting from the closure or realignment of military installations toward States and other entities that agree to convert the property into correctional facilities for youthful offenders to be operated as military-style boot camps and to require the Secretary of Defense to develop a program to promote the expanded use of such correctional facilities; to the Committee on National Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMPBELL:

H.R. 593. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide for a sequestration of all budgetary accounts for fiscal year 1998, except Social Security, Federal retirement, and interest on the debt, equal to 5 percent of the OMB baseline; to the Committee on the Budget.

By Mr. CANADY of Florida (for himself, Mr. BROWN of California, Mr. GOSS, Mr. CALVERT, Ms. DELAURO, Mr. DEFAZIO, Mr. KLECZKA, Mr. SHAYS, Mr. PALLONE, Mr. DAVIS of Virginia, Mr. YATES, Mr. HERGER, Ms. WOOLSEY, Mr. HYDE, Mrs. MEEK of Florida, Mr. MURTHA, Mr. LEACH, Mr. MCINTOSH, Mr. MILLER of California, and Ms. FURSE):

H.R. 594. A bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally; to the Committee on Agriculture.

By Mr. CHAMBLISS:

H.R. 595. A bill to designate the Federal building and U.S. courthouse located at 475 Mulberry Street in Macon, GA, as the ''William Augustus Bootle Federal Building and United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mrs. CHENOWETH (for herself, Mr. CRAPO, Mr. DOOLITTLE, and Mr. SMITH of Oregon):

H.R. 596. A bill to prohibit further extension or establishment of any national monument without an express act of Congress; to the Committee on Resources.

H.R. 597. A bill to prohibit further extension or establishment of any national monument in Idaho without full public participation and an express act of Congress, and for other purposes; to the Committee on Resources.

By Mr. ENSIGN (for himself and Mr. SCARBOROUGH):

H.R. 598. A bill to provide for certain military retirees and dependents a special Medicare part B enrollment period during which the late enrollment penalty is waived and a special medigap open enrollment period during which no underwriting is permitted; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EVANS (for himself, Mr. LIPINSKI, Mr. FRANK of Massachusetts, Mr. SABO, Mr. DELLUMS, Mr. DEFAZIO, and Mr. SANDERS):

H.R. 599. A bill to amend the Internal Revenue Code of 1986 to reduce tax benefits for foreign corporations, and for other purposes; to the Committee on Ways and Means.

By Mr. FARR of California (for himself, Mr. GEPHARDT, Mr. BONIOR, Mr. FAZIO of California, Mr. ACKERMAN, Mr. BALDACCI, Mr. BLUMENAUER, Mr. BORSKI, Mr. BROWN of California, Mr. CARDIN, Mr. COYNE, Mr. CRAMER, Mr. DELAHUNT, Ms. DELAURO, Mr. ENGEL, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. FATTAH, Mr. FORD, Mr. FRANK of Massachusetts, Ms. FURSE, Mr. GEJDENSON, Mr. HALL of Ohio, Mr. HEFNER, Mr. HINCHEY, Ms. JACKSON-LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of Rhode Island, Mr. KLECZKA, Mr. LAFALCE, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MANTON, Mr. MASCARA, Mrs. MCCARTHY of New York, Ms. MILLENDER-MCDONALD, Mr. MINGE, Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Ms. NORTON, Mr. OLVER, Mr. OWENS, Ms. PELOSI, Ms. RIVERS, Mr. SANDERS, Mr. SPRATT, Mr. TORRES, Mr. VENTO, Ms. WOOLSEY, Mr. UNDERWOOD, Mr. WISE, Mr. DINGELL, Mr. DELLUMS, Mr. ABERCROMBIE, Mr. HASTINGS of Florida, Mr. MATSUI, Mrs. THURMAN, Mr. DEFAZIO, and Mrs. MEEK of Florida):

H.R. 600. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of Federal election campaigns, and for other purposes; to the Committee on House Oversight, and in addition to the Committees on Ways and Means, Commerce, Government Reform and Oversight, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK of Massachusetts:

H.R. 601. A bill to amend the Immigration and Nationality Act to permit local educational agencies to waive the reimbursement of the agency otherwise required for an alien to be accorded nonimmigrant status to study at a public secondary school administered by the agency; to the Committee on the Judiciary.

H.R. 602. A bill to amend the Immigration and Nationality Act to require the Attorney General to provide for special consideration concerning the English language requirements with respect to the naturalization of

individuals over 65 years of age; to the Committee on the Judiciary.

By Mr. FRANKS of New Jersey (for himself and Mr. MEEHAN):

H.R. 603. A bill to prohibit Federal subsidies for the Tennessee Valley Authority after fiscal year 1998; to the Committee on Transportation and Infrastructure.

By Mr. GALLEGLY (for himself, Mr. COBLE, Mr. BERMAN, Mr. MCCOLLUM, Ms. LOFGREN, Mr. GOODLATTE, Mr. CLEMENT, Mr. GEKAS, Mr. UNDERWOOD, and Mr. OWENS):

H.R. 604. A bill to amend title 17, United States Code, with respect to the duration of copyright, and for other purposes; to the Committee on the Judiciary.

By Mr. GILCHREST (for himself and Mr. BARTLETT of Maryland):

H.R. 605. A bill to amend the Internal Revenue Code of 1986 to clarify that certain school bus contractors and drivers are not employees; to the Committee on Ways and Means.

By Mr. GOODLATTE (for himself and Mr. BOUCHER):

H.R. 606. A bill to amend the Appalachian Regional Development Act of 1965 to include Montgomery, Roanoke, and Rockbridge Counties, VA, as part of the Appalachian region; to the Committee on Transportation and Infrastructure.

By Mr. HANSEN (for himself, Mr. BAKER, Mr. KENNEDY of Massachusetts, Mr. CALVERT, Mr. WAXMAN, Ms. RIVERS, Mr. SAWYER, Mr. EVANS, Mr. BOUCHER, Ms. FURSE, and Mr. FROST):

H.R. 607. A bill to amend the Truth in Lending Act to require notice of cancellation rights with respect to private mortgage insurance which is required by creditor as a condition for entering into a residential mortgage transaction, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. HILLIARD:

H.R. 608. A bill to direct the Secretary of the Interior to convey the Marion National Fish Hatchery and the Claude Harris National Aquacultural Research Center to the State of Alabama; to the Committee on Resources.

By Mr. HOLDEN (for himself, Mr. BOUCHER, Mr. KANJORSKI, Mr. MASCARA, Mr. MURTHA, and Mr. WISE):

H.R. 609. A bill to make improvements in the Black Lung Benefits Act; to the Committee on Education and the Workforce.

By Ms. KAPTUR (for herself, Mr. BARRETT of Wisconsin, and Ms. SLAUGHTER):

H.R. 610. A bill to amend the Federal Election Campaign Act of 1971 to prohibit contributions and expenditures by multicandidate political committees controlled by foreign-owned corporations, and for other purposes; to the Committee on House Oversight, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY of Massachusetts (for himself, Mr. MEEHAN, Mrs. LOWEY, Mr. BONIOR, Mr. OBERSTAR, Mr. STARK, Ms. RIVERS, Mr. VENTO, Mr. CONYERS, Mr. BARRETT of Wisconsin, Mr. MORAN of Virginia, Mrs. MINK of Hawaii, Mr. MARKEY, Mr. MCDERMOTT, Mrs. MALONEY of New York, Mr. KLUG, Mr. SERRANO, Mr. GEJDENSON, Ms. VELÁZQUEZ, Mr. OLVER, Ms. MCKINNEY, Mr. SHAYS, Mr. GUTIERREZ, Mr. KLECZKA, Mr. HINCHEY, Mr. BORSKI, Mr. EVANS, Mr. MINGE, Mr. BARCIA of Michigan, Mr. BALDACCI, Mr. SANDERS, Ms. SLAUGHTER, Mr. NEAL of Massachusetts, Mr. TOWNS, Mr. ENGEL, Mr. BROWN of California, and Mr. HALL of Ohio):

H.R. 611. A bill to close the U.S. Army School of the Americas; to the Committee on National Security.

By Mrs. KENNELLY of Connecticut (for herself, Mr. EHRLICH, Mr. NEAL of Massachusetts, Mr. DAVIS of Illinois, Mrs. MEEK of Florida, Mr. BEREUTER, Mr. CLEMENT, Mr. SERRANO, Mr. MCDERMOTT, Mr. TRAFICANT, Mr. FROST, Mr. OBERSTAR, Mr. ABERCROMBIE, Mr. UNDERWOOD, Mr. DAVIS of Virginia, Mr. LATHAM, Mr. ADAM SMITH of Washington, Ms. LOFGREN, Mr. HINCHEY, Mr. PAYNE, Mr. RAHALL, Mr. SPRATT, Mr. GEJDENSON, Mr. FARR of California, Mr. MENENDEZ, Ms. DELAURO, Mr. SANDERS, Mr. LANTOS, Mr. HALL of Ohio, Ms. JACKSON-LEE, Mr. KLECZKA, Mrs. MALONEY of New York, Mr. MATSUI, Mr. COYNE, Mrs. CLAYTON, Mr. MALONEY of Connecticut, Mr. YOUNG of Alaska, Mr. TOWNS, Mr. FRANK of Massachusetts, Mr. LIPINSKI, Mr. LEWIS of Georgia, Mr. SHAYS, Ms. MCCARTHY of Missouri, and Ms. KAPTUR):

H.R. 612. A bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself, Mr. BISHOP, Mr. CHAMBLISS, Mr. DEAL of Georgia, Mr. KINGSTON, and Mr. NORWOOD):

H.R. 613. A bill to designate the Federal building located at 100 Alabama Street NW, in Atlanta, GA, as the ''Sam Nunn Federal Center''; to the Committee on Transportation and Infrastructure.

By Mr. LUTHER (for himself, Mr. GUTKNECHT, Mr. CONDIT, Mr. RAMSTAD, Ms. FURSE, Mr. BARRETT of Wisconsin, Mr. BAKER, Ms. LOFGREN, Mr. ENSIGN, and Mr. MCHALE):

H.R. 614. A bill to reduce the number of executive branch political appointees; to the Committee on Government Reform and Oversight.

By Mr. MCDERMOTT (for himself, Mr. RANGEL, Mr. MATSUI, Mr. LEWIS of Georgia, Mr. DELLUMS, Mr. TORRES, Ms. NORTON, Mr. RUSH, Mr. HINCHEY, Mr. FAZIO of California, Ms. LOFGREN, Mrs. CLAYTON, and Mr. CANADY of Florida):

H.R. 615. A bill to amend the Internal Revenue Code of 1986 to allow expanded penalty-free withdrawals from certain retirement plans during periods of unemployment; to the Committee on Ways and Means.

By Ms. MOLINARI (for herself, Mrs. KELLY, Mr. LOBIONDO, Mr. FLAKE, Mr. ACKERMAN, Mr. KING of New York, Mrs. MORELLA, Mr. DEAL of Georgia, Mr. SAXTON, Mr. LAZIO of New York, Mr. SMITH of New Jersey, Mr. FOX of Pennsylvania, Mr. ANDREWS, Mr. PALLONE, Mr. WALSH, Mr. FROST, Mr. ENGLISH of Pennsylvania, Mr. WOLF, Mr. MCNULTY, Mrs. ROUKEMA, Mr. FORBES, Mr. ADAM SMITH of Washington, Mrs. MCCARTHY of New York, Ms. SLAUGHTER, Mr. PAPPAS, Mr. FILNER, Mr. HORN, Mr. DAVIS of Virginia, Mr. MARTINEZ, Mr. WELLER, Mr. GUTIERREZ, Ms. DUNN of Washington, Mr. GILMAN, Mr. SANDERS, Mr. FOLEY, Mr. SHAW, Ms. GRANGER, Mr. GIBBONS, Ms. CHRISTIAN-GREEN, Mr. OLVER, Ms. STABENOW, Mr. LAFALCE, and Mr. BILBRAY):

H.R. 616. A bill to require that health plans provide coverage for a minimum hospital stay for mastectomies and lymph node dissection for the treatment of breast cancer, coverage for reconstructive surgery following mastectomies, and coverage for secondary consultations; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Mr. LAZIO of New York, Ms. SLAUGHTER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. YATES, Mr. PALLONE, Mr. ENGEL, Mr. LAFALCE, Mr. MARTINEZ, Mr. HINCHEY, Ms. LOFGREN, Ms. NORTON, Mr. FALEOMAVAEGA, and Ms. CHRISTIAN-GREEN):

H.R. 617. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for annual screening mammography for women 40 years of age or older if the coverage or plans include coverage for diagnostic mammography; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON of Minnesota:

H.R. 618. A bill to prohibit the Secretary of Agriculture from using information from the National Cheese Exchange to fix minimum milk prices under Federal milk marketing orders; to the Committee on Agriculture.

By Mr. PORTER (for himself, Mr. SHAYS, Mr. OLVER, Mr. FRANK of Massachusetts, Ms. MOLINARI, Mrs. MALONEY of New York, Mr. LEWIS of Georgia, Mrs. KELLY, Ms. WOOLSEY, Mr. GEJDENSON, Mr. BENTSEN, Ms. NORTON, Mr. SANDERS, Mr. LANTOS, Mr. BROWN of California, Ms. MCKINNEY, Mr. HINCHEY, Mr. FALEOMAVAEGA, Mr. MANTON, Mr. FARR of California, Ms. RIVERS, Mr. FRANKS of New Jersey, Mr. MCDERMOTT, Mr. SKAGGS, Mr. STARK, Mr. YATES, Mr. BILBRAY, Mr. GILMAN, Mr. TOWNS, Mr. ROGAN, Mr. GOSS, Mr. SMITH of New Jersey, Ms. PELOSI, Mr. OBERSTAR, Mr. ROMERO-BARCELO, Mr. LEACH, Mr. BOUCHER, Mr. TORRES, Mrs. MORELLA, Mr. CARDIN, Mr. COSTELLO, Mr. EVANS, Mr. DELLUMS, Mr. BOEHLERT, Mr. HORN, Mr. CAMPBELL, Mr. TALENT, Ms. FURSE, and Mr. PAYNE):

H.R. 619. A bill to prohibit the import, export, sale, purchase, possession, transportation, acquisition, and receipt of bear viscera or products that contain or claim to contain bear viscera, and for other purposes; to the Committee on Resources, and in addition to the Committees on International Relations, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAMSTAD (for himself, Mr. GUTKNECHT, Mr. LUTHER, Mr. MINGE, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. SABO, and Mr. VENTO):

H.R. 620. A bill to amend the Internal Revenue Code of 1986 to provide that the conducting of certain games of chance shall not

be treated as an unrelated trade or business; to the Committee on Ways and Means.

By Mr. STARK (for himself, Mr. MCDERMOTT, and Mr. FRANK of Massachusetts):

H.R. 621. A bill to provide for parity in the treatment of mental illness; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUMP (for himself, Mr. PETRI, Mr. HERGER, Mr. HILLEARY, Mr. BUNNING of Kentucky, and Mr. EWING):

H.R. 622. A bill to amend title 4, United States Code, to declare English as the official language of the Government of the United States; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 623. A bill to amend the Public Buildings Act of 1959 concerning the calculation of public building transactions; to the Committee on Transportation and Infrastructure.

By Mr. BLUNT (for himself and Mr. TALENT):

H.J. Res. 42. Joint resolution proposing an amendment to the Constitution of the United States to limit the number of terms a Member of Congress may serve, and to authorize a State to provide longer or shorter term limits for a Member of Congress from that State; to the Committee on the Judiciary.

By Mr. CAMPBELL:

H.J. Res. 43. Joint resolution proposing an amendment to the Constitution of the United States to abolish the Electoral College and to provide for the direct election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. OBEY:

H.J. Res. 44. Joint resolution proposing an amendment to the Constitution of the United States to require a balanced budget; to the Committee on the Judiciary.

By Mr. WISE (for himself, Mr. ABERCROMBIE, Mr. BORSKI, Mr. BOUCHER, Mr. CLAY, Ms. ESHOO, Mr. HINCHEY, Ms. JACKSON-LEE, Mr. LIPINSKI, Mrs. MALONEY of New York, Mr. MASCARA, Mrs. MINK of Hawaii, Mr. NADLER, Mr. OBERSTAR, Mr. RAHALL, Mr. SAWYER, Mr. SCHUMER, Mr. SCOTT, Mr. STARK, and Mr. WYNN):

H.J. Res. 45. Joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FRANKS of New Jersey (for himself, Mr. LOBIONDO, Mr. FILNER, Mr. BATEMAN, Mr. SCHUMER, Mr. PORTER, Mr. BERMAN, and Mr. EVANS):

H. Con. Res. 14. Concurrent resolution to encourage the Secretary of State, foreign nations, and others to work together to help reunite family members separated during the Holocaust; to the Committee on International Relations.

By Mr. PALLONE (for himself, Mr. MCCOLLUM, Mr. ACKERMAN, Mr. NETHERCUTT, Mr. MCDERMOTT, Mr. NEY, Mr. ANDREWS, Mr. MEEHAN, Mr. BROWN of Ohio, Mr. LOBIONDO, and Mr. MCHALE):

H. Con. Res. 15. Concurrent resolution expressing the sense of the Congress relating to the abduction and detainment of Donald Hutchings of the State of Washington and four Western Europeans in Jammu and Kashmir, India; to the Committee on International Relations.

By Mr. FAZIO of California:

H. Res. 36. Resolution designating minority membership on certain standing committees of the House.

By Mr. BLUMENAUER (for himself, Mr. EHLERS, Mr. DELLUMS, Ms. NORTON, Mr. LEACH, Mr. GEJDENSON, Mr. MARKEY, Ms. FURSE, Mr. KNOLLENBERG, Mr. BORSKI, Mr. LEWIS of Georgia, Mr. WATT of North Carolina, Mr. DEFAZIO, Mrs. KELLY, Mr. NADLER, Mr. ENGEL, Mr. OLVER, Mr. FOGLIETTA, Mr. FROST, Mrs. MORELLA, Mr. BONIOR, and Mr. LAFALCE):

H. Res. 37. Resolution authorizing the House of Representatives to participate in State and local government transit programs pursuant to section 7905 of title 5, United States Code; to the Committee on House Oversight.

By Ms. JACKSON-LEE (for herself, Mr. OWENS, Mr. MATSUI, Mr. SCHUMER, Mrs. MORELLA, Mr. CUMMINGS, Mrs. CLAYTON, Mrs. LOWEY, Ms. STABENOW, and Mr. FORD):

H. Res. 38. Resolution to express the sense of the House of Representatives regarding the outstanding achievements of NetDay; to the Committee on Education and the Workforce.

By Mr. SKAGGS:

H. Res. 39. Resolution amending the Rules of the House of Representatives to afford witnesses greater freedom to provide information to House committees by eliminating current administrative requirements; to the Committee on Rules.

By Mr. TOWNS:

H. Res. 40. Resolution expressing the sense of the House concerning the need for accurate guidelines for breast cancer screening for women between the ages of 40 and 49; to the Committee on Commerce.

By Mr. WELDON of Pennsylvania (for himself, Mr. ANDREWS, and Mr. ENGLISH of Pennsylvania):

H. Res. 41. Resolution amending the Rules of the House of Representatives to establish a Citizens' Commission on Congressional Ethics, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

13. By the SPEAKER: Memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 340: to memorialize the President, the Congress of the United States, the Department of Defense, the Department of Veterans Affairs, and appropriate Federal agencies to take certain steps in response to the gulf war syndrome; to the Committee on National Security.

14. Also, memorial of the Senate of the State of Ohio, relative to Senate Concurrent Resolution No. 21: to urge the U.S. Congress, Governors of other States, and other State legislatures to support H.R. 1842 and other legislative initiatives to mitigate the economic warfare among the States that has resulted from the adoption of targeted business incentive programs; to the Committee on Government Reform and Oversight.

15. Also, memorial of the Senate of the State of Illinois, relative to Senate Resolution No. 252 concerning a crude oil transportation pipeline through the west suburban Chicago region; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Mr. WATTS of Oklahoma.

H.R. 14: Mr. SHAYS, Mr. STUMP, Mrs. MYRICK, Mr. MCCRERY, Mr. MILLER of Florida, Mr. SKEEN, Mr. PITTS, Mrs. KELLY, Mr. CRAMER, Mr. METCALF, Mr. JONES, Mr. NEY, Mr. BOUCHER, Mr. HEFLEY, Mr. TAYLOR of North Carolina, Mr. CHABOT, Mr. SENSENBRENNER, Mr. TALENT, Mr. ROGAN, Mrs. EMERSON, Mr. GOODLING, Mr. ROHRABACHER, Ms. GRANGER, Mr. GALLEGLY, Mr. CAMPBELL, Mr. COOKSEY, and Mr. HAYWORTH.

H.R. 17: Mrs. CLAYTON.

H.R. 18: Mr. KNOLLENBERG and Mr. MINGE.

H.R. 26: Mr. BARCIA of Michigan, Mr. LATOURETTE, Mr. NORWOOD, Mr. DEAL of Georgia, and Mr. BISHOP.

H.R. 54: Mr. KANJORSKI, Mr. DELLUMS, Mr. HORN, Mr. HALL of Texas, Mr. SOLOMON, Mr. FILNER, Mr. DOOLITTLE, and Ms. ROYBAL-ALLARD.

H.R. 69: Mr. COSTELLO, Mr. MINGE, Mr. SMITH of New Jersey, and Mr. WYNN.

H.R. 76: Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BARCIA of Michigan, Mr. BILIRAKIS, Mr. BOUCHER, Mr. CALVERT, Mr. CAMPBELL, Mr. CLEMENT, Mr. COLLINS, Mr. COSTELLO, Mr. DAVIS of Virginia, Mr. DELLUMS, Mr. ENSIGN, Mr. FARR of California, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEJDENSON, Mr. GONZALEZ, Mr. HEFLEY, Ms. JACKSON-LEE, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. MCHUGH, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. METCALF, Ms. NORTON, Mr. NORWOOD, Mr. PARKER, Mr. PASTOR, Mr. RAHALL, Mr. SAXTON, Mr. TORRES, Mr. WOLF, Mr. YOUNG of Alaska, and Mr. SCARBOROUGH.

H.R. 93: Mr. HUNTER.

H.R. 98: Mr. STARK, Mr. KENNEDY of Massachusetts, Mr. BEREUTER, Mr. UNDERWOOD, Ms. NORTON, Mr. MARTINEZ, Mrs. MALONEY of New York, and Mr. LAFALCE.

H.R. 125: Mr. LIPINSKI and Mr. PORTER.

H.R. 127: Ms. SLAUGHTER, Mr. TIAHRT, Mrs. EMERSON, Mr. CANADY of Florida, and Mr. STUPAK.

H.R. 131: Mr. BARTLETT of Maryland.

H.R. 145: Mr. FATTAH and Mr. POSHARD.

H.R. 169: Mr. HAYWORTH, Mr. SENSENBRENNER, Mr. HOSTETTLER, Mr. BALLENGER, Mr. MCINTOSH, Mr. QUINN, Mr. KIM, Mr. FOX of Pennsylvania, Mr. ENSIGN, Mr. PAPPAS, Mr. FOLEY, Mr. GOODLATTE, Mr. GALLEGLY, Mr. CRAMER, Mr. NEY, Mr. DUNCAN, Mr. PITTS, Mr. DEUTSCH, and Mr. SAM JOHNSON.

H.R. 200: Mr. WELDON of Pennsylvania, Mr. SHAYS, Mr. BEREUTER, Mr. SENSENBRENNER, Mr. NORWOOD, and Mr. CANADY of Florida.

H.R. 225: Mrs. THURMAN.

H.R. 235: Mr. YATES, Mr. TRAFICANT, Ms. NORTON, Mr. KING of New York, Mr. GUTIERREZ, Ms. SLAUGHTER, Mr. FRANK of Massachusetts, Mr. DOYLE, Mr. DEUTSCH, Mrs. CLAYTON, Mr. MCNULTY, and Mr. BERMAN.

H.R. 279: Mr. MASCARA, Mr. ENGEL, and Mr. LIPINSKI.

H.R. 280: Mr. WATT of North Carolina, Mr. WELDON of Pennsylvania, Mr. FATTAH, Mr. DELLUMS, Mr. NEAL of Massachusetts, Mr. UNDERWOOD, Ms. CHRISTIAN-GREEN, Mr. GEJDENSON, Mr. BALDACCI, Ms. NORTON, Mr. FROST, Mr. FOGLIETTA, Mr. ABERCROMBIE, Mr. DAVIS of Illinois, Mr. RANGEL, Ms. LOFGREN, and Mr. TORRES.

H.R. 284: Mr. NADLER, Mr. MORAN of Virginia, and Mr. DELLUMS.

H.R. 285: Mr. UNDERWOOD and Mr. PARKER.

H.R. 286: Mr. PARKER.

H.R. 287: Mr. UNDERWOOD and Mr. PARKER.

H.R. 289: Ms. PELOSI, Ms. NORTON, and Mr. FOGLIETTA.

H.R. 292: Mr. INGLIS of South Carolina and Mr. TIAHRT.

H.R. 311: Mr. SHADEGG.

H.R. 312: Mr. LARGENT, Mr. METCALF, Mrs. EMERSON, Mr. ROYCE, Mr. WATTS of Oklahoma, Mr. MCKEON, Mr. BURTON of Indiana, Mr. NORWOOD, Mr. SMITH of New Jersey, and Mr. TIAHRT.

H.R. 331: Mr. DIAZ-BALART.

H.R. 350: Mr. NEY, Mr. EVANS, Mr. WAMP, Mr. TAYLOR of North Carolina, Mr. BEREUTER, Ms. LOFGREN, Mr. DOYLE, Mr. DUNCAN, and Mr. MILLER of California.

H.R. 371: Mr. SOLOMON, Ms. LOFGREN, and Mr. SABO.

H.R. 383: Ms. PELOSI and Mr. SMITH of New Jersey.

H.R. 386: Mr. BORSKI and Mr. SCOTT.

H.R. 399: Mr. SMITH of New Jersey and Ms. FURSE.

H.R. 408: Mr. MCHUGH, Mr. GREEN, Mr. BACHUS, Mr. TORRES, Ms. JACKSON-LEE, and Mr. ROGAN.

H.R. 415: Mr. LIPINSKI.

H.R. 423: Mr. PITTS and Mr. FATTAH.

H.R. 424: Mr. HORN.

H.R. 446: Mr. GALLEGLY, Mr. LATOURETTE, and Mrs. MYRICK.

H.R. 450: Mrs. KELLY, Mr. EHRLICH, Mr. STARK, Mr. DUNCAN, Mr. BISHOP, Mr. MCDERMOTT, and Ms. DUNN of Washington.

H.R. 466: Mr. FRANK of Massachusetts, Mr. GREEN, Mr. FLAKE, Mr. METCALF, Mr. CONYERS, Mr. DAVIS of Illinois, Mr. RUSH, Ms. RIVERS, Mr. MANTON, Ms. NORTON, Mr. FATTAH, Mr. KENNEDY of Massachusetts, Mr. HEFNER, Mr. MASCARA, Mr. TOWNS, Mr. BONIOR, Mr. CARDIN, Mr. DOYLE, and Mr. GILMAN.

H.R. 475: Mr. WHITFIELD and Mr. SCARBOROUGH.

H.R. 484: Mr. HASTINGS of Washington, Ms. GRANGER, Mr. BURR of North Carolina, Mr. BOEHNER, Mr. TALENT, and Mr. HAYWORTH.

H.R. 491: Mr. MCHUGH and Mr. SCARBOROUGH.

H.R. 499: Mr. ARMEY, Mr. DELAY, Mr. ARCHER, Mr. SAM JOHNSON, Ms. GRANGER, Mr. BARTON of Texas, Mr. BRADY, Mr. THORNBERRY, Mr. COMBEST, Mr. SESSIONS, Mr. SMITH of Texas, Mr. PAUL, Mr. GONZALEZ, Mr. TURNER, Mr. HALL of Texas, Mr. EDWARDS, Mr. STENHOLM, Mr. GREEN, Mr. BENTSEN, Mr. FROST, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JACKSON-LEE, Mr. HINOJOSA, Mr. REYES, Mr. LAMPSON, and Mr. SANDLIN.

H.R. 543: Mr. KING of New York, Mr. CANADY of Florida, and Mr. LIPINSKI.

H.J. Res. 1: Mr. CANADY of Florida, Mr. LUCAS of Oklahoma, Mr. MANZULLO, Mr. PARKER, and Mr. WICKER.

H.J. Res. 2: Mr. CANADY of Florida.

H.J. Res. 8: Mr. STARK, Mr. BENTSEN, and Mr. GREEN.

H.J. Res. 19: Mr. SHAYS.

H.J. Res. 27: Mrs. MYRICK and Mr. LEWIS of Kentucky.

H. Con. Res. 10: Mr. TOWNS, Mr. ROYCE, Mr. BURTON of Indiana, and Mr. LIPINSKI.

H. Res. 28: Mrs. MYRICK, Mr. GRAHAM, Mr. PITTS, and Mr. LIPINSKI.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, WEDNESDAY, FEBRUARY 5, 1997 No. 13

Senate

The Senate met at 11 a.m., and was called to order by the Honorable SUSAN M. COLLINS, a Senator from the State of Maine.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Spirit of the living God, we confess the banked fires of faith in the hearths of our hearts. White ash often covers the burned-down embers. The danger of burnout is always present when we become so busy that there is little time to be refueled by Your love and power, Your wisdom and strength. You never meant for us to make it on our own. Our responsibilities are too great to face without a constant replenishment of Your inspiration. Bellow the flickering embers of our hearts until they are white hot again with the fire of patriotism, vision and hope, conviction and courage. Holy Spirit, we need You. Thank You for setting us ablaze with Your fire. Amen.

APPOINTMENT OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. THURMOND].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 5, 1997.

To the Senate:

Under the provisions of rule 1, Section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SUSAN M. COLLINS, a Senator from the State of Maine, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Ms. COLLINS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader is recognized.

Mr. NICKLES. Madam President, I thank you.

SCHEDULE

Mr. NICKLES. Today, the Senate will begin a period of morning business until 3 p.m. this afternoon. At 3 p.m., the Senate will begin consideration of Senate Joint Resolution 1, the constitutional amendment requiring a balanced budget. By unanimous consent, during today's session no amendments will be in order to Senate Joint Resolution 1. Senators, hopefully, will make their opening statements throughout the day, and I encourage all Members to make remarks today so that on Thursday we will be prepared to make progress on this important constitutional amendment.

For the remainder of the week, it is still possible the Senate will consider any of the available nominations that have been or will be reported from committee. As always, Senators will be notified of any rollcall votes as they are scheduled.

I might mention that it is anticipated no votes will occur today, but that has not been totally decided. So with that, I thank my colleagues and I yield the floor.

The PRESIDING OFFICER (Mr. BROWNBACK). Under the previous order, the Senator from Maine [Ms. COLLINS], is recognized to speak for up to 30 minutes.

Ms. COLLINS. Thank you, Mr. President.

REPRESENTING THE PEOPLE OF MAINE

Ms. COLLINS. Mr. President, it is with great pride that I rise to address my colleagues for the first time from the floor of the U.S. Senate, the world's greatest deliberative body. I am honored to be standing where once stood Senator Margaret Chase Smith, who was such an inspiration to me as a young girl growing up in Caribou, ME.

In all of history, only 26 women have served in the Senate, only 15 of us elected in our own right. I am especially proud that my home State is the first to send two Republican women to serve in the Senate at the same time. And I am very pleased to be sharing that honor with my colleague, Senator OLYMPIA SNOWE.

During my youth, the people of Maine were fortunate to have an inspiring example of a woman who stood tall for her principles and for her State. As a Senator from 1949 to 1972, Margaret Chase Smith taught us that women could reach the highest levels of government and that hard work, common sense, and integrity are rewarded.

Equally important, Senator Smith taught us how to govern. She recognized it is only through civil discourse and a spirit of cooperation that the people's business gets done. And she showed us all, through her deeds as well as her words, that there is a difference between the principle of compromise and the compromise of principle. Compromising one's principles is wrong. Compromising on how to achieve those principles is the essence of a healthy democracy.

Each of us is called to serve, and the different ways in which we are called form the fabric of this great Nation. Some are called to heal and become doctors and nurses. Others are called to impart wisdom to the next generation and become teachers. Others are called to work in the businesses, large and small, that provide the products and services that enrich our daily lives. Still others are called to be the entrepreneurs who create the jobs that keep this country at the forefront of the world's economy.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

With a father, grandfather, great-grandfather, and great-great-grandfather who all served in the Maine Legislature, I heard the call to public service at an early age. And that call was not limited to the men in my family, as my mother served as head of the local school board, as mayor of Caribou, and as the chair of the board of trustees of Maine's State university system. With my family background, no greater honor could be bestowed upon me than to represent the people of Maine in the U.S. Senate.

In undertaking my duties as Senator, Mr. President, I come to Washington not as an enemy of government but as one committed to improving it. We need a vigorous debate in this country about the role of government, a reassessment of what it can and cannot do. There are some problems that only the Federal Government has the resources and the authority to address, but many times the answers are found not in Washington but in our neighborhoods, our communities, our States, and ultimately in ourselves.

If there is one change in government on which we should all be able to agree, it is that we need to start to be more forthright with the American people about the difficult challenges facing us. A well-known Maine business sells hunting boots, and if you buy a pair of them you can be confident they will withstand the test of time. Take them apart and you will understand why. They contain no bells or whistles. If our Federal budget were as honestly constructed as a pair of Maine boots, future taxpayers could sleep as well as Maine woodsmen.

In assessing the role of government, we must never forget that the great advances we have made over the years can ultimately be traced to the energy and creativity of our citizens. Indeed, perhaps the most profound change in political thought around the globe during the past two decades has been the recognition that there is usually a correlation between less government and more progress.

Government must foster the energy and creativity of our private sector. As Winston Churchill once said, ''Some see private enterprise as a predatory target to be shot, others as a cow to be milked, but few see it as a sturdy horse pulling the wagon.'' I do see private enterprise as that sturdy horse, and in that wagon which it is pulling are the jobs that are so critical to all of our constituents.

Wherever I travel in Maine, the primary concern of the people is jobs. In the past, they were worried about whether jobs would be there for their children and their grandchildren. Today, they are worried about their own jobs as well—some about getting jobs and many more about keeping the ones that they have. We live in the midst of an exciting and dynamic technological revolution, but it is accompanied by widespread anxiety about our futures. One need only visit with former mill workers in Millinocket or Biddeford, ME, to understand that fear.

To respond to the concerns of our citizens, Government policies must promote job creation and retention, and the starting point is small business. In my State, it is the 30,000 small businesses that provide most of the new employment opportunities, and it is small businesses that will account for two-thirds of the new jobs in the next decade.

Even though small businesses provide the spark that ignites many of the new ideas that benefit us all, Government policies often serve to inhibit rather than foster these enterprises. A glaring example is the onerous estate tax that deters families from passing on a successful business from one generation to the next. An owner of such a business in Maine once told me that he made the painful decision to sell his family business to a large out-of-State corporation rather than leave it to his children and force them to assume a large debt to pay the Federal estate tax. He was forced to abandon what he and his father before him had spent their lives building. Making matters worse, the new corporate owner consolidated its administrative operations out of State, costing Maine more than 50 good jobs. That is wrong. That is the kind of policy we must change.

If excessive taxes cause the downfall of some enterprises, others are done in by unreasonable regulations. This occurred in Lubec, ME, located in one of the most beautiful but also one of the poorest parts of my State. During my Senate campaign, I toured the empty shell of the McCurdy Fish Co., a family owned business that had operated in Lubec for more than 90 years, providing 20 good, much-needed jobs to this area. It was closed down by new Federal regulations with which it simply could not afford to comply. Adding insult to injury, just across the border the company's Canadian competitor continued processing fish in the same manner as had the Lubec company and exported its product into the United States, free from these expensive regulations.

Mr. President, another essential step to promoting an economic climate that creates jobs is balancing the Federal budget. It has been estimated that a balanced budget would reduce interest rates by more than 1 percent, a strong stimulus for growth and employment.

To ensure long-term prosperity, we must learn to live within our means. Not since 1969 has this Nation seen a balanced budget. More than 25 years of skyrocketing spending and an unwillingness to make sacrifices have ballooned our debt to more than $5.2 trillion. We must act now or leave a legacy of crushing debt to the next generation. At the rate we are going, we may cross that bridge to the 21st century, only to arrive in a land of unkept promises and unpaid bills.

To avoid this fate, one of my top priorities will be to pass a balanced budget amendment to the Constitution. History shows that it will take a constitutional requirement for Congress to embrace fiscal responsibility as a permanent obligation rather than as a passing fad.

Fiscal responsibility also means Medicare and Social Security must be placed on a sound financial footing. Only through effective action on these fronts will we be able to keep our promises to our seniors without bankrupting our children.

A third key to jobs is quality education. The fruits of the new age in which we live will be shared by most of our citizens only if the doors of opportunity are open wide. Contrary to what some would have you believe, we do not face a choice between the greed of a few and the well-being of the many. Rather, we need policies that will ensure that when an entrepreneur drops the stone of innovation into the technological pool, the benefits ripple throughout society. Government cannot and should not assure equality of outcomes. But without equality of opportunity, the American dream is unfairly denied.

The reality of today's workplace is that 85 percent of the new jobs will require some sort of post-secondary education, whether that be a community college, a technical or vocational education, or a bachelor's degree and beyond. We must do what we can to open the doors to a post-secondary education for anyone who wants it, and to ensure that cost is not the barrier that separates those who pursue higher education from those who do not. Increasingly, we are finding that the growing gap between the rich and the poor in this Nation is an education gap.

A final element in achieving broad-based participation in the new American-led industrial and technological revolution is fair trade. The primary victims of unfair trading practices are workers, particularly those with the fewest skills and the least education. Let me be clear: I am a strong advocate of free trade, but we cannot sustain majority support for that policy unless we take a strong stand against unfair practices.

While mine is a message of jobs and opportunity, I know that there are those who, through no fault of their own, are unable to get by without help from their government. Hubert Humphrey once said, ''the moral test of a government is how * * * [it] * * * treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life—the sick, the needy and the handicapped.'' As we go about the difficult task of balancing the budget, of choosing among many worthwhile programs, we must take care not to leave behind those who truly need our help.

Those are the principles upon which my vision of the future of America is based. And I bring one other principle

to this body, one which will guide me more than any other as I embark upon this exciting journey, and that is a steadfast commitment to the people of Maine. Whether it is fighting for Maine's fair share of Federal contracts, urging a business to expand and create jobs in our State, or helping a constituent navigate the bureaucratic maze in order to receive veterans' benefits, it will be service to the people of my State that will be my highest priority as Maine's newest Senator.

Just 1 year ago, I stood in Bangor, ME, with my family and my friends at my side, and announced my intention to seek a seat in the U.S. Senate. I told the people of Maine then that I would represent them with dignity and determination, with energy and enthusiasm. My approach will be simple and straightforward: I will listen to all points of view, I will engage in constructive dialog with my colleagues, I will compromise when compromise is warranted, but, after all is said and done, I will fight for those changes that will make the Federal Government better able to serve the people of Maine.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The acting majority leader.

Mr. NICKLES. Mr. President, I wish to compliment Senator COLLINS for an outstanding maiden speech, her first speech on the Senate floor. I think the speech speaks very well for itself and for Senator COLLINS. I think it also speaks very well for the State of Maine, in showing excellent taste, making an excellent decision in electing Senator COLLINS. I look forward to working with her and joining with her and with Senator SNOWE and following the tradition of Senator Margaret Chase Smith, who was one of the pioneers in the Senate.

I wish to compliment the Senator from Maine for an outstanding speech. Several of the things which she mentioned in her speech we have very high on our agenda. Senator COLLINS mentioned that she wanted to pass a constitutional amendment to balance the budget. We are going to be discussing that today, and hopefully we will be voting on that very soon, certainly by the end of this month.

Hopefully, we will pass it. I might mention, Senator COLLINS' election may well be the deciding vote in making that happen, because in the last Congress, we failed by one vote. So, again, every election is important.

I compliment the Senator from Maine for an outstanding speech and reassure her that I share many of her objectives. She mentioned reducing the inheritance tax to help small business. I couldn't agree more.

I compliment her on an outstanding speech and compliment the people of Maine for sending two outstanding Senators to serve and join us in the U.S. Senate.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, what is the regular order? Are we in morning business?

The PRESIDING OFFICER. The Senate is in morning business, and the Senator is recognized for 5 minutes.

EDUCATION

Mr. GREGG. Mr. President, I rise today to speak a little bit about the issue of education, which was raised so aggressively by the President in his State of the Union Address last night. I congratulate him, once again, for focusing the country's attention on this critical concern. It is something that we, as a nation, have focused our energies on ever since we began, and many could argue that one of the really unique miracles of American society has been our educational system.

With each generation, we have asked ourselves, is our system working well, is it working right, is it producing individuals who are trained and capable of participating in the issues which their generation will face? In many instances, the answer has regrettably come back, no, maybe we aren't or we are not doing quite enough.

I, for example, remember that in 1980, we had the report of ''A Nation at Risk,'' and that report identified as a country, because of our educational failings, we were falling behind, falling behind our sister nations in the industrial world in the area of educating our students and their capacity to compete, especially in areas such as science and math. So a major initiative was undertaken as a result of that.

Then when I was Governor of New Hampshire back in 1988, President Bush had just been elected, and he proclaimed that he would be the education President and gathered, for the first time, I believe—maybe it was the second time in history—all the Governors in one location for the purpose of taking on a one-item agenda. That was in Charlottesville, VA, and the issue was education.

At that time, Governor Clinton from Arkansas was, I believe, the chairman of the Governors conference and played a major role in identifying five major policies which would be the goals to get us to the year 2000 to improve our educational system.

One of those policies involved being a leader in the world by the year 2000, I believe it was—it might have been earlier—in the area of math and science education.

Now we have President Clinton coming forward and saying, again, and accurately so, that our educational system is not accomplishing what we need as a nation. It is not educating our children to the level that is necessary for us, as a nation, to compete. And so we revisit the issue.

The question is, how do we revisit the issue? Do we learn from our mistakes of the past, or do we simply go forward with another new set of initiatives which may or may not accomplish our goals or may not accomplish more than what was accomplished in the last efforts. This is what I want to discuss, because I think the President, for all his energy and his enthusiasm and his rightly directed purpose, which is to improve education, has, to some degree, missed the point.

There are a lot of issues of education, but there are parts of education which work well, and one of the core parts of education that works well is the ability to keep the control over education at the local level. The essence of quality education, the formula for quality education is not a formula which says dollars equal better education. It is a formula that has variables in it, including dollars, including teachers, including principals, including school boards. But that formula doesn't necessarily have as a major function in it—we are talking now about secondary and elementary education—the Federal Government deciding the purposes, the roles, the curriculums of education. Rather, the essence of that formula is that the local community, the teachers, the parents, the principals, the school boards collaborate to produce quality education.

So the Federal role in education is narrow, because there could be nothing more disruptive or, in my opinion, nothing that would undermine education more fundamentally than to move the decision process out of the hands of the parents, out of the hands of the teachers, out of the hands of the principals to Washington. We would end up with a bureaucratic structure which would not respond to the needs of better education.

No, the Federal role is narrow. It should be focused, focused on places where it can make an impact, and that is what we tried to do or attempted to do. Sometimes we tried to go beyond that. Basically, that is what we tried to do. The Federal role has been, for example, in postsecondary education. The Federal role is significant, important, and appropriate in assisting students in being able to move on past their high school years to higher education, and the President's initiatives in this area are something that we want to look at because they could be a valuable addition.

The Federal role in the secondary school level has been really limited and focused to a couple of specific areas where we felt the Federal Government could play a major part—chapter 1, Head Start, and special needs students.

But now the President comes forward and lays out a whole brand new set of initiatives, new spending programs, $43 billion in new programmatic activity, not pursuing programs that are on the books, but setting off on brandnew programs, and you have to ask yourself:

First, how many of those programs are appropriate to the Federal Government and, second, and even more important, is that the best use of those dollars, because there is something that is missing here.

At the local school level, the Federal Government has said you must educate the special needs child under Public Law 94–142. This was an excellent decision, that we require that the special needs child would be able to be educated in the least restrictive, most mainstreamed environment, and it has worked well. But when we passed that law, the Federal Government also said that we were going to be a partner in that education; that we, the Federal Government, because we were insisting that the local government undertake this role in the elementary and secondary schools, that we, the Federal Government, would pay for 40 percent of the cost of special education in this country. Today, the Federal Government doesn't pay for 40 percent of the cost of special education, it pays for approximately 6 percent, and the impact on the local school systems of the Federal Government not stepping forward and doing what it said it would do to assist in educating special needs students has been dramatic.

We have seen a shift in resources at the local level which has been arbitrarily created because of the Federal Government's failure to live up to its responsibility.

In the local schools in my State, for example, the local property taxpayer bears the burden of education primarily, and this is true throughout New England to a large degree, and many other States, I am sure. What happens is that because the Federal Government is unwilling to pay the 40 percent it said it would pay for a special needs student, the local property taxpayer has to pick up that 40 percent, or the difference between what the Federal Government is paying and what it said it would pay, which is about 34 percent.

That has meant that resources which might have been used for the average student, maybe to have an extra art class or an extra language class or an extra math class, or might have been used for the athletic program or for the cultural programs in the school system or might have simply been left with the local property taxpayers so that they could meet their mortgage payments more easily or their car payments more easily, that money is going to educate the special-needs student.

What we have created is a conflict, an inappropriate, unfair conflict, especially to the special-needs student, because what has happened is that in many communities where you have children who need special assistance, that special assistance is extremely expensive, and the parents of the students who are not special-needs students look at the parents of the students who are special-needs students and say, ''Why is your son or daughter getting $10,000, $20,000, $30,000 spent on their education annually when my son or daughter is only having $3,000 or $4,000 or $5,000 spent on him or her?'' ''It's just not fair,'' they are saying.

So you have this conflict. And it is not right. There is no reason why that special-needs student should be separated out and find that they are looked upon in a jaundiced way by the community, by the other parents, and parents conflicting with parents, the school board conflicting with parents.

The only reason it is occurring is because the Federal Government has failed to live up to its obligations on this special education. We said we would pay 40 percent of the cost of special education, and instead we are paying 6 percent. That has created this conflict at the local level, which has placed the special needs student in a really unfair and inappropriate position.

You have to ask yourself, why do we do this? Why does the Federal Government do this? Well, it is called an unfunded mandate.

The first act of the Republican Congress 2 years ago was to pass a bill, which I helped author but which was really energized and driven by the Senator from Idaho, Senator KEMPTHORNE, which said we will not pass unfunded mandates any longer. Unfortunately, this one is already on the books. It is the largest unfunded mandate in the education arena; maybe outside of a couple of environmental unfunded mandates, the largest unfunded mandate in the country. It has had this really perverse effect, both of the tax burden on the local communities and the States, but, more importantly, the relationship between the students in a school system. And it is not right.

What we have said is we are going to correct this. We said it in the unfunded mandate language that we passed. More recently we made a commitment, as a Republican Senate anyway, to try to redress this. As we closed out the last budget year, we passed the omnibus appropriations bill. In that appropriations bill, at my suggestion, but with Senator LOTT's leadership, we put in $780 million more into special education over what had originally been planned. It does not get us up to 40 percent. Maybe it got us up to 7 percent from 6 percent or 8 percent from 6 percent, but it was a downpayment. For example, in New Hampshire an extra $3.5 million coming to special needs kids toward the Federal obligation. So we showed we were serious, as a Republican Congress.

Then to confirm and dot the ''i'' and cross the ''t'' and put the exclamation point in, we have introduced Senate bill 1. Senate bill 1 says that we, as a Republican Senate, commit ourselves to getting to full funding of the special education accounts in a 7-year period on a ramped-up basis, which means that this year we need to add additional moneys in the special education accounts.

Why does this all relate to the President's speech? It relates to the President's speech for this one very obvious reason. The President has proposed $43 billion in new spending on education. We have not yet seen his budget to know where he is going to get this money. We do not know what accounts he is going to take the $43 billion from. We have heard him say he is going to do this in the context of reaching a balanced budget by the year 2002, which is our goal and our purpose.

Taking that at face value, that he is going to have legitimate accounting mechanisms and have made hard decisions for the purposes of generating these dollars, it means that a large amount of new dollars is being reallocated from some other accounts into the education accounts.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GREGG. I ask unanimous consent for an additional 3 minutes, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. That means the President is saying, let us spend another $43 billion in education, new dollars on new programs. Well, how can he say that when we are not paying what we have already got on the books? That is the point.

How can we go out and put on the books new programs for building construction, which clearly is not a Federal role to begin with, new programs for a variety of different initiatives in education which may be only marginally in the role of the Federal Government, brand new programs, when we are not paying the cost of special education, when we are pitting the special-education students and their parents against the average students and parents in a school system, when we have created this horrendous situation in the local communities where the local school dollars are being drained off to pay for a Federal obligation because the Federal Government is not willing to step up to the bar and make its payment?

It is wrong. What we have done is wrong. Yet now we have the President suggesting a whole new group of expenditures in education.

I suggest, before we step down this road of new education initiatives, before we start building schools for school districts—something that is clearly not a Federal role—that we pay for what is a Federal role, and that we relieve this problem, and that we take out from over the head of the special-needs students the cloud that the Federal Government has failed to pay its fair share.

So I am just putting the Senate on record that I am going to work with the Senate leadership and other Senators who I know feel this way—and there are a lot of us here who feel this way because S. 1 is a consensus bill amongst Republican Senators—to make sure that, before we begin any

new education initiatives, we fund the one we have on the books, we fund the special-needs program, and we fund it appropriately.

So every amendment, every proposal that comes to this floor for a new education initiative will have with it, I assure you, an amendment which will say, special ed is our first obligation, the special-needs child is our first obligation. Let us look to that before we start a new program. Let us fulfill our obligations, before we start a new program, to the special-needs students and to the local taxpayer.

Mr. President, thank you for your courtesy and for the extra time. I yield back my time.

The PRESIDING OFFICER. Thank you.

Under the previous order, the Senator from Wyoming, [Mr. THOMAS] or his designee, is recognized to speak for up to 60 minutes.

Mr. THOMAS. Thank you, Mr. President. Let me assure you that I do not intend to talk for 60 minutes. However, we do intend to use some time as a special order today and will be doing this over a period of time to talk about issues that are important, I think, to the American people and that are important to this Congress, the issues that we now begin to deal with.

THE BUDGET

Mr. THOMAS. We are going to talk about the budget—not a new idea, but, I suspect, the most important issue that we have to talk about, because everything else, everything else that is discussed here, everything else that is decided here will be a function of doing something with the budget.

The Senator from New Hampshire, who just finished, talked about education and special education, which happens to be something that I am very interested in, but it is budgetary; it has to do with the budget.

The budget has to do with more than just arithmetic, more than just a balance sheet; it has to do with priorities, it has to do with fiscal responsibility for our kids, and our grandkids, it has to do with deciding what our direction will be in this country in terms of the Federal Government.

So, Mr. President, we want to talk about that this morning. I will be joined by several of my associates in the freshman and sophomore class who have come together to put a focus on events, and particularly a focus to try to talk about how what we do here with regard to the budget in this instance has to do with where we live, has to do with you and me in terms of our families, has to do with how we have the resources to send our kids to school and pay our bills. There is a direct relationship.

So let me yield 10 minutes to my friend, the new Senator from Arkansas, Senator HUTCHINSON.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. HUTCHINSON. I thank the Senator. Mr. President, I rise today to voice my support for the balanced budget amendment to the U.S. Constitution, Senate Joint Resolution 1. I speak not only for myself, but I think I speak for thousands and thousands of Arkansas voters and their families who sent me to Washington with a primary goal of balancing the Federal budget and getting our books in order.

Arkansans, like most Americans, are hard-working, decent people with jobs and families facing constant pressure to make ends meet. Gathered around the kitchen table, these families, like so many others, pay their bills, attempt to budget for future expenses, and say no to the things they cannot afford. They act responsibly. Also, they act with the fear that a prolonged illness or unexpected job loss could push them over the edge, robbing them of financial security and destroying everything that they have worked for and saved. America's families have been forced to live within these limits. My question to the U.S. Senate is, can we ask any less of the Federal Government?

My colleagues, we carry a heavy burden. That burden is both the annual deficit that we caused and the debt that we have created. As of February 3 of this year, our national debt stood at over $5 trillion. Whenever I hear these numbers I have to ask myself, what does that number mean, what does it mean to me, or better yet, how can we visualize numbers of this magnitude? Author David Schwartz has written a book entitled ''How Much Is a Million?'' It is a book to help parents explain large numbers to their children. Maybe it will help us as well. One of his examples says, ''If a billion kids were to stand on each other to make a human tower, they would stand up past the moon. * * * If you stood a trillion kids on top of each other, they would pass beyond Mars and Jupiter * * * and almost as far as Saturn's rings.'' In another case he says, ''If you wanted to count from one to one trillion * * * it would take you about 200,000 years.''

Let me take a moment to put this kind of massive debt into perspective for those slightly older: $5 trillion of debt translates into over $19,000 for every man, every woman, and every child in America. That is practically equal to having an additional midsized car payment without having a vehicle. The debt of an average family is more than $72,000. That could be the equivalent of owning a second residence without being able to stay there. For a family or person who owns a home, it amounts to an additional $37,000 on average tacked on to their mortgage, without raising the value of their home. For many young adults who are taking advantage of student loans to obtain a better education, the national debt can ring up $2,200 in additional costs on that loan. This significantly impacts the paycheck of the recent young college graduate who must make larger than anticipated loan payments at an entry-level salary. For those persons trying to afford a new car, the national debt means the price of that car will go up another $1,000.

At the conclusion of 1 hour of debate, the 60 minutes that Senator THOMAS has reserved, 1 hour of debate on this resolution, our country will owe roughly $29 million more than it did when we started the debate.

Last night, the President advocated that we change the Constitution to protect victims rights, but he rejected and condemned the notion that we should amend the Constitution to ensure that our Government lives within its means. As if we were rewriting the Constitution to ensure a balanced budget, saying that is not a requirement, we should not do that. We have the authority; all we have to have is the discipline. I will sign it; you pass it. And yet in the same speech advocating that we change the Constitution to protect victims rights.

There are those who have said that a balanced budget amendment would wreck the economy. Well, business probably more than any other part of our economy has felt the effects of our huge national debt. Government has siphoned billions of dollars in investment capital, which, in turn, restricts our economy from reaching a higher growth potential. Deficits make businesses compete with Government for money, causing interest rates to be higher than they should be. With interest rates higher than necessary and private capital formation being stifled, it is quite possible to foresee lower living standards in the future, even in this time of slow growth we have experienced.

National growth rates of 2 to 3 percent simply are inadequate for America. Balancing the budget can mean an additional $88.2 billion of capital investment in the first 7 years that we have a balanced budget. The less money being taken by Government, the more money that is available for economic development and job growth. Even more important, we have seen evidence that our debt and annual deficits have restrained the ability to make a better life for all of us.

The Federal Reserve Bank of New York reported that deficits have kept our standard of living down by 5 percent. However, if we decide to make the choice to balance the budget by the year 2001, the General Accounting Office has stated it would lead to a 35-percent increase in the standard of living. Just think what that would mean in spending power to middle-class Americans. A balanced budget amendment will propel Congress to do what legislative remedies, with such words as ''firewalls,'' ''spending ceilings,'' and ''lock boxes,'' what all of those statutory techniques have failed to accomplish since 1968. This measure will give the impetus to set goals and make priorities without budget gimmicks which have characterized the process over the

last 30 years. It will make the budget process look more like what happens with our families than the current situation.

For most of the history of our country, the budget was balanced. Permanent deficits were viewed as intolerable. Permanent deficits were viewed as something that was wrong. Chronic deficits were unacceptable not because of the constitutional prohibition, but because of a deeply embedded moral belief that permanent deficits were simply wrong, a principle held by politicians and the general public alike. With the creation of entitlement programs in the 1960's, the proclivity of politicians to expand these popular and expensive entitlement programs have gone virtually unchecked. The intolerable increase in spending has had the inevitable result of persistent deficits and an ever expanding national debt.

James Buchanan, a professor of economics at George Mason who testified in 1995 before the Senate Judiciary Committee, said, ''The immorality of the intergenerational transfer that deficit financing represents cries out for correction.'' He is so right. He calls it the ''immorality of the intergenerational transfer of deficit spending.'' What he calls the ''immorality of intergeneration transfer'' is nothing less than one generation stealing from another generation. The fundamental moral code of our Judeo-Christian tradition says ''thou shall not steal.'' That sets the standard. Every time we as a Government spend one dollar that we do not have, we are stealing from our children.

From the establishment of the Republic, our Founders saw public debt not only as immoral but as the principal threat to the survival of our representative democracy. James Madison said, ''I go on the principle that a public debt is a public curse and in a republican government, a greater curse than any other.'' George Washington, in his farewell address, called the accumulation of debt ''ungenerously throwing upon posterity the burden of which we ourselves ought to bear.''

Indeed, the War of Independence was fought over the principle of taxation without representation. The Founders also knew that deficit spending would impose exorbitant tax rates on coming generations to pay for the debt accumulated by our own conspicuous consumption.

My colleagues, this is the ultimate taxation without representation. When we immorally steal from our children, from our grandchildren, ensuring that they are going to face ever increasing levels of taxation without the right to have any say about it today, Mr. President, the time has come for us to stop stealing from our children and stop the chronic deficit spending by the adoption of a balanced budget amendment to the Constitution, sending it to the States for ratification. We must do it now.

I thank Senator THOMAS for yielding.

(Disturbance in the visitors' galleries.)

The PRESIDING OFFICER. The gallery is reminded not to display expression of approval or disapproval.

Mr. THOMAS. Mr. President, I thank the Senator from Arkansas.

It seems to me that is a very important aspect of this business of balancing the budget. It is not only a mechanical matter, it is not only a fiscal matter, it is a moral matter, and whether or not we have the responsibility to balance the budget and pass on to our kids something that is as good as we had.

Certainly the economics of it are very important, the economics in terms of the amount of interest we pay and all those things.

But it is a moral imperative that we be responsible for what we are doing. If we are going to buy it, we have to pay for it. That is a great concept. I thank the Senator from Arkansas.

Let me now yield 10 minutes to the Senator from Ohio, Senator DEWINE.

The PRESIDING OFFICER (Mr. ENZI). The Senator from Ohio is recognized.

Mr. DEWINE. Mr. President, I thank my colleague and friend from Wyoming.

I rise today also to support the balanced budget amendment to the Constitution. There is no doubt about the need for a balanced budget. We all agree on the huge benefits that will accrue to America if we put our fiscal house in order.

To begin with, it would stave off a horrible catastrophe. Mr. President, if we do not establish a balanced budget and if we choose instead to continue on our present course, by the year 2012, the whole budget is going to be eaten up by entitlements and by interest on the national debt. There will be absolutely no money in the domestic discretionary budget for investment in the future of our children—no money, zero. No money for Pell grants, no money for student loans, no money for National Institutes of Health research, none of the things that really are an investment in our children, our grandchildren, and our great grandchildren. This alone is good enough reason to balance the budget—to avoid a social and fiscal disaster.

Mr. President, there will also be a huge positive benefit from a balanced budget. According to the latest estimates from the Congressional Budget Office, a permanently balanced budget could make our country 25 percent richer by the year 2030. That is outstanding news. That's why so many Americans are very happy to see the signals coming out of the budget process that we may be getting close to an agreement on a balanced budget. That would mean a better future for America. It's that simple. We all agree on this.

But the question we have to ask ourselves now is: Do we need to write this practice of budget balancing into the Constitution of the United States? Some might contend that our recent success at reducing the deficit proves that a constitutional amendment is unnecessary. Some may say and may tell us that if it's not broken, we don't need to fix it.

Mr. President, that may seem to make sense on the surface, but that argument flies in the face of history. It doesn't make sense when we consider the fact that it has taken the Congress 27 years to make the limited progress we are seeing today—27 years. It took 27 years, Mr. President. The last time the Federal budget was balanced was in 1969. My wife Fran and I were graduating from Miami University in Ohio in 1969.

So of all the arguments against the constitutional amendment, the argument that it's easy enough to balance the budget is certainly one of the weakest. No, Mr. President, our decision on the balanced budget amendment has to be based on a much more fundamental criteria. Indeed, on a matter of conscience.

The question all of us have to ask ourselves is simply this: How important is a balanced budget? Does it rise to the level of a constitutional principle? In other words, is it a fundamental component of what we want to be as a nation? This is a question we all have to answer for ourselves, reflecting on our own deepest values, as well as those of the people who sent us here to make the decisions.

My decision is based on the America I want my children and my grandchildren to inherit a nation bound by its fundamental law to pay its bills on time, to avoid pulverizing future generations with a towering national debt; in simple terms, Mr. President, an America that says no longer are we going to borrow from our children and grandchildren so we can live better today.

In my view, Mr. President, that is as close to a bedrock principle as we can find in political life. I believe it must be in the Constitution. I believe history tells us that it has to be in the Constitution. That is why I believe, for my family, for the people of the State of Ohio and future generations, as well as the present generation, we must pass the constitutional amendment and send it out to the States.

Thank you, Mr. President. I yield the floor.

Mr. THOMAS. Mr. President, I thank the Senator from Ohio. You hear these arguments, and almost no one would disagree with the notion that we need to pay the bills. Few would argue with the idea that it is irresponsible for us to leave it for someone else to pay later. Yet, it has been 1969 since we have had a balanced budget. There is a legitimate argument to be addressed that we must be flexible if there is a war or a disaster. There has to be some movement, as there is in your family. But the fact is that we haven't done it.

We have not done it. So we need to make some difference. You can't expect to change things if you continue to follow the same course. That is precisely what has gone on here.

So we have an opportunity now, for the first time in some time, to do what I think most people believe ought to be done. You might ask why are the freshmen and sophomores particularly doing this this morning, and doing it as a focus on issues throughout the year? I think it is because we are the ones who have most recently gone through the elections, who have most recently been to Greybull, WY, and small towns in Ohio. We know that people want to balance the budget. We know that the folks where we come from say, ''Look, we have to be fiscally responsible, and our State has a balanced budget amendment. We have to do that stuff, and it works.'' Furthermore, we want some control of the growth in Federal Government. We don't want it to grow exponentially. We want it to be under control. Everyone in this place says, ''Yes, I am for a balanced budget, but I don't want to do anything that would cause us to have to do that. I don't want any discipline applied.'' I think that is the issue that we are coming upon, the issue we will deal with. Do you want a balanced budget? Yes. How do we get there? Just do it. Well, that doesn't work, and it hasn't worked for some time.

So that's what it's all about and where we are. We are talking about a process to cause us to do the things that almost unanimously we would choose to do. Mr. President, I am glad to be joined by the Senator from Kansas to talk a bit about the balanced budget.

I yield 10 minutes to the Senator from Kansas.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from Kansas.

Mr. BROWNBACK. Mr. President, I thank my colleague from Wyoming for recognizing me for this opportunity. This is my first opportunity to speak, as well, on the U.S. Senate floor. It is a tremendous honor, privilege, and responsibility to do so. I am delighted to be speaking on the U.S. Senate floor for the first time about balancing the budget and about the balanced budget amendment to the Constitution, which I feel is basically very important and critical for future generations. Now is the time for us to act and to address not just the financial health of our country, but also the freedom of our children and grandchildren, by passing the balanced budget constitutional amendment.

The U.S. Constitution is not only the foundation of our country, but also the standard bearer of our worth as a principled nation. The Constitution has guaranteed and defended the freedom of the American people. The balanced budget amendment is necessary to protect and defend that freedom for future generations.

But we must act now to preserve, protect, and defend the Constitution by giving it the strength it will need to continue protecting and defending the American people. The balanced budget constitutional amendment will protect our families, our children—my children, Abby, Andy, and Liz—and our future from the excesses of a government which, for much of this century, has shown its contempt for the integrity of our people by equivocations and false assurances. Deficit spending must stop, and the budget must be balanced. Right now, as I speak and as we have heard several speakers just before me speak on the U.S. Senate floor, our Federal debt is at an astounding $5.3 trillion, which means that every American—every man, woman, and child—in this country owes today over $19,000 per person. They can't just pay that off and say, ''I am done with my share of the Federal debt.'' It keeps growing and growing. This is wrong. It is immoral and must stop.

Opponents of the balanced budget amendment will try, and have tried, to frame this debate in terms of fear. The Keynesian apostles will tell that you the economy will collapse in tough times. But the debate over the balanced budget constitutional amendment should not and must not be a debate framed in fear and falsehoods. It is really a debate about hope and about the future, and ultimately about the American dream.

That is why I believe that good Government is not sustained by the politics of cynicism and fear. Quite to the contrary, it is sustained rather by the honest desire of each individual to work for that which he believes to be right and just. The balanced budget is both right and just.

It is right because it means an end to the days of reckless Government spending when politicians made pork barrel promises that added too little to the public good and too much to the public debt.

The balanced budget amendment is just because it helps our families and protects our children by curbing the practice of tax and spend. It is just because it means an end to the hidden tax that our Government levies every year when it fails to balance its budget and pay down its debt.

It is a moral imperative, as some of my colleagues have spoken to, that we balance the budget and that we give ourselves the tools we need to balance the budget. How will future generations judge us if we have not the moral wherewithal to abolish the shameful practice of enslaving our children to the reckless desires of our bloated Federal Government? The system of burdening our children with the full cost of our present consumption is a great crime. We must not hesitate to bring it to an end.

One of the most insidious aspects of the budget deficit is that it amounts to a hidden tax on our income and on our children's future income. This hidden tax is felt by everyone who has taken out a loan to pay for school, buy a car, or purchase a home. Higher interest rates are the taxes levied by a government that has not the courage to live responsibly, or even honestly. By balancing the budget, we will pay down the debt and we will free future generations from the shackles of Government debt. But we will do much more than free future generations.

A balanced budget will draw down interest rates, spurring new investment decisions, and increasing our gross domestic product. Lower unemployment and higher productivity is not the empty promise of a campaign season, it is the real promise of a constitutional amendment to balance the budget.

Yet, the ivory tower has railed against the balanced budget constitutional amendment because it would mean the end to unlimited Government deficit spending. The effects of a balanced budget promise a brighter future not only for our children and grandchildren but for ourselves as well. By eliminating the hidden tax on our American families, a family could easily save over $1,500 per year. A balanced budget will produce that savings. Estimates by the Joint Economic Committee indicate that yearly savings on an $80,000 home mortgage would be over $1,200, and a student fresh out of school paying back a college loan would save about $180 per year because of the resultant lower interest rates. American families and children are already taxed too much. They are taxed to the max. They, more than anyone else, deserve a break.

The balanced budget amendment is right in principle and in practice. In fact, it was Jefferson in 1816 who acknowledged, ''Public debt is the greatest of the dangers to be feared.''

As I said frequently during my campaign for the U.S. Senate, which was just completed and which placed me in this body with the gracious will of the people of Kansas, I believe that we are each placed on this Earth for a reason and for a short season. I believe that the task of our generation is to renew the American culture and to restore responsible Government and the promise of the American dream to the people.

We must act now. And in this matter of balancing the budget, we must act now and pass the balanced budget amendment to the Constitution.

I yield the floor.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from Wyoming.

Mr. THOMAS. I thank my friend from Kansas and welcome him in his initial visit to the floor. I am sure he will be back many times, and I hope that is the case.

Mr. President, we have now an opportunity. I am optimistic about it. We all heard the President's State of the Union Message last night. He listed a great many things that he is interested in. Certainly most of them are positive

kinds of things that, in one way or another, we want to work with as well.

So we listened to the President. We listened to the voters. We listened to the American people. And now we are ready to work on some solutions toward really all of America.

There is a plan soon for the congressional leadership to visit with the President, to sit down and talk about a number of things. Balancing the budget is one. Improving education, certainly, to move more and more education toward local communities and parental involvement; to provide some permanent tax relief so that we can increase investments, so that we can increase jobs, and so that we can increase the ability of families to prepare for themselves. Much of that is affected by what we do. What we do about interest rates that have a direct impact on the budget has much to do with what we do with this debt, a debt of $5.5 trillion, the interest upon which will become, if not this year, soon, the largest single line-item in the budget—$275 billion in interest, none of which is used for education, none of which is used to fight drugs, and none of which is used for investment—interest on the debt that we accumulate.

Mr. President, I am excited that the President of the United States said to us last year that the ''era of big Government is over.'' He said that the Government is not the answer to everything, that we need to be responsible, that we need to be responsible to ourselves as individuals and citizens. Certainly, that is true. We need to be responsible as a Government, and we need to be responsible as people who have been sent here to deal with the budget—about physical matters.

So that is what we are dealing with, two things: One is balancing the budget and being responsible; and then having the ability, which we have not had for 28 or 29 years, of doing it, and how do we change things to cause that to happen? We believe that it is the balanced budget amendment to the Constitution, which provides, as it does in Wyoming, Mr. President—as you well know just coming from the legislature there—a requirement as a legislature and the Governor not to spend beyond its revenues. It works. Many other States have the same kind of thing.

So we have heard for some time from our voters and our constituents that they want smaller Government, a Government that is more efficient, and a budget that is balanced. We have heard from the President that he is ready for a smaller Government, that the era of big Government is over.

We will see his budget, I think, tomorrow, and that will be when the rubber really hits the road. It is not just talking about it, but doing it. We will be sharing that responsibility with the President to do that.

There will be all kinds of suggestions as to how a balanced budget ought to be changed. There will be some scare tactics saying it is going to ruin Social Security. If you want to protect Social Security, you need to balance the budget. I am one who believes that we ought to have a Social Security net for the elderly. I want to continue it. I do not want to see it run out. The same is true with Medicare. The best way to do that is to balance the budget. If we do not do that, we will not have money to do any of those kinds of things.

So we will hear a lot about it. We need a budget that is honest. We need one that is out there not one that is backloaded, where it looks good for a couple of years and all of a sudden for somebody else it is piled up at a very high rate. We need one that is honest and forthright. We do not need gimmicks. We do not need to move things from one place to another. We do not need to trigger it so that it takes over in a certain way. We do not need budgets that have tax relief in it for a little while and then they go away. We need some real honest budgeting so that everyone is confident in understanding that that is where we are.

I hope each of us remembers the impact it has on everyone at home. Interest rates could be lower. Debt for kids to go to school could be less. Borrowing on our homes, borrowing on our cars, these are all related. This is not an abstract thing that belongs in somebody's accounting book. This is not for accountants and CPAs only. They affect each of us where we live. Families pay $1,500 a year easily on mortgage payments. So these are the kinds of things that we are doing.

So I think all of my associates welcome the President's commitment to a balanced budget. We certainly look forward to his ideas and to how that budget will work as he releases it tomorrow. But most of all, I think we need to take the responsibility to make the changes that have to be made, and now is the time.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent to proceed in morning business for as much time as I consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CONSTITUTIONAL AMENDMENT TO BALANCE THE BUDGET

Mr. DORGAN. Mr. President, we have had ample discussion this morning about a wide range of public issues, discussion about the President's State of the Union Address, and a discussion about the agenda before the Congress. I wanted to comment on a bit of that, and then begin a discussion about the constitutional amendment to balance the budget, which the Senate will shortly take up.

First the general issues. I do not think there is a difference between folks who serve in this body on Government or the size of Government. I mean, I don't think there is a case where one side says, ''We want bigger Government.''

I don't want a bigger Government. I want a better country, and there are some circumstances under which the requirement for schools and roads and other things that we do together in Government are necessary. I want us to improve the things we do in Government. But there are things that are important for us to do together in Government.

Part of the agenda that we discuss, part of the reason for us being in a U.S. Senate, is to decide what to do together to make this a better country.

Provide for the common defense? Yes, we do that. We have a Defense Department. We created it, and we fund it. We ask men and women in uniform to go out and help preserve this country's liberty and put their lives on the line to do so. That is part of Government.

Roads, schools, research in health care at the National Institutes of Health, the Coast Guard, and so much more—we do those things together. We should do them well. We should make sure they contribute to a better country and achieve the goals and objectives that we have for those functions.

Some come to the floor and they say: Our objective is less Government, balance the budget, two or three other things, and that's all. My objective is this: I want better schools for our kids in this country, and we can do that and we should do that. And I want better paychecks for workers in this country.

That has always been the legacy of what we fight for, a country in which workers might expect that they will have more opportunity, more job security, more advancement, their children will have more income and better opportunity and better educations.

I believe we ought to have good health care in our country, and that does not come by accident. At the turn of the century you were expected to live to be age 48; 100 years later you are expected to live to nearly 78. Is that magic? No. Massive research in health care in this country has developed breathtaking new medicine, breathtaking new procedures so that those with cataracts now get surgery and see, those whose heart muscles get plugged now get open heart surgery and live, those with bad hips get their hips replaced and are out of the wheelchair and walk. Good health care.

We don't see people getting on airplanes, leaving America to find good health care elsewhere. Our health care system is the envy of the world. By accident? No. Wonderful men and women working in health care, and a substantial amount of research, especially

Government sponsored research, have allowed these breathtaking breakthroughs to occur.

Safe streets? We want safe streets and safe neighbors. That deals with crime. That responds to police and security, the kinds of things that we also do in Government.

Restoration of values? Yes, that is of interest. Really, not so much Government, but we all ought to care about it and work together on it.

It starts in the home, the community, the neighborhood, the family. And a balanced budget? Absolutely. We ought not spend beyond our means.

So better schools, bigger paychecks for workers, good health care, safe streets, a sound defense, restoration of values, balancing the budget—all of these things are things that we think can make this a better country and we ought to work on together.

It is interesting to me that in the context of the balanced budget, we really also will have to talk about priorities. As we balance the budget—and we should—what are our priorities? What is important and what is not important? What do we invest in and what don't we invest in?

For instance, do we build the star wars program? Do we build a program that will cost well over $100 billion, a program that many say is not needed? Do we build that and then say we do not have enough money to expand the Head Start Program for early intervention for kids?

These questions are examples of the choices we must make. We must choose priorities that we want to develop. That is precisely what the Congress must be about: making choices, some of them very hard.

I want to make one point as I begin talking about the constitutional amendment to balance the budget. I am not someone who believes that we have made a lot of wrong choices in this country. I have heard people stand on this floor and talk about shame on the last 50 years in this country, shame on us, this country somehow has gone down the wrong road. What an awful place, we hear.

I tell you, this country remains the beacon of hope for the rest of the world. I traveled in six countries in November, and one of the refrains I heard everywhere I went was they would like to come to America. They like America. America is opportunity. America is freedom. America is still a beacon of hope.

We can dwell on the negative, and we have plenty of challenges and there are negatives, but look at the positives as well. This country is a remarkable country, with a remarkable economy and a market system that provides great jobs and great opportunity for a lot of people.

I agree with those who say there is no social program in this country—none—that is as important as a good job that pays well. There is no social program as important as a good job that pays well. And that's why our economy and the market system that we have had has performed so well and helped us create a country that grows and prospers.

As I said, we have lots of challenges, but part of why this has all happened is we have made a lot of right choices. We decided that we were going to have a substantial system of universal education for virtually anyone who wanted it. What happened?

What happened was we led the world in virtually every area of technology and achievement. Who stood people on the Moon? The United States of America. How did that happen? It happened because massive investments in education unleashed the potential, the technology, the understanding and the knowledge that allowed us first to fly and then to fly to the Moon. And that has been true in virtually every other area of our life. Yes, space, technology, walking on the Moon, but health care, and in virtually every other area as well.

We have made all kinds of decisions about what we do in all of these areas, and some of them have been great decisions. Let's have a Head Start Program. Let's invest in young kids. Let's build the best system of colleges in the world—in the world. No one else comes close to us. We have done all these things—including building up our national defense. There is no other military in any country that parallels ours or matches our strength.

So it is time for us to understand a bit about what we have built, that this is a remarkable achievement.

Where do we go from here? We can undercut all of those achievements and weaken this country substantially if we don't balance our budget. I agree with that. We ought to balance the Federal budget. I will say this, that I am one of those in 1993 who cast a very controversial vote, and the vote cut spending and increased some taxes. It carried by one single vote, and since that time, the unified budget deficit is down 60 percent.

I am pleased I did it. Was it an easy vote? No. The political vote would have been to say, ''No, I don't want to do any heavy hitting.'' I did it because it was the right thing for this country. Controversial, yes, but right. We made some progress in reducing the Federal budget deficit, but it is not enough, and we must do more to balance the budget. The debate will be about changing the Constitution to balance the budget.

Let me say that I am someone who will support a constitutional amendment to balance the budget. Do I think it is a great choice? No, not necessarily, but do I think it probably is a reasonable choice, given the need for fiscal policy discipline in our country? Yes. But I insist that it be done the right way, not the wrong way.

I have been in the room where they wrote the Constitution of the United States, and for those who want to visit it, George Washington's chair still sits in front of the room. Fifty-five of them wrote a Constitution over 200 years ago. Some here think it is a rough draft. Every second day they want to make a change in the Constitution. I, frankly, don't see a lot of folks who can represent Madisons, Masons, or Franklins these days. So if we are going to change the Constitution, we need to think it through.

We are going to have a proposition on the floor of the Senate that says, let us amend the U.S. Constitution to require a balanced budget. And it says that for describing when a budget is in balance, all spending and all revenue will be considered to determine whether the budget is in balance.

The dilemma with that is this: In 1983 this country recognized it was going to have a difficult time with Social Security in the long term because America was growing older and there were going to be more people retiring relative to people working to support them in Social Security. So we decided that we would do something different for a change. We would begin saving in the Social Security system. In other words, each year taking in more in Social Security revenue than we need to expend, and that money would then be saved so that when the baby boomers retire after the turn of the century, we could more easily afford to pay them the benefits they will have earned.

I was involved in that decision. I was on the House Ways and Means Committee, and I cast a vote in support of that legislation. But the decision was not to increase payroll taxes and accrue a body of savings so that someday later somebody can misuse it to claim they balanced the budget with Social Security trust funds. That is not what we said. We said, let's increase savings so that savings will be available after the turn of the century.

When you describe a balanced budget proposal that says let's take Social Security trust funds and throw them over here to use the surplus to show we balanced the budget, I want to show you what happens. What happens is the very year in which the budget is balanced, according to the majority that is supporting this constitutional amendment, the very year in which they claim the budget of the United States is in balance, Federal debt will rise in that year by nearly $130 billion.

Question: If the Federal debt is increasing by $130 billion in a year, is the budget in balance? If the budget is in balance, why would one have to increase the Federal debt?

Answer: Because the budget isn't in balance. They pretend it is in balance, they say it is in balance, but they use the Social Security dedicated trust funds to make it look like it is in balance, but it is not. The Federal debt will continue to increase.

The Center on Budget and Policy Priorities has put out a report that I hope my colleagues will read. In it they describe exactly this dilemma. The constitutional amendment that is going to

be debated, and I will address this matter again during that debate, is an amendment that offers no choice. It says we will take the Social Security trust funds and use them as an offset for other revenue and claim we balanced the budget, when we really have not.

We will give our Senate colleagues an opportunity to vote on another constitutional amendment to balance the budget. It is one that does it the right way. It says let us balance the budget. Let us require in the Constitution that we balance the budget. But let us do it exclusive of the Social Security trust funds because we promised that we would save those trust funds for the future when they are needed.

This publication by the Center on Budget and Policy Priorities describes chapter and verse of exactly what is happening in this area. I have heard people come to the floor and say, ''Oh, what a bunch of prattle that is. What a bunch of nonsense, these folks worried about Social Security.'' Well, it is not prattle, and it is not nonsense.

We had a column by Mr. Krauthammer in the Washington Post last week. It is the third column he has written on this subject. In it he says essentially what he has said before. He says, there is no Social Security trust fund. There is no Social Security trust fund.

Let me suggest a tour to him in Parkersburg, WV, where, under armed guard, the bonds that are the securities of the Social Security trust fund exist. It would not be too long a drive for him to go on up there and take a look at those bonds.

He is wrong. There is a Social Security trust fund. The dilemma is that there will not be anything there of meaning unless we decide to make the right choice here.

Mr. Krauthammer also says that Social Security is a pay-as-you-go system. He must have missed 1983, because in 1983 it was decided that it will be more than a pay-as-you-go system. It was decided in 1983 that we would collect more money than is necessary in current years, specifically in order to accrue a surplus. Social Security is more than a pay-as-you-go system. So, when Mr. Krauthammer says it is pay-as-you-go, he clearly does not understand the law and clearly does not understand what the Congress did to save some money.

Let me read for him and for others something from the 1983 commission on Social Security because they described exactly the plan. This is a quote by commission member Robert Ball in testimony before the House Ways and Means Committee talking about separating the Social Security system from the operating budget.

Only by such a separation can it be made unmistakably clear that Social Security decisions are being made for reasons internal to [Social Security] and not for the purpose of making a unified budget look better. Since Social Security funds can be used only for Social Security benefits and to pay for the cost of administration, I believe that separation is also better accounting practice.

The point is, the increase in taxes and the other things that were necessary to accrue this surplus in Social Security will all be obliterated by a decision to enshrine in the Constitution a practice of misusing the Social Security trust funds.

Mr. Krauthammer does not like this problem. He says, well, this debate is without substance. I can only say that his argument is without substance. He is flat, dead wrong on this issue, demonstrably wrong. And he ought to know it. The minimum amount of research would tell him that.

The same is true of colleagues here who have taken three lines of defense offered at different times by different people.

One will pop up like one of these little carnival games and will say, ''Well, first of all, there is no Social Security trust fund,'' and make a long, windy argument about it, and then sit down.

Then someone else will pop up at another moment and say, ''All right, there is a Social Security trust fund, but we are not misusing the money,'' and then vanish.

Then a day later someone else will pop up and say, ''All right, there is a Social Security trust fund, and we are misusing the money, and we pledge to stop doing it by the year 2008.''

Those are the three stages of denial I have heard on the floor of the Senate, all from supporters of a constitutional amendment that would enshrine in the Constitution the practice of taking Social Security trust funds, using them as an offset against other revenue, and claiming you have balanced the budget at the same time that the Federal debt will increase by $130 billion the year they claim the budget is in balance.

There is a way to solve this. A way to solve it is to vote for a constitutional amendment to balance the budget that does not use or misuse the Social Security trust funds. I will offer it, along with my colleagues, Senator REID, Senator HOLLINGS, Senator FORD, Senator FEINSTEIN, and others, and we will give people an opportunity to say, ''Yes, I support a constitutional amendment to balance the budget, but when we do it, let us make sure we really balance the budget.''

Let us make sure we keep the promise of accruing the surpluses in the Social Security trust fund and make sure that no one is able to misuse the Social Security trust fund in the future.

Mr. President, there will be much more to discuss on this subject. I wanted to make note of the piece that Mr. Krauthammer did because it is the third time that he has essentially written the same piece, misunderstanding the issue in this country.

Everybody has a right to be wrong. I do not quarrel with that.

I just say that someone got up this morning and went to work. That person will work hard all day, and then collect a paycheck and discover that part of that paycheck is taken away first. The part taken away is called Social Security taxes, and it is promised by the Government to the worker that the amount of money we took from your paycheck is going to be put in a fund, and it is a fund dedicated for one purpose, Social Security. That worker does not deserve to have someone in Congress now say, ''Oh, but we changed our mind. That's the premise under which we took it from you, but we're using it for another purpose.'' That is precisely what is happening today. I think we ought to stop it. There is a way to stop it when we have these votes in the coming days or weeks.

We can amend the Constitution the right way, or we can, as is usually the wont around here, mess around some more, talk and talk some more, and claim and claim some more that we have really done something worthy and meritorious and have balanced the budget, and then have some constituent stand up in a town meeting some night, somewhere, and ask you, ''Mr. Senator, if you balanced the budget, why did my son or daughter just inherit a Federal debt that went up $130 billion this year?'' I want to be in the room with a microphone to record the response because there is not a response that is adequate.

What our constituents should expect from us is that we balance the budget the right way and that we amend the Constitution the right way. I hope at the end of this debate this Senate and this Congress will have determined to do that.

It is not just a few Democrats who believe this is a serious problem. Several dozen Republicans over in the House of Representatives, some of whom I have talked to, make exactly the same case in the House of Representatives. So it is not a one-sided issue. We have Republicans and Democrats who believe that there is a right way and a wrong way to do things. Some of us are going to insist that when we do something as significant as amending the U.S. Constitution that finally we do it the right way.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered. The Chair recognizes the Senator from Nevada.

(The remarks of Mr. REID pertaining to the introduction of S. 265 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EDUCATION

Mr. BINGAMAN. Mr. President, I want to spend a few minutes commenting on some of the points the President made last night in his State of the Union Address. I was particularly impressed and encouraged about his decision to make education the centerpiece of that speech and his decision to make education the first priority of his administration this next 4 years.

One aspect of what he talked about in education, I think, is extremely important, and that is standard setting. We have had debates in Congress for many years now about the issue of standards. In fact, I introduced legislation in 1990 to establish national standards in education, and, of course, we are continuing to pursue that through the National Education Goals Panel, which I serve on along with Senator JEFFORDS.

I am persuaded that part of what the American people would like to see in their educational system is higher standards and more accountability. They want to be sure that teachers are performing to a high standard, students are performing to a high standard, and the parents of children in our public schools want to know where their children stand relative to other students around the country, around their State, and in general.

The President in particular talked about how he was going to work through the Department of Education to adapt two widely used high-quality tests—the fourth grade NAEP reading test, the National Assessment of Educational Progress, which is already being used in more than 40 States, and the now-familiar eighth grade math test, the TIMSS test, which recently confirmed how poorly many of our students are doing relative to the achievement level of other nations.

The President proposed adapting those two tests into a new test that will be available free of charge to every student, every school district, and every State in the Nation that wishes to participate in it. This is going to be done in the next 2 years.

I think this will be a major step forward, because what it will do is to allow us to give very hard, objective information about which of our schools are succeeding and which of our schools are failing. We have the anomalous situation that, because of our inability to track performance, we have in many school districts and major cities in the country some schools that are doing superbly and other schools that are doing miserably. Parents, unfortunately, sometimes do not even know which of those two schools their children are in.

For this reason, we need to give parents clear indications of which schools are doing the best job in educating students. Currently, we have a hodgepodge of different tests, a hodgepodge of different standards around the country. Parents who are interested in finding out how their children are doing often are misled by inaccurate information. So I very much commend the President for this initiative to adapt these two well-recognized tests into something which each student can take, each parent can understand, each school can understand. I think that will be a major step forward.

Let me also talk about another aspect of the standards issue, which the President, I hope, will also move ahead on very aggressively, and that is the teaching of advanced placement courses. Many of us are familiar with advanced placement courses because of our own children going through high school. These are courses that are taught in the 11th and 12th grades, generally to students who are planning to go on to college and who want to get advanced credit so they can avoid taking the same course once they get there.

We have not done what we should at the national level to encourage States and school districts to expand instruction in advanced placement courses. I believe this year, for the first time, we will see a change in that. I hope to see the President, in the budget we receive tomorrow, requesting some funds to assist low-income students in the cost of taking those advanced placement courses and tests. That, I believe, would be another major step forward.

I had the chance to speak to the New Mexico Legislature on Monday of this week, and I talked to them about the challenge that my State faces in expanding access to advanced placement classes. These courses should be available to all students. They are highly demanding, but any willing student can succeed in them.

Many people know about the advanced placement program because of a movie that came out several years ago called ''Stand and Deliver.'' This was a movie that Edward James Olmos starred in. It was the story of Jaime Escalante, a high school calculus teacher, I believe in Garfield High School in east Los Angeles. He had become very famous in that school and in that school district because of his success in teaching students, many of them students without a good academic grounding. He would teach those students this advanced placement course in calculus.

The reason he became famous and the reason that movie was made was not because he was teaching any old calculus course. He was teaching a course that was an advance placement course so that anybody in the country who paid attention would know that was a high-quality course. If his students in east Los Angeles passed that course, they were every bit as good as any student in Manhattan, or Ohio, or in New Mexico, or anywhere else. So they got the recognition that they deserved. He got the recognition that he deserved. They were very proud of their achievement.

I have believed for a very long time that one reason our school system falls short is that we expect too little of our students. We have low expectations for what our students can learn, what our children can learn. The truth is, if you expect very little, you will receive very little. We need to expect higher performance by our students, higher performance levels by our teachers, and through this advanced placement set of courses we do exactly that.

New Mexico lags behind the national average fairly significantly in the per capita rate of 11th and 12th graders who take advance placement courses. In my State I think the percentage is something like 24 percent. Nationally it is 40 percent. We need to do better than that. We can do better than that. We are setting about working with the business community and our State legislature to bring together the resources to expand the training of advanced placement teachers and to expand course work in advanced placement courses.

I think one other point needs to be made. It should be obvious to everybody. You are not going to bring about a major reform of education, a major improvement and upgrading of education, without a very major program to reeducate and develop the human capacity to do that. We need to have training courses for our teachers in the summer. These advanced placement courses are very good. But, unfortunately, too few teachers are able to take advantage of them, or do take advantage of them.

So we need to think seriously in this Congress about what we can do to support the retraining that is needed to get people to these higher standards that the President is talking about. This is an essential part of the agenda that we need to confront over the next couple of years.

I commend again the President for his leadership in putting this on the front burner for the country. I hope we, in Congress, are up to the task of following his lead. I think he has identified a very important priority for our country. It is the one that I hear the most about.

I get around New Mexico a lot, and people want to know why we can't do a better job of educating kids in this country. I hope that we can.

Mr. DORGAN. Mr. President, will the Senator yield?

Mr. BINGAMAN. Yes. I am glad to yield.

Mr. DORGAN. I was interested in the Senator's statement. He, I think, identifies one of the priorities of many of us in this Congress. If we do not make an investment in education of America's youth then the country does not have much of a future. I am enormously proud of what we have done in

the investment in the Head Start Program, for example. This does not start in grade school or high school or college. It starts in the early intervention years with Head Start. The Head Start Program we know works. It produces enormous dividends. It gradually improves the opportunity of young people who come from difficult circumstances.

But one of the things that it seems to me we should invest in is safe schools. First of all, if the school is not safe and the students feel insecure, they cannot learn. And the other ingredient is a teacher who knows how to teach—a good teacher, a student willing to learn, and a parent who cares. If any one of those are missing, it does not work very well.

But let us talk about the safe school issue first. The Senator from New Mexico I know heard me describe on the floor a bill which I introduced late last year on this issue. If I might, with the indulgence of the Senator from New Mexico, I would like to describe again a circumstance that exists that I am trying to correct dealing with safe schools in New York City.

A young boy came into a school with a loaded pistol in his belt and a jacket covering his loaded pistol. He went through the school, walked down the hallway to his classroom, and a security guard identified or saw the bulge in the young 16-year-old's jacket and apprehended this young boy and took a loaded pistol from this young fellow. A loaded pistol with this young fellow walking down the school hallway; the security guard removes it. It goes to court and goes to a disciplinary proceeding. The result of it all was that the court said the exclusionary rule applied to the disciplinary proceeding and the security guard had no right to search that kid and take the gun away.

When I read that I thought, ''Can this be right? Could anybody use that kind of strange thinking to conceive of that kind of decision?''

You go to the airport and get on a plane going to New Mexico or North Dakota. They will run you through a metal detector because they say, ''You can't get on an airplane with a gun. We will not allow it.'' But it is OK to go through a school hallway to a classroom with a loaded pistol with a 16-year-old. I do not think so. That does not make any sense to me.

So I introduced legislation dealing with that issue. The exclusionary rule, my eye. A 16-year-old and a loaded pistol—I want a security guard to take that pistol away in a schoolroom because my kids and yours and all of the kids in this country deserve to be safe in school.

That is the first element: Safety in school.

The second is what the Senator from New Mexico is talking about: Directing investment into programs that we know work and we know yield significant returns. He talked about good teachers, and the President talked about attracting and keeping good teachers in our classrooms. Nothing could be more important than that because we send our kids to someone else most of the day. We place them in their hands. I have been in a school that the Senator from New Mexico has. He knows some of these teachers. I leave that school thinking, ''Wow, this is an incredible person. What a job they do with these young kids.'' There are times when perhaps you find something that you think isn't quite right. The President addressed that last night.

But the key, it seems to me, is matching the three things: First, a teacher who really knows how to teach; a kid who is willing to learn; and a parent who cares about that kid's education and is with that kid at the end of the day before they go to bed at night, reviewing the homework. All of those elements come together to make an educational system work.

But the Senator from New Mexico is right. We need in this country at the State and local level and at the Federal level to decide that the education of our children is a priority for us because educating our children is an investment in our country's future.

I really appreciate the statement which the Senator from New Mexico made.

Mr. BINGAMAN. I appreciate, Mr. President, the statement of the Senator from North Dakota.

Let me just add one other element to this. I commend him for his proposal to deal with the problem of someone coming into school with a gun and no one being able to apprehend him. I am also persuaded that virtually everything we want to see happen better in our schools will be facilitated if we recognize that we need to have smaller classrooms.

Much of the crime, discipline, and absentee problems in our schools today are because the schools are too large and because the teachers do not know the students by their first names. The students don't feel accountable to their peers. We put 40 kids into a class and wonder why the teacher can't teach all of them. We put 2,000 or 3,000 kids in a high school and wonder why the principal can't keep track of everybody.

There have been some very good studies done that show that the optimum size for a high school, for example, is somewhere between 600 and 900 kids, and that when you go over 900 the quality of the students' performances start dropping, the discipline problems start rising, and the incidence of criminal problems start rising. We need to factor this issue into what we do as well.

Of course, we in Congress don't make the laws that govern the size of the schools, and we should not. But we need to encourage States and local school districts to take that into account when they decide to build a new high school. You don't necessarily need to tear down the old building. You can take an existing complex and break it into two or three high schools just as well as leaving it in one 3,000-person high school.

Mr. DORGAN. If the Senator will yield further, Mr. President, I was in a school recently called the Ojibwa School on an Indian reservation in North Dakota. When the Senator from New Mexico talks about construction, the President last evening talked about our trying to provide help to State and local governments with respect to school construction. I can tell you that in the Ojibwa School, and others that I have visited, there is a significant need for some construction, some maintenance, and some repair. I worry very much that these little kids on that Indian reservation going to this school are going to be in significant trouble some day because the repairs have not been made. That school is not a safe school. We have report after report and investigation after investigation. Now we have another one going on. But we very much need to invest in the infrastructure of these schools.

The Senator from New Mexico is right. We do not run the schools, and should not. Local school boards should run the local schools, and the States are involved largely in the State judgments about what the curriculum is, and so on. But we can marginally help in a range of other ways and do Head Start and college. We also can help in the kinds of things the President recommended in providing some resources for school construction in areas where you need to have some additional construction to repair and bring up to standard some of our schools.

Again, I say finally, the question around here is always a question of choices: What is your priority?

Two years ago, I was on this floor talking about the strange sense I had when I looked at a budget document offered and actually passed—it was subsequently vetoed—which said let us double the amount of money we spend for star wars and let us cut by half the amount of money we spend for Star Schools. Star Schools was not a very big program, but it was a really interesting program—directed investment to try to help certain people. I just thought that was a strange priority. But the priority I hope for all of us is to find some way to advance the opportunity to improve our schools in this country for the future of this country.

I appreciate the Senator from New Mexico yielding.

Mr. BINGAMAN. I appreciate the Senator from North Dakota and his comments.

Let me say one other thing and then I will yield the floor, Mr. President. I was on a radio interview program earlier this morning, and one of the reporters, who is a very knowledgable reporter, said to me, ''The President said we ought to increase funding for education by 20 percent. That is a very major increase. Can we afford that kind of an increase given the budgetary constraints on us?''

My response was that you have to look at this in the context of the overall Federal budget. In the overall Federal budget, we spend somewhere near 1.5 percent on education, which represents less than 10 percent of overall spending by States and localities. So what the President is saying is that we ought to spend 1.8 percent, or thereabouts, on education. Most of the people I talk to in New Mexico do not think that is excessive. I think it is not unreasonable for the Federal Government to give education that high a priority.

So I hope very much we follow the President's lead. I hope very much we will make education the centerpiece of our efforts here in this 105th Congress.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ROTH and Mr. MOYNIHAN pertaining to the submission of Senate Resolution 50 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. ROTH. I thank the Chair.

(The remarks of Mr. ROTH and Mr. LIEBERMAN pertaining to the submission of Senate Concurrent Resolution 5 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I thank the Chair.

(The remarks of Mr. ROTH pertaining to the introduction of S. 266 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. ROTH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GREGG). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I thank the Chair.

(The remarks of Mr. MCCAIN pertaining to the introduction of S. 268 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. MCCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO THE LATE AMBASSADOR PAMELA HARRIMAN

Mr. HARKIN. Mr. President, it was with great sadness that my wife and I learned this morning of the death of a dear friend of over two and one-half decades, Pamela Harriman, our country's Ambassador to France.

As I said, for the better part of about 25 years, Pamela and Averell, first of all, were friends and two people who encouraged me early on in my political life when I first ran for office. Later, after her husband Averell passed away, Pamela continued to extend that hand of friendship to me, my wife, and our family.

I remember when I first came to Washington as a freshman Congressman in 1975, I was amazed at how Pamela Harriman and Averell at that time opened up their home to younger Members. I know a lot has been made about how the movers and shakers of the world were always at Pamela Harriman's house. But it was not just them; she always made sure her home and house was open to the new people who came to Washington. She was constantly promoting and encouraging young people, young Members of Congress, new people who were here, to showcase their ideas, to encourage them, to push harder and to climb up the ladder. So I remember her very fondly for the encouragement and support that she gave this Senator in my early years of seeking public office.

During the last decade, the 1980's, Pamela Harriman was always there in our party, the Democratic Party, trying to rebuild and to encourage people to seek public office. As I said, she was always encouraging the formulation of new ideas and approaches. I think our party owes her a great debt for all that she did to encourage these younger people and to keep us pulled together during the decade of the 1980's. During the Presidential election of 1992, she was very active in helping then Governor Clinton gain the White House.

For the last 3½ years, Pamela Harriman served this country honorably and well and I think with great distinction as our Ambassador to France. As I have had occasion to travel overseas, I have heard, on many occasions, from individuals in different parts of Europe about what a great representative of America Pamela Harriman was. She was indeed that.

Pamela Harriman was always proud of her British ancestry and heritage. She was even more proud of the fact that she was an American. She was always undeniably gracious to all who came within her reach. She was always open to new ideas, as I said, of the younger people coming into Government and politics. She always found time to give encouragement, help, and support.

So it is a sad day for our country, for all of her friends, and for all of those of us in the Democratic Party who looked to her for help and support for so many years. Ruth, my wife, and I extend our deepest sympathies to the Harriman family. I just want to say that Pamela Harriman indeed left a very indelible mark, not only in the city of Washington, not only on the Democratic Party, but indeed on the United States of America. She will be greatly missed.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Mr. President, may I inquire what the current order of business is?

The PRESIDING OFFICER. The Senate is in morning business.

WELCOMING FORMER SENATOR ALAN J. DIXON

Mr. COATS. Mr. President, I note the presence of a colleague and friend on the floor, the former Senator from Illinois. We are pleased to have him come back and visit us. I just want to take this opportunity to tell him how much we appreciated his service and how much I enjoyed serving with him on the Senate Armed Services Committee. I hope he is doing well.

AMBASSADOR PAMELA HARRIMAN

Ms. MIKULSKI. Mr. President, I rise to honor the life and legacy of Ambassador Pamela Harriman. She was a gallant and courageous lady—and a very dear friend.

Pamela Harriman lived a full and exciting life. We all know of her grace and her charm. But she was so much more.

She was, for me, first of all a good friend. She and I worked together on issues and politics for many years. She was a tremendous supporter of women candidates, and I often turned to her for her insight and counsel. I will always treasure the memory of my last visit with Ambassador Harriman. She helped me to work with European space agencies—to foster better links with our space program. She was, as always, perceptive and enthusiastic about the prospect of greater cooperation between America and Europe.

She wanted to make a contribution to our political system. She brought together leaders from all sectors of society to discuss a wide range of important issues. She fostered the kind of civil political discourse that is so often lacking.

Ambassador Harriman had the kind of strong patriotism that comes from being born in another country—and from witnessing first hand what America did during the Second World War. She often talked about living through the Battle of Britain—and how America's military partnership helped the

British people to keep their morale high. She loved her adopted country—and she served it with great honor.

She was one of our Nation's most effective ambassadors. During a period of prickly relations with France, she was able to reassure the French of the importance of our friendship and alliance.

The French liked and trusted her. She knew the language, the people, and the country. She respected their history and their culture. The French honored her with their highest cultural honor—the commander of the Order of Arts and Letters.

Mr. President, Ambassador Harriman's sudden death was a tragedy. But her life was a triumph. Her family is in my prayers. I will miss her deeply.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, February 4, the Federal debt stood at $5,300,797,430,319.62.

Five years ago, February 4, 1992, the Federal debt stood at $3,797,723,000,000.

Ten years ago, February 4, 1987, the Federal debt stood at $2,232,429,000,000.

Fifteen years ago, February 4, 1982, the Federal debt stood at $1,038,710,000,000.

Twenty-five years ago, February 4, 1972, the Federal debt stood at $423,427,000,000 which reflects a debt increase of more than $4 trillion—$4,877,370,430,319.62—during the past 25 years.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

Mr. BYRD. Madam President, I ask unanimous consent to proceed for not to exceed 6 minutes prior to the calling up of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from West Virginia.

Mr. BYRD. I thank the Chair. Madam President, I shall speak out of order.

THE TAX-EXEMPT ARENA DEBT ISSUANCE ACT

Mr. BYRD. Madam President, I strongly support S. 122, the Stop Tax-exempt Arena Debt Issuance Act—let me say that again—the Stop Tax-Exempt Arena Debt Insurance Act—a measure that has been introduced by Senator MOYNIHAN. This bill would amend title I, section 141, of the Internal Revenue Code by closing a tax loophole that has been beneficial to a select few individuals: owners of professional sports teams. For the average taxpayer, however, it is nothing more than professional sports welfare.

Provisions of the 1986 Tax Reform Act were supposed to prevent professional sports teams from building sports facilities with tax-exempt bonds. Under the law, professional sports teams are categorized as a private entity, and, as such, the issuing of private activity bonds is taxed. However, due to clever maneuvering, professional sports teams have circumvented the intent of the law by encouraging State governments to issue governmental bonds, which are exempted from Federal taxes, for the purpose of constructing large sports facilities. While such a tactic is technically legal, professional sports teams owners have manipulated the law for their own personal gain.

Many large metropolitan areas have attempted to lure professional sports teams to relocate by offering generous incentive packages, including the construction of new stadia. Many of the proposed facilities cost in excess of $225 million. The Congressional Research Service has reported that the Federal share for a $225 million stadium could be as high as 34 percent. In plain monetary figures, that is $75 million over the lifetime of the stadium—$75 million that might better be spent and more usefully spent on benefits for the Nation, like books for our schools, safer roads and bridges for commuters, and more police to keep our streets safer. Madam President, the list is endless. Instead, the Federal Government receives no tax revenue, and money that could have been spent on these other, more deserving programs, is wasted, in my opinion.

I commend my colleague, Senator MOYNIHAN, for offering S. 122. I agree with his desire to close this tax loophole that is mainly beneficial to a few select and wealthy individuals. In this time of fiscal austerity, the Federal Government cannot afford to subsidize such programs. S. 122 seeks to preserve the intentions of the 1986 Tax Reform Act by ensuring that professional sports teams do not use—directly, or indirectly—Federal funds for the construction of their sports facilities. I have nothing in particular against sports or sports teams.

I just think America has its values standing on their heads when it puts sports ahead of the development of the minds, the intellects of young people. But that is a discussion for another day. Professional sports in the United States is a lucrative and financially healthy private industry. It does not need this kind of public Federal subsidy while so many other pressing needs are feeling the slash of the budget-cutter's pencil.

S. 122 is equally important for another reason. By seeking to prevent professional sports teams and localities from circumventing the obvious intentions of the 1986 tax law, S. 122 illustrates how complex our Tax Code has become. For far too long, tax loopholes, such as those contained in Section 141 of the code, have reduced the fairness and efficiency of our Tax Code. They are as leeches draining the health and equity of the U.S. tax code. These tax expenditures—that portion of our budget that proceeds for the most part on automatic pilot—have not been subject to the same level of scrutiny as have other forms of federal spending. This must change.

Madam President, in fiscal year 1995, total tax expenditures—or loopholes—reduced Federal revenues by approximately $500 billion, an amount equal to nearly one-third of the entire Federal budget. Clearly, tax expenditures need further scrutiny, and, where they are deemed to be outdated or unnecessary—or unnecessary—they need to be repealed. By identifying and correcting one of these wasteful tax loopholes, Senator MOYNIHAN has introduced S. 122. It represents a step in the right direction.

Madam President, I thank my colleague, Senator MOYNIHAN, for his leadership. And I thank Senator HATCH for allowing me the privilege of going forward at this time. Madam President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Madam President, I thank the Chair.

(The remarks of Mr. CHAFEE pertaining to the introduction of S. 275 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The PRESIDING OFFICER. Under the previous order, the hour of 3 p.m. having arrived, the Senate will now proceed to the consideration of Senate Joint Resolution 1 for debate only. The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States to require a balanced budget.

The Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The Senator from Utah.

PRIVILEGES OF THE FLOOR

Mr. HATCH. Madam President, I ask unanimous consent that Manus Cooney, Sharon Prost, Shawn Bentley, Paul Larkin, Larry Block, Steve Tepp, Troy Dow, and Paul Joklik be permitted privileges of the floor for the duration of the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Madam President, today we begin one of the most important debates that has ever taken place in the U.S. Senate or in the Congress of the

United States. The subject matter goes to the very heart of our Founding Fathers' hope for our constitutional system—a system that would protect individual freedom through the maxim of limited Government.

In the latter half of this century, however, the intentions of the Framers of the Constitution have been betrayed by the Congress' inability to control its own spending habits. The size of this Federal leviathan has grown to such an extent that the very liberties of the American people are threatened.

I just stood at a press conference with our Democratic cosponsors of this amendment, and there was a huge table filled with unbalanced budgets since 1969.

History was made in the 104th Congress when 300 of our courageous colleagues in the House of Representatives, both Democrats and Republicans, approved a balanced budget amendment to the Constitution. Unfortunately, the same measure was defeated in this Chamber by one solitary single vote.

This year we begin a new Congress following an intensive fall campaign in which people in every State across this Nation made unmistakably clear their insistence that we put our fiscal house in order. The eyes of the people, now more than two-thirds of whom favor a balanced budget amendment, now turn to us to follow through on our promises.

I am pleased to be joined by 61 of my colleagues, including every Republican Senator in the U.S. Senate and 7 bold Democrats who have done exactly that in sponsoring Senate Joint Resolution 1, the balanced budget constitutional amendment. Madam President, as we begin the debate on Senate Joint Resolution 1 proposing an amendment to the U.S. Constitution to require balanced annual Federal budgets, I want to summarize why I feel this amendment should be added to the basic great law of this great Nation.

Let me say that as a lifelong student of the Constitution and having served on the Judiciary Committee in this body during my tenure here of 20 years, I do not lightly suggest amending our founding document. Yet, all other avenues having failed us, I believe it appropriate to take recourse to our basic charter to rein in an abused power of the purse—as has been done in similar situations in our history since the Magna Carta—in order that we might save future generations from the heavy burden of irresponsible Government borrowing.

Madam President, let me just summarize the reasons I believe the proposed balanced budget amendment should be presented to the States for ratification. We have to have a two-thirds vote in both of the bodies and submit this amendment to the States, and we have to get three-quarters of them to ratify the amendment before it can be entered into the Constitution. It is a tough process. It ought to be a tough process.

These are some of the reasons why I believe this amendment should be presented to the States for their ratification:

No. 1, integrity and accountability. It will bring immediate credibility to our current budget process and negotiations, and it will restore a measure of integrity and accountability to our Government.

No. 2, our children's future. Passing the balanced budget constitutional amendment is a vote for our children's economic freedom.

No. 3, family financial security. Passing the balanced budget amendment will improve the economic health and stability of all American families.

No. 4, economic strength. The stabilizing effect the balanced budget amendment will have on the economy is clear, and it will enable us to rein in the level of our country's foreign-held debt.

No. 5, retirement security. If we pass this balanced budget constitutional amendment it will literally save Social Security. It will stabilize the economy which will benefit all current and future retirees. Without it, all of these programs will be placed in jeopardy.

Now let me describe these reasons in more detail. On the issue of integrity and accountability, our national debt is rocketing out of control and the American people are paying a very heavy price for it. As you can see by this chart, the debt was relatively stable for many decades, up to about 1970, a little bit before 1970. In recent years the debt has increased at alarming rates under the watch of both political parties. The fact is, our deficits have been structural and they will not be eliminated in the long run without the discipline of a balanced budget constitutional amendment.

They really shot up in the 1980's, right on through the 1990's, and still that arrow is going almost straight up, even today, even with the efforts and actions that have been taken.

Since 1978, there have been no fewer than five major statutory schemes or regimes enacted which promised to deliver balanced budgets, and these include Gramm–Rudman-Hollings. But there has not been a single balanced budget since 1969, which was the only balanced budget since 1960.

While I support the steps we have taken to pass the balanced budget plan, I question whether, without the weight of a constitutional requirement to balance the budget, we will achieve balance by the year 2002. Without a balanced budget amendment, every year Congress has to act, and we have seen the lack of will to do what's right around here. For this reason, I feel passage of the balanced budget amendment is critical.

Let's just acknowledge what every American citizen knows. In recent decades, Washington has been biased to spending, without feeling any constraints by the amount of money it actually has on hand. Washington has lost the habit of prioritized spending options. Any ideas with political appeal get enacted regardless of cost. We borrow the money if we run short. That is what we have been doing for most of the last 60 years. Those listening could try this thinking on their own budgets at home. Buy any item that looks appealing next time you are at the mall. Just put it on the card. What happens to your budget? Something like this chart probably, but hopefully not quite so high.

Washington, however, is not as constrained as the average American. Washington spends in this way, and when the bill comes, it signs the debt over to the American people. In addition to paying their own bills, the American people have to pay Washington's bills in the form of higher taxes, of course, and accumulated debt. They also pay them in the form of higher interest rates on their homes, their cars, or student loans. They pay in the form of lower job growth, lower wages, and they even pay in the form of decreased services from the Government because more of the budget is being spent on interest rather than on education, health care, job training, child care, the environment, et cetera.

The point is that Americans are getting fed up with Washington because they feel the pinch put on them by Washington's spendthrift ways. They know they have to make hard choices about how they will spend their own money, but they feel that Washington does not feel constrained to make hard choices about spending priorities. It's not even Washington's own money that it's spending so freely; it is the American people's money. No wonder the American people are tired of it.

Besides being dismayed by Washington's free spending habits, the American people also believe that Washington is not accountable for its decisionmaking. The balanced budget amendment responds to both of these concerns. On this chart is the actual text of the balanced budget amendment before the Senate at this time. This balanced budget amendment will require Washington to make tough choices about spending priorities within the constraint of the amount of money it has, or it requires Members of Congress to go on record for its borrowing and taxing decisions. There will be no more voice votes when it comes to raising taxes. There will be no more voice votes when it comes to raising the deficit. You are going to have to stand up and vote. This amendment will see to that. It also requires Congress to achieve some measure of increased consensus about spending priorities if it is going to finance that spending by borrowing.

The concept is simple: Don't borrow, unless a significant number of Members are willing to go on record as saying this spending is such a priority that we must borrow to do it. That would go a long way toward letting Americans know that their Government is deliberating about its spending

habits, making choices among competing options, and only spending beyond its means when it really needs to in order to achieve a goal so important that a supermajority of Members could agree. The balanced budget amendment will go a long way toward restoring the people's faith in the integrity of our budget process and in the accountability of Washington for its decisions.

A vote for the balanced budget amendment is a vote for integrity and accountability in Washington.

Now, our children's future. Our national debt now tops $5.3 trillion. That averages out to about $20,000 in debt for every man, woman, and child in America. That is what our fiscal insanity has brought us to. A child born in America today comes into this world $20,000 in debt—and that is going up. Do we have the right to spend our children's future for our own comfort today?

Over time, the disproportionate burdens placed or imposed on today's children and their children by a continuing pattern of deficits could include some combination of the following: Increased taxes, reduced public welfare benefits, reduced pensions and Social Security benefits, reduced benefits or expenditures on infrastructure and other public investments, diminished capital formation, diminished job creation, diminished productivity enhancement and less real wage growth in the private economy, higher interest rates, higher inflation, increased indebtedness to and economic dependence on foreign creditors, and increased risk of default on the Federal debt.

Madam President, I have said this in the past. This is ''fiscal child abuse'' and it must end. It is our children's future versus Washington's spending addiction. I hope the Senate of the United States will come down overwhelmingly on the side of our children's future by passing this amendment.

A vote for the balanced budget amendment is a vote for our children's economic security.

Now, what about family financial security? It is not just our children that we hurt with these outrageous deficits. We are suffocating our own families. The impact of higher interest rates, higher taxes, lower wage and job growth, and higher mortgages are felt at kitchen tables all across America. The Concord Coalition has estimated that the interest payments on our mountainous debt amount to $5,360 a year for a family of four. Just to pay the interest against our national debt, it's $5,360 a year.

Chairman KASICH of the House Budget Committee has pointed out that three of the causes of the ''middle class squeeze''—high taxes, counterproductive Government spending policies, and anemic wage growth—are at least partly caused by continued borrowing by the Federal Government. He points out that the baby boom generation pays taxes that are at least 50 percent higher than those paid by their grandparents. Real per hour wages inched up just one-third of 1 percent annually over the past 4 years, which is one-seventh the rate of growth in the period between 1960 and 1974, and productivity over the past 4 years grew at only one-fifth the rate of that same period. Economist Lester Thurow noted that the one-earner middle-class family is extinct and explains that almost one-third of all men between the ages of 25 and 34 make less each year than is required to keep the average family of four above the poverty level. These combined pressures tear at the very fabric of our Nation and our families.

By contrast, implementing the balanced budget amendment will lower interest rates, making it easier for our families to pay their mortgages, their car loans, and their student loans. Economist at DRI-McGraw-Hill estimate that a balanced budget rule would result in a 2-percent drop in interest rates. Now, DRI-McGraw-Hill is one of the best econometric groups in the country. A balanced budget rule would mean annual savings of $1,230 on a middle-class family's home mortgage, $216 each year for an average student loan, and $180 each year on the average car loan.

The good effects of our overall economic health will help family budgets in many other possible forms, such as a higher paycheck, more job opportunity or security, lower taxes in the future, and a greater ability to save and invest for the future. The Joint Economic Committee has estimated that the average American family would have an additional $1,500 a year if we implemented a balanced budget rule. A balanced budget amendment will make it easier for American families to afford a house, a car, or to send a child to college. This offers a real way to relieve the pressure on American families who are struggling to stay together and get ahead. A vote for the balanced budget amendment is a vote for the economic health and stability of American families.

Now, economic stability. Economists from all over this country agree that the balanced budget amendment should pass. They agree that ''we have lost the moral sense of fiscal responsibility that served to make formal constitutional restraints unnecessary.'' Hundreds of economists support the balanced budget amendment as being good for the national economy by increasing both investor and business confidence, both foreign and domestic.

Some economists are against us on the balanced budget amendment. As a general rule, they are academics who depend upon the Government in many ways for their moneys and in many respects love the spending practices of the Federal Government. Not all—some sincerely worry about the amendment. But there are also many, many who worry that if we do not pass the amendment we are really going to be in trouble, and economic stability will be threatened.

If the Government would stop borrowing so much money, interest rates would come down and money would be available for businesses to invest in creating jobs and paying higher wages. The Director of the Congressional Budget Office, June E. O'Neill, has testified recently that ''balancing budget will induce favorable changes in the economy,'' and among those favorable changes she specifically pointed to ''interest rates, economic growth, and the share of GDP represented by corporate profits.'' All of this can put real money in the pockets of real people, including small business owners and employees.

CBO Director O'Neill has also suggested that taking action now to balance the budget can assure greater budgetary stability in the future. Greater budget stability means greater tax stability. And that means that Americans, and their families, and the businesses they own, can plan for the future better, with less risk that shifting tax policy will wipe out their plans in unforeseen ways. At the very least, this will save Americans substantial amounts on tax attorneys. But long-term planning, with less risk from shifting tax policy, can pay dividends throughout the economy.

Decreasing our dependence on debt to finance Government activities will also increase our national economic sovereignty. Interest payments on our debt are increasingly leaving the country. This chart, based on Treasury Department statistics, shows that from 1992 to 1995, the portion of our debt held by foreign interests has increased 28 percent. That is money that leaves the United States, thus weakening our national economy, and perhaps slowly jeopardizing our national independence. It has been said, ''It is tough to get tough with your banker.'' The less we borrow from foreigners, the less dependent we are on foreigners, and the more independent we will be as a nation.

By returning honesty to budgeting, the balanced budget amendment will improve our economy and our economic independence.

RETIREMENT SECURITY

The balanced budget amendment is important to current and future retirees.

This is a very important chart because this chart is based on the Social Security trustees' intermediate projections. As you can see here, while we run modest yearly surpluses until the year 2015—down here is the 2015, and the green shows the moderate surpluses above zero, we get to 2015. The long-term projections are mammoth annual deficits—the red line—mammoth annual deficits that start about the year 2015, if we are lucky. That is assuming a rosy economic picture over the next 19 years. The long-term projections are for mammoth annual deficits projected at current dollars at as much as $7 trillion for today's children when they retire.

The word ''trust'' in the Social Security trust fund refers to the trust retirees repose in the Government to meet its future obligations. We will be hard pressed to meet our obligations if we do not get our debt under control now and force ourselves to avoid the growth of debt in the future. The balanced budget amendment will force and empower us to meet these future obligations.

In addition, the economic benefits of the amendment will benefit current and future retirees who are increasingly relying on private financial investments for retirement security. There are 34 million households that have invested in the stock market in some form. As financial expert Jim Cramer notes, if you have a pension, it's likely that it's invested in stocks. If you have a 401K plan, it's probably invested in stocks. Worth magazine's Ken Kurson points out that in 1996, 34 percent of households headed by someone under 35 had some sort of mutual fund. Simply put, many Americans are relying less on Government and more on themselves and their own investments for their retirement security. The balanced budged amendment will strengthen the markets and the investments these Americans are relying on.

No matter the source of retirement security, the balanced budget amendment will benefit current and future older Americans.

Some have argued that we should take Social Security out of the purview of the balanced budget amendment. They argue that we should take the highest items in the Federal budget and the most important item in the Federal budget out of the budget because they think that might protect Social Security. Give me a break. That is not going to protect Social Security. It is going to jeopardize it, because what happens is that if we take it out now, even the President has admitted that you cannot balance the budget by the year 2002 if you do not keep Social Security in the total unified budget.

So it is a gradual way that we get there, and if we get there, then Social Security will be much more stable. When we get to these years when it starts to drop off, we have to take care of it, and, frankly, we have to do it within reasonable constraints and do it right.

The fact is that some argue that we should keep Social Security in the amendment until the year 2003 and then all of a sudden take it out when all of these deficits occur. The reason they want that is so they can keep spending. As far as everybody knows, if we take Social Security out of the purview of the balanced budget, we would be creating the biggest loophole in the history of this country and they could spend anything they want by simply labeling it Social Security.

Madam President, this scares me to death. It is true. These are the trustees' estimates here. That is assuming a fairly rosy economic picture. If we hit a recession or depression during this period of time, it is going to be worse. And the deficits might actually start before then. But that is the best analysis that we can get at this time.

Madam President, only the force of the Constitution can balance out the incentives for irresponsibility that dominate the Congress, and only the balanced budget amendment can save this country from being swallowed in debt.

A vote for the balanced budget amendment is a vote for a stronger and a freer future for all Americans.

When we began this debate, we had at least 68 Members of the Senate who committed and promised that they would vote for this amendment. We need 67. So we believe the votes should be here. We believe people are honorable and will honor their commitments when they ran for office and when they appeared before their families and friends and voting constituents within their respective States. They all knew at the time that this was the only amendment we could possibly pass. They all knew at the time that this is a bipartisan consensus amendment brought about by both Democrats and Republicans, and that we have worked for over 20 years on this amendment. They all knew at the time that this was the one time in history when we could really get this done. And I hope we do. I believe we will because I believe our fellow Senators will live up to the word that they gave to their constituents.

Madam President, I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I wonder if I could ask the distinguished senior Senator from Utah a question. Shall we vote now?

Mr. HATCH. We would be happy to do it, if the Senator wants to.

Mr. LEAHY. Shall we call the roll?

Mr. HATCH. Sure. That would be fine with me.

Mr. LEAHY. It would be fine with me.

Mr. HATCH. I do not think it would be fine with that side, but it would be fine with me.

Mr. LEAHY. I suspect that you probably have at least one leader on that side who might not be in favor.

Mr. HATCH. I will clear the way.

Mr. LEAHY. Why not talk with him while I give my opening statement to see if we want to do that.

Mr. HATCH. Let us let everybody say what they want to say about this on both sides, and at a reasonable time we would like to——

Mr. LEAHY. If the Senator would like to this afternoon——

Mr. HATCH. I will be happy to do it.

Mr. LEAHY. Why not talk with him.

Mr. HATCH. I will.

Mr. LEAHY. And see if it could be cleared here, too.

Madam President, last night in his State of the Union Address, the President of the United States spoke of the difference between taking action to balance the Federal budget and the political exercise of considering a constitutional amendment on balancing the budget. I mention this because the American people know there is a big difference between talking about a constitutional amendment to balance the budget, a big difference between talking about what you might or might not do, and actually doing it. Here is what President Clinton said.

> Balancing the budget requires only your vote and my signature. It does not require us to rewrite our Constitution. I believe it is both unnecessary and unwise to adopt a balanced budget amendment that would cripple our country in time of economic crisis and force unwanted results, such as judges halting Social Security checks or increasing taxes.

Listen to what the President said. Balancing the budget requires only the vote of the Congress and his signature.

This from a President who in the 22 years I have been here is the only President who has brought the deficit down 4 years in a row—the only President who has done that. In fact, if we were not paying the interest on the deficits run up during Presidents Reagan and Bush administrations, we would have a surplus today and not a deficit.

In fact, I believe he is probably the only President in my lifetime, Republican or Democrat, who has 4 years in a row brought the deficit down and certainly the only one since the last President, a Democrat, who had a surplus. That was President Johnson. Deficits have run since then, and only President Clinton has brought them down four times in a row and is about to submit a budget which will bring the deficits down for the fifth time in a row.

That is a record which certainly in modern times, certainly the postwar time, no President, Democrat, or Republican, has done and is a marked contrast to the two Republican Presidents who preceded him who tripled the national debt, who took all the debt from 200 years and tripled it in just 12 years.

So President Clinton is committed to signing a balanced budget that protects America's values, honors our promises to seniors and our veterans and fulfills our responsibilities to the disadvantaged and the young. If this Congress, the 105th, will join him for the good of the Nation and the future, we can, in fact, be the Congress that finally balances the budget.

Madam President, I would like to be part of that Congress, and I would like to see Democrats and Republicans work together to bring about that kind of a balanced budget. But that would mean each one of us, every man and woman in this body and every man and woman in the other body, will have to stand up and cast votes that are politically unpopular—not a vote that sounds very popular but does not cut a single program and does nothing to balance the budget.

My good friend from Utah has talked about the public opinion polls that say how popular a balanced budget is. I support a balanced budget. I voted for more deficit reduction than most of the Members of this body. But wanting it and voting it can be sometimes two different things. It is easy to stand up, as we all do, in town meetings back home and say we want a balanced budget. It is very difficult to come back and face special interest groups on the right and left and say we are going to cast votes to achieve balance.

This is not one of those tough votes. This proposed constitutional amendment is unnecessary, it is unwise, it is unsound, and it is dangerous.

First, it demeans our Constitution. It will destabilize the power among our three branches of Government. That balance of power between our three branches of Government gives this, the greatest and most powerful democracy in history, its greatest protection. It would head us down the road to minority rule and undermine our constitutional democracy. It would likely result in a shifting of burdens, responsibilities and costs to State governments. Whether my own State of Vermont, the State of Maine, the State of Utah, or any other of the 50 States, these State governments are ill-equipped to assume the vast burdens of the Federal Government.

Both because of what it would do and what it would not accomplish, adoption of this proposed 28th amendment to the U.S. Constitution would be wrong. Treasury Secretary Rubin testified that the proposed constitutional amendment would ''subject the Nation to unacceptable economic risks in perpetuity. It would be a terrible, terrible mistake for this country.''

Treasury Secretary Rubin commands the highest respect of both Republicans and Democrats and certainly within the financial community, and when he speaks of the unacceptable economic risks in perpetuity we ought to stop and listen to him. We should also listen to the 11 Nobel laureates in economics who joined 1,000 other economists who condemn the proposal as unsound and unnecessary. It is what the Los Angeles Times calls a false political star.

Now, there are responsible ways to reduce our budget deficit, but focusing our attention on this proposed amendment only delays us from making progress on what are some very tough choices. This is the same old sleight of hand that we have witnessed around here since 1982 when people began voting for a constitutional amendment on the budget rather than to vote to balance the budget. A lot of people stood up to say, ''Yes, I voted to amend the Constitution to balance the budget.''

Hurrah, hurrah, how brave they are, but they cannot quite step up here and vote on these tough issues that actually do balance the budget. There is no magic in the proposed constitutional amendment. The magic is hard work. Reducing the deficit will take hard work, and it will require hard choices.

Some may even use a ''feel good'' vote for this proposed amendment as the excuse to sit back and await the ratification process in the States, and then they would sit back and await the consideration of implementing legislation. Then they would sit back and await the consideration of budgets consistent with such implementing legislation. Then maybe, just maybe, they would start making the necessary cuts.

Madam President, it is like some of the people who stand on the floor of this body or the other body and say that we have to amend the Constitution and have term limits. There are those who stand up and say, ''I have been arguing for term limits for 20 years,'' some who have been arguing term limits before some of the Members of this body were born, and they will keep on into the next century saying we have to have a constitutional amendment for term limits.

I heard one Member of the House, who has been here, I think, 14 terms, say, ''If I do nothing before I leave here, we are going to get term limits—if it takes me another 14 terms to get term limits.''

What makes more sense, instead of looking for bumper sticker amendments and bumper sticker politics, is to cast votes that will cut the deficit now. Do not wait until the next century. I want to continue to lower the deficit now, not wait for two more election cycles to pass before balancing the budget sometime after the year 2002, which, incidentally, is the earliest date this amendment could be effective.

We showed in the last two Congresses we could make progress in undoing the mistakes of the deficits-building decade of the 1980's without having this proposed amendment in the Constitution. For the first time since Harry Truman was President, the deficit has declined 4 years in a row and with the help of President Clinton we have reduced the deficit 63 percent over the last 4 years. We have reduced the deficit, as a percentage of our economy, from 4.7 to 1.4 percent. These may seem like just numbers, but what we have done is we have reduced the deficit as a percentage of our economy to the lowest among the world's industrialized countries. Instead of constantly standing up supporting this because it might sound like good politics, let us be honest with the people we represent. We have done better than any industrialized country in the world.

As part of our efforts we passed legislation that saves tens of billions of dollars of taxpayer-financed Government programs. These are tough votes. For example, the distinguished senior Senator from Indiana, Senator LUGAR, and I sponsored legislation that reorganized the U.S. Department of Agriculture to become a more efficient and effective agency. The Leahy-Lugar bill passed Congress at the end of 1994. It will result in saving over $3 billion, but it has to close 1,200 USDA field offices including, should anybody ask, a large number of offices in my home State of Vermont.

What the distinguished Senator from Indiana and I did was not just to talk about it, we actually put together a piece of legislation which means in every single State in this country somebody is going to feel the pain. I know because I got letters from all over the country about it. But we passed it.

Maybe some of the same people who so eagerly support this constitutional amendment should ask themselves, are they responsible for the huge and unprecedented budget deficits of the Reagan and Bush years? Many are. I am one of only five remaining Senators in this body who voted against the 1981 Reagan budget package that increased defense spending by a huge amount while cutting taxes by a huge amount and which, of course, caused our debt to explode. The 12 years following Reaganomics have left us with over $2.6 trillion in additional debt.

Do we have a deficit today? Of course we do. If we did not have to pay the interest on the debt run up during President Reagan and President Bush's terms, we would have a surplus today. I commend, again, the President, who, while inheriting a huge national debt, a huge deficit, and a huge debt service when he came into office, has brought the deficit down. President Clinton has, four times in a row, brought the deficit down and is about to do it a fifth time in a row, something that none of us in our lifetime have seen.

But this proposed constitutional amendment remains now what it was then: political cover for the failed policies of the 1980's and their tragic legacy. Those mistakes continue to cost our country hundreds of millions of dollars every workday in interest on deficits run up during the last two Republican administrations. Think of that—hundreds of millions of dollars every single workday just on interest alone based on the deficits of those years. As I said before, were it not for the interest on this debt, we would have had a balanced budget in each of the last several years.

The proposed constitutional amendment contains no protection against the Federal Government seeking to balance its budget by shifting costs and burdens to the States. That is the ultimate budget gimmick—pass the buck to the States. The proposed constitutional amendment would be a prescription for disaster, especially for small States that are ill-equipped to handle the extra load. We know what happened in the 1980's; Federal contributions to State and local governments fell sharply, by about a third. During that same decade, my home State of Vermont had to make up the difference. We had to raise the State income tax rate from 23 to 28 percent. In addition, State and local property taxes and taxes of all kinds had to be increased.

I remember talking to so many people in my State of Vermont, hard-

working men and women, people who bring home a weekly paycheck and pay the mortgages, set money aside for their children to go to college. They keep our economy going. I said, ''Have you felt these huge tax cuts that we read you have gotten under Reaganomics?'' Except for a couple of my friends who, frankly, Madam President, make a heck of a lot more money than I do, they had not. In fact, what they had seen, the average person had seen their taxes go up. They saw Social Security taxes go up, they saw their local taxes go up, they saw their State taxes go up to cover the differences.

That is not the way to cut the Federal deficit. It is the Federal deficit. You do not cut it by simply shifting the burdens to State and local government and telling them to raise the taxes on their people. Working people cannot afford tax increases any more just because they are imposed by State and local authorities and not by the Federal Government.

While we passed unfunded mandates legislation last Congress, even that legislation offers insufficient protection. My concerns extend beyond new legislation that the lawyers determine include legally binding obligations. I am concerned as well about those programs that respond to the basic needs of individuals.

Human needs are no less real because they are not set forth in a Federal statute. Hunger, cold, illness, the ills of the aged—these do not need statutory definition to cause suffering. With or without definition, they do cause suffering. If we try to balance the Federal budget by scaling back services, we are just as surely going to be shifting the costs and burdens of these unmet needs, as well as Federal mandates, on State and local governments.

I know the people of Vermont are not going to let their neighbors go hungry or go without medical care, and I expect people elsewhere will not either. As much as our churches and synagogues and our charities and our communities will contribute, a large part of the problem and a large share of the costs are still going to fall to State and local governments.

The distinguished majority leader in the other body, RICHARD ARMEY, said in 1995 that he did not want to spell out the effects of this constitutional amendment before it is passed because he is afraid that Congress would not vote to pass it if it knew what it would do. He later reinforced his remarks by warning supporters not to reveal where the necessary cuts would be made because knees would buckle.

If we are going to be asked to consider this constitutional amendment, let us find out what the impact is likely to be. Certainly, before any State is called upon to consider ratification of such a constitutional amendment, we ought to know what the impact is going to be. Every State ought to be able to look at the debate here and our actions here and know what the impact is going to be if they ratify. Each State should be advised of the likely effects on its economy and, in particular, on personal income levels and job losses in that State. Let us get some of the answers. Let us know where we are headed.

In fact, I believe this proposed constitutional amendment would invite the worst kind of cynical evasion and budget gimmickry. The experience of States that do have balanced budget requirements only bears this out. My State, which has one of the best credit ratings in the country, takes care of its budget without having in its State constitution a constitutional amendment to balance the budget. Because we know we have good times and bad times, we have provisions to set aside a rainy day fund. We know that there are things that we have to do in our small State economy at a time of recession to help.

But look what happens with States with a balanced budget requirement. Many that do achieve compliance do so only with what the former comptroller of New York State calls dubious practices and financial gimmicks. These gimmicks include shifting expenditures to off-budget accounts, postponing payments to school district suppliers, delaying refunds to taxpayers, deferring contributions to pension funds, and selling State assets. The proposed constitutional amendment does not prohibit the Federal Government from using the same and other dubious practices and gimmicks.

With Congress facing a constitutional mandate, the overwhelming temptation will be to exaggerate estimates of economic growth and tax receipts, underestimate spending, and engage in all kinds of accounting tricks as was done before the honest budgeting efforts of 1993. The result will be that those who do business with the Government may never be certain in what fiscal year the Government will choose to pay up or deliver, and those who rely on tax refunds can certainly expect extended delays from the IRS.

Passing a constitutional directive that will inevitably encourage evasion is only going to invite public cynicism and scorn, and not just toward the Congress. That, Madam President, does bother me, since we represent one of the three branches of Government. What bothers me far more is cynicism toward the Constitution itself.

None of us in this body owns the seat that we are in. We are all here for 6 years at a time. Some day we will leave, as we should, either by our own choice or because we are given an invitation to do so by the voters of our State. But while we are here, we have a responsibility to the institutions of this country, and certainly to our Constitution, an oath that we each take solemnly and without any reservation.

(Mr. CRAIG assumed the chair.)

Mr. LEAHY. Mr. President, we are, in some ways, an unprecedented country. No nation, no democracy has achieved the power that we have. In fact, in history, no country, democracy or otherwise, has had the great economy and the great power of the United States. But no other country has had a constitution like ours, a short constitution, a simple constitution, an understandable constitution. Since the Bill of Rights, it has only been amended 17 times. In one of those cases, it was amended for prohibition and then to repeal prohibition.

I mention this because I think there is a definite connection between the greatness of the United States, the fact that we maintain our democratic principles and, notwithstanding our enormous power, a respect for Government and a respect for our Constitution based on the knowledge of that Government and that Constitution and not because a dictator and army tell us we have to.

But that has meant that the men and women who have occupied these seats that we only temporarily occupy, the men and women who have occupied the seats in the other body that were only temporarily occupied, were wise enough—even though there were hundreds and hundreds of proposals over 200 years—were wise enough not to amend the Constitution willy-nilly, especially for those things that can be taken care of legislatively. As the President said last night, it only requires our vote and his signature for a balanced budget, not a constitutional amendment.

Our predecessors on both sides of the aisle and our predecessors on both sides of the aisle in the other body were wise enough to refrain, no matter how popular it sounded or no matter how much it helped them in their elections, from amending the Constitution willy-nilly, especially for those things they knew they could do legislatively.

It is one thing to amend the Constitution to limit the terms of Presidents or to set up successions when there is a vacancy in the Vice Presidency or the Presidency itself. Those are of constitutional import. But something we can do simply legislatively, why amend the Constitution? Let's not debase our national charter with a misguided political attempt to curry favor with the American people by this declaration against budget deficits. Let us not make the mistake of other countries and turn our Constitution into a series of hollow promises.

We are too great a nation for that. We are too great a democracy for that, and the loopholes in Senate Joint Resolution 1 already abound. One need only consult the language of the proposed amendment and majority report for the first sets of exceptions and creative interpretations that will allow Congress to reduce the deficit only so far as Members choose to cast responsible votes. The Judiciary Committee reports that the Congress will have flexibility in implementing the constitutional amendment. It will leave the critical details to implementing legislation.

This proposed constitutional amendment uses the seemingly straightforward term ''fiscal year.'' But according to the committee report, this time period can mean whatever a majority in Congress wants it to mean. It has no immutable definition. It may mean one thing this year, and we may decide the next year it means something else. It can be shifted around the calendar as Congress deems appropriate. Watch out for the shifting of fiscal years in order to juggle accounts when elections are approaching.

This proposed amendment gives congressional leeway to rely on estimates to balance the budget, to make temporary self-correcting imbalances and to ignore very small or negligible deficits. But what is temporary? What is self-correcting? What is small? What is negligible?

With apologies to one of our distinguished predecessors, the Senator from Illinois, Senator Everett Dirksen, a billion here, a billion there; after a while, it does not add up. This is a lawyer's dream.

What is negligible? We think a billion is negligible, and somebody sues, or a whole lot of people sue. My guess is that unless it becomes a political bone of contention between political parties as we approach an election, we could go a long time without Congress declaring itself in violation of this proposed amendment.

What happens if the President of the United States says, ''Well, here are my estimates. My estimates are we are going to receive x number of dollars and my estimates are we are going to spend x number of dollars,'' and it turns out he is wrong? What do we do? Sue him?

What happens if the Congress does the same thing? We estimate in our budget resolution we are going to receive x number of dollars and spend x number of dollars. What happens if we are wrong? Do all 535 Members go to jail or just those who voted for it?

This proposed constitutional amendment could be economically ruinous. During a recession, deficits rise because tax receipts go down. But various Government payments, like unemployment insurance, go up. By contrast, the amendment would demand the taxes be raised and spending be cut during a recession or depression. It is almost like when President Herbert Hoover, as we started into a slight recession, said the thing that would give the most confidence to the country would be to force through a balanced budget. He did, and we went through the worst depression in this century.

As Treasury Secretary Robert Rubin testified in the Judiciary Committee, ''the balanced budget amendment would turn slowdowns into recessions and recessions into more severe recessions or even depressions.''

Economic policy has to be flexible enough to change with a changing and increasingly global economy. But the requirements of this proposal would tie Congress' hands to address regional, national, and international problems. We should not hamstring the legislative power that is expressly authorized in article I, section 8, of the Constitution. Let us not undo that which our Founders wisely provided: flexibility.

This proposed constitutional amendment risks seriously undercutting the protection of our constitutional separation of powers. No one has yet convincingly explained how the proposed amendment would work and what role would the President play and what role would the courts play in its implementation and enforcement?

I can just see the new law school courses all over the country. How do you sue under the constitutional amendment?

When you put the budget in the Constitution, economic policy would inevitably throw the Nation's fiscal policy into the courts. That is the last place issues of taxing and spending should be decided. Basically what it does is it destroys this delicate balance between the three branches of government: the executive, the legislative, and the judicial.

I cannot understand why Members of Congress want to give up their powers to the judiciary, because the effect of the proposed amendment could be to toss important issues of spending priorities and funding levels to the President or to thousands of lawyers in hundreds of lawsuits in dozens of Federal and State courts.

If approved, the amendment would have let Congress off the hook by kicking massive responsibilities for how tax dollars are spent to unelected judges and the President. Judge Robert Bork warned of the danger more than a decade ago. Again, Mr. President, why—why—would we give up the constitutional powers we have had for 200 years and give them over to the courts who do not want them and have not asked for them?

So instead of creating future constitutional questions, let us do the job we were elected to do. Let us remember what the President said last night: You vote it, I sign it; we have a balanced budget. Simple as that. But it means we have to make the tough choices and cast the difficult votes and make progress toward a balanced budget.

I worry, Mr. President, that perhaps some, because it is a lot easier, just vote for a constitutional amendment which has huge popularity. It is a lot easier to do that than to vote against a whole lot of programs where your vote is not popular.

It is not popular to actually cast the votes to balance the budget. It is easy to cast the vote for the constitutional amendment. It is sort of like saying, ''I will vote today to eliminate cancer.'' Who disagrees with that? Or the person says, ''I'm against cancer. I don't want to give up smoking, but I'm against cancer.'' It is the difficult steps.

This proposed constitutional amendment undermines the fundamental principle of majority rule by imposing a three-fifths supermajority vote to adopt certain budgets and raise the debt limit.

Again, has anybody read a history book in this body? Has anybody found out how this country started? Go back to our Founders. Our Founders rejected such supermajority voter requirements on matters that are within Congress' purview. Alexander Hamilton described supermajority requirements as poison. I sometimes wonder if anybody around here even knows who Alexander Hamilton or Thomas Jefferson, George Washington or these people were.

Hamilton observed that:

> Supermajority requirements serve to destroy the energy of the Government and to substitute the pleasure, caprice or artifices of an insignificant, turbulent or corrupt junto to the regular deliberations and decisions of a respectable majority.

These supermajority requirements are a recipe for increased gridlock, not more efficient action. If there are some in here who have not read The Federalist Papers, just recall the lessons of the last 2 years when the Government was shut down by a determined minority intent on getting its way. The Nation was pushed to the brink of default when a group pledged that, no matter what, they would not vote on raising the debt limit, they were going to let the Government be shut down. Whether it was political or they went out the wrong door in an airplane or whatever, they shut down the Federal Government.

That cost taxpayers hundreds of millions of dollars. It certainly cost everybody in private enterprise in this area, just about any area in the country, hundreds of millions of dollars more. We looked ridiculous to the rest of the world. But all because a minority made that determination.

Such supermajority requirements reflect a basic distrust, not just of Congress, but of the electorate itself. I reject that notion. I have faith in the electorate. I am prepared to keep faith with and in the American people.

Mr. President, we have also said that ''The devil is in the details.'' I believe Emerson first said that. The proposed constitutional amendment uses such general terms even its sponsors concede that implementing legislation will be necessary to clarify how it is going to work.

So we ask, what will the implementing legislation say? Well, we are not going to find out until we see the implementing legislation. Basically this says, ''Trust us. Pass this. And we'll tell you afterward what it means.'' That is kind of like somebody saying, ''I'll sell you this business. Would you sign this contract in blank? Give me all your money, but I will fill in the terms afterward.''

I am a Vermonter. We just do not quite do it that way back home. We trust each other, but we kind of like to see the details. The questions raised by this proposed constitutional amendment still lack satisfactory answers.

For example, what programs are going to be off budget? What role will the courts and what role will the President have in executing and enforcing the amendment? How much of our constitutional power do we give up? What is really compliance with the amendment? How much of a deficit may be financed and then carried over to the next year? There are a lot of questions like these that are critical to our understanding of this amendment. And they have not been answered.

Should Congress be asked to amend the Constitution by signing what amounts to a blank check? I disagree with that. No Congress should be asked to do that. Nor should each State be asked to ratify a pig in a poke.

In the interest of fair disclosure, Congress should first determine the substance of any implementing legislation as it did in connection with the 18th amendment, the other attempt to draft a substantive behavioral policy into the Constitution. Let us go look at the implementing legislation first.

In my view, this amendment does not meet the requirements of article V of the Constitution for proposals to the States because it is not constitutionally necessary. It is only with resolve and hard work that we make progress. Neither is evident in the proposed constitutional amendment.

I have heard some of the speeches about why it would be good politics, popular politics to vote for this. Politics—good, popular or otherwise—have no place when we are dealing with the Constitution of the United States. We inherited a great legacy from those who went before us because they resisted the temptation to play politics and to amend our Constitution willy-nilly.

As a result, we are the greatest and strongest democracy history has ever known. The bedrock of it is our Constitution, which sets up three branches of Government, with powers that make sure there are checks and balances. This amendment destroys so much of what this country has rested on for over 200 years.

So instead of a bumper sticker for the Constitution, what we need is the wisdom to ask what programs we must cut, and the courage to explain to the American people that there is no procedural gimmick that can cut the deficit or the debt. There is no nice, easy self-serving item. There is only hard work. But I think the American people would rather have the hard work than have us fool around with our Constitution.

Yesterday the Wall Street Journal printed an editorial titled ''Constitutional boondoggle'' in its editorial page. The editorial says:

> We do need to get the national debt declining . . .

I agree.

> We do need to restrain federal spending.

Again, Mr. President, I agree.

> We do need to resolve the Medicare crisis . . .

Mr. President, I agree.

> We do need to look beyond the year 2002.

Mr. President, I agree. But then they said:

> But these battles have to be fought one by one, and [they] can't be solved by amending the Constitution.

Once again, Mr. President, I agree.

The Wall Street Journal editorial concludes:

> The concept embodied in the proposed [constitutional] amendment measures nothing useful; it is at best a distraction, and at worst, causes confusion that makes the right things harder to do, not easier.

I ask unanimous consent the Wall Street Journal editorial be printed in the RECORD immediately after my remarks.

The PRESIDING OFFICER (Mr. FAIRCLOTH). Without objection, it is so ordered.

(See exhibit 1.)

Mr. LEAHY. Mr. President, think back again to last night's State of the Union address. The President said all it takes is for us to cast the votes and for me to sign the bill to balance the budget. Many of us who cast those tough votes to cut programs, to bring the deficits down, have faced in the short term the wrath of our constituents but in the long term a realization that we have done the right thing for the country.

I am proud that I have voted for budgets that have now, 4 years in a row, brought down the deficits, something that has not happened certainly in the last 15 years or so. We have had a President who has had the courage to give us four budgets in a row that bring down the deficits. They have meant tough votes.

Some Members who voted to bring down the deficit have probably lost elections because of those tough votes. How much better they have been to themselves, to their children and their children's children because they resisted the temptation, as Senators and Representatives have for over 200 years, to amend our Constitution unnecessarily.

So let us not proceed to a view of short-run popularity but with a vision of our responsibilities to our constituents and the Nation in accordance with our cherished Constitution.

Mr. President, first and foremost I am going to cast votes on this floor to protect that Constitution, popular or otherwise. I take my oath of office seriously. I appreciate the privilege the people of Vermont have given me to represent them in this body. There is nothing I will ever do in my life that will make me as proud as being in this body representing the people of Vermont. As I have told the people of Vermont in each one of my elections, I will protect the Constitution first and foremost. As I told them in my last two elections, I will vote against this constitutional amendment because it does not protect our country, it demeans the Constitution, and it lets us off the hook from doing the things that we really should do.

I yield the floor.

EXHIBIT 1

[From the Wall Street Journal, Feb. 4, 1997]

CONSTITUTIONAL BOONDOGGLE

With President Clinton about to deliver his State of the Union Address and new budget, this is an apt moment to say that the President is right and the Republicans are wrong on item one of the GOP Congressional agenda. The balanced budget amendment is a flake-out.

The notion of amending the Constitution to outlaw budget deficits is silly on any number of counts. Politically it's empty symbolism. Legally it clutters the Constitution with dubious prose. Today's lesson, though, concerns economics and accounting. You can't measure economic rectitude by any one number, let alone the ''deficit,'' however defined, let alone the deficit projections the proposals will inevitably involve in practice. The attempt to enshrine such a number in the Constitution is bound to prove a snare and a delusion.

The proposal passed by the Senate Judiciary Committee says that outlays (''except for those for repayment of debt principal'') shall not exceed receipts (''except those derived from borrowing''). While this concept sounds simple, in fact it reflects neither accounting principles nor economic reality.

If you can balance your family budget, the thinking goes, the government can balance the federal budget. But applying the budget amendment's principles to households would outlaw home mortgages, which have proved a boon to countless families and the general economy. What a family balances is its operating budget, a concept foreign to the federal accounts. In corporate accounting, similarly, the health of an enterprise is measured by careful distinctions such as accruals or depreciation. Even the balanced budget restraints of state and local governments exclude spending on capital improvements financed by bond issues approved by voters.

The reality is that borrowing money is not a sin; it depends on how much money, and in particular on the uses of the borrowed funds. Even the amendment itself recognizes this by allowing Congress to waive the amendment by majority vote when war is declared or when a joint resolution declares ''a military conflict which causes an imminent and serious military threat to national security.'' Other emergencies would presumably be dealt through the provision that Congress could approve borrowing by a two-thirds vote.

Republicans back the amendment because it scores well with focus group participants, who don't understand the difficulties, and with Ross Perot, who doesn't care. They also hope that limiting the government's power to borrow will force it to limit spending. Democrats seem pretty much to agree, and want to voice support for the amendment to appease focus groups while also killing it to avoid a spending straitjacket. We're not so sure.

For one thing, we've observed how European politicians, even supposedly conservative ones, have been behaving toward the budget-deficit requirements they imposed on themselves in the Maastricht agreement. To get within the numerical criteria, the Italians are taking their railroads off and on budget; the French government, in return for an infusion of funds this year, assumed pension obligations running into the far future. Governmental accounting, you see, simply counts formal government debt; it ignores unfunded governmental promises.

This is a loophole enormous enough that Rep. Fernand St Germain could drive half of

the S&L crisis through it in one night in 1980, when he doubled deposit-insurance limits. Another enormous loophole is the government's ability to offload, or ''mandate,'' costs on corporations, individuals and state and local governments without running any receipts or outlays through the Washington books. And when the bill for Rep. St Germain's coup suddenly came due in 1989, would it really have been better to avoid borrowing and put the rest of the government through a temporary wringer?

These imperfections might not matter if the amendment did no harm, but it's easy enough to imagine scenarios in which it would keep us from doing the economically right thing. Take the proposals by the most conservative bloc in the recent Social Security Commission. They would allow current taxpayers to personally invest part of what they owe in payroll tax, giving them a better return. But meeting obligations to those retiring before their benefits were funded would require a big issue of government debt. The new debt would merely formally recognize current obligations, and the privatization would dramatically reduce future obligations. Though this transaction would plainly improve the federal fisc, the balanced budget amendment would outlaw it.

Or for that matter, take the Reagan defense build-up, which led to victory in the Cold War. The balanced budget amendment would have allowed a majority to vote for borrowing if fighting broke out, but not for expenditures to deter it. Is this what we want?

And take the Reagan tax cuts, which in combination with Paul Volcker's tight money, led the country out of 1970s malaise, conquering inflation without an extended recession. Clearly, deficit projections would have prevented the tax changes.

Yes, this policy mix gave us deficits, but the 1980s deficits are themselves a large part of the reason we have a new concern with budget discipline today. Indeed, it seems to us that history argues that discipline comes from *forcing* governments to borrow, and pay interest—instead of raising taxes or making unfunded promises or issuing unfunded mandates. Yet in the form passed by the Finance Committee, the amendment says you need a majority to raise taxes, a majority to declare a military emergency, but two-thirds to borrow.

What President Reagan understood is that if you limit taxes, spending will sooner or later have to follow. For permanent budget discipline, the best idea now on the table is Rep. Joe Barton's proposal, up for a vote in the House April 15, simply to require a two-thirds vote to raise taxes. If that should pass, nature will take its course.

We do need to get the national debt declining as a per cent of economic output. We do need to restrain federal spending. We do need to solve the Medicare crisis, as Senator Phil Gramm notes alongside. We do need to look beyond the year 2002. But these battles have to be fought one by one, and can't be solved by amending the Constitution. The concept embodied in the proposed amendment measures nothing useful; it is at best a distraction, and at worst spreads confusion that will make the right things harder to do, not easier.

Mr. HATCH. Mr. President, Senator THURMOND, who has worked on the balanced budget amendment for all this time that he has been in this body, the imminent President pro tempore of this body, who deserves so much credit for even getting it up for us to vote on it, has asked that one of our new Senators from Nebraska be given the opportunity to take his place at this point. He wanted to defer to the distinguished Senator from Nebraska who will be giving his maiden speech on the balanced budget amendment in the Senate. I am proud of him for doing so. It is an honor to all of us that Senator THURMOND would do this.

Mr. President, I ask unanimous consent the distinguished Senator from Nebraska proceed with his remarks, and then I ask unanimous consent that the distinguished Senator from Nevada be allowed to proceed.

Mr. LEAHY. Mr. President, certainly the Senator from Nebraska, who has been waiting some time, should go next, but perhaps somebody on this side of the issue might go after the Senator from Nebraska.

Mr. HATCH. Let me amend my unanimous consent.

Mr. LEAHY. The distinguished Senator from Utah and I have had enough bills on the floor. It might be good to go back and forth.

Mr. HATCH. Senator BRYAN would like to go after Senator HAGEL, if there is not another opponent who wishes to speak.

Mr. LEAHY. If we do not have another opponent, I am certainly willing to yield to the distinguished Senator.

Mr. HATCH. I wanted to make it clear. We will finish here about 5:30 today, I understand, and certainly we want to have both of these Senators give their speech.

Mr. LEAHY. I assumed the excitement level would be at such a high level we might want to go on all night, but if the distinguished Senator from Utah wants to stop, I will contain my excitement.

Mr. HATCH. We are only doing it to accommodate our friends on the other side who have a dinner. I would like to get the remarks in, and I particularly want to listen to these two Senators.

I yield to the Senator from Nebraska.

The PRESIDING OFFICER. The Chair recognizes the junior Senator from Nebraska.

Mr. HAGEL. Thank you, Mr. President. Let me also add my thanks to the distinguished senior Senator from South Carolina, Senator THURMOND, for giving me an opportunity to take his place this afternoon in this debate over the balanced budget amendment.

Mr. President, I rise today to add my strong support for Senate Joint Resolution 1, the balanced budget amendment. I believe Americans want a smaller, less intrusive Federal Government. They want more freedom from the burdens of Government. This is America, a country born from a desire to escape the yoke of oppressive government. Our Founding Fathers did not trust government. They trusted the people.

As we approach a new century, we have again reached a turning point in America's history. We have been given a charge, as a nation and as representatives of the people, to work together to prioritize the role of Government, to redefine the role of Government in our lives. How much Government do we want? How much do we want Government to do for us? What do we want Government to do for us? How much Government are we willing to pay for?

Reducing the role of the Federal Government will require tough choices. A balanced budget amendment will not make those tough choices and difficult decisions. It is the responsibility of those of us entrusted by the American people in leadership positions in this country to make those tough choices and those difficult decisions. However, a balanced budget amendment will force us to step up to these decisions and help make us better able and disciplined to make those choices necessary to ensure a strong future for this country.

The American people are tired of political posturing and partisan rhetoric. They want action. They want results. They want us to do what we said we would do. We are not here to defend the status quo. We are here to solve problems. We are here to ensure that the taxpayers get the most efficient and effective use of their tax dollars. After all, the money we spend is not our money. It is not the Senate's money. It is not the President's money. It is the American people's money. They earned it. They work for it. It is up to us to spend it wisely. And right now the American people do not believe that Washington spends their money wisely. The American people want us to get control of this country's fiscal policy. They want fiscal responsibility.

That is why a balanced budget amendment is so important. It will force discipline upon the Congress of the United States, a fiscal discipline that has been absent since 1969, the last time America balanced its budget; 36 of the last 37 budgets in this country have not been balanced. It will force us to be honest with the American people.

As our former colleague, Paul Simon, a strong proponent of the balanced budget amendment, wrote just last week in the New York Times: ''Elected officials like to do popular things, and there is no popular way to balance the Federal budget.'' The balanced budget amendment will give us the constitutional discipline to do the right thing.

This debate is about accountability. This debate is about responsibility and leadership. It is about restoring the confidence and trust of the American people and their Government.

We have all been called upon to provide leadership. There is no bigger challenge facing the future of this country than paying down our enormous national debt.

During the debate on the balanced budget amendment there will be numbers and numbers and more numbers. But I ask you to focus on these numbers: America made gross interest payments of $344 billion in fiscal year 1996 on our national debt. That's $344 billion that was not used to improve our schools, strengthen our national defense, protect our environment, or

build new transportation systems. And that's just the annual interest. The only thing that we are doing is paying interest on the national debt. We are not even beginning to touch the principal. Each day, we add an average of $700 million to our national debt that already totals $5.3 billion. By the time we reach anyone's plan for a balanced budget, the national debt will be $7 trillion.

The national debt that we are leaving for our children and our children and grandchildren is the real issue in this debate.

What we are doing in cheating the generations that follow us is immoral. We must put our Government in a position to begin paying down our national debt. We must begin to put our fiscal house in order, or our next generation—and I see young people in the galleries today—will face a disaster. They will have a limited future because they will have limited opportunities. This debate is about their future, the future of America, the future of our children and their children.

It strikes me as ironic, Mr. President, that opponents of the balanced budget amendment argue that it will cause cuts in education, Social Security, Medicare, and other programs. What they fail to tell the American people is that if we do nothing—if we fail to act—deficits and our debt will continue to rise until there is nothing left in the Federal budget for education, entitlement programs, national defense, or any other programs—including Social Security.

The real threat to Social Security is the national debt. If we don't act to balance the budget and stop adding to that debt, then we are truly placing the future of Social Security in jeopardy.

Furthermore, exempting Social Security from the balanced budget amendment would actually make Social Security more vulnerable. We are all well aware that Social Security will begin to run a deficit of trillions of dollars early in the next century. Taking Social Security off budget would put it out on a plank all by itself when that time comes. Including Social Security in our total unified budget calculations ensures that Congress will have to deal with this crisis before it hits. How can we take America's largest program off budget?

If Congress took Social Security off budget and ran trillions of dollars of deficits in it, Congress could still say that they balanced the budget. That is ludicrous. That is folly. But, more important, it's dishonest. Does anyone truly believe that Social Security will suffer if we balance our budget? Let's get real. Social Security has been, and will continue to be, the highest priority program in the Federal budget.

Let me say this as straightforward as I can. The best thing we can do to ensure a sound future for Social Security and America is balance a unified Federal budget.

Let's be honest with the American people and say it straight. We have to balance our budget. We cannot continue to pile on to the debt that we are leaving this next generation and then expect them to be competitive in the global economy of the 21st century. If it takes an amendment to the Constitution to balance the budget, we should have one. Our Framers gave us that option. When it was required to do the right thing for the people and the Nation, the Framers gave us amendments to the Constitution to help ensure that we balance our budget, and we need a balanced budget constitutional amendment. So let's get at it. Let's show the American people that we are going to do what we said we would do.

The future for our next generations is growth and more economic opportunities for all Americans. Only through growing our economy, cutting taxes, cutting regulation, and cutting Government spending will we be able to pay off our national debt.

We cannot delay these decisions any longer. Generation after generation will live with the consequences of our actions or our inactions. Will they live with the crushing debt of our indecision? Or will they look back and say that we did rise to the occasion and to the challenge? Will they say that we faced the deficit and the debt honestly and took action and ensured the survival of the American dream?

The magic of America has always been that each generation has done better than the last because it had more opportunities. I do not want to look my 6-year-old and 4-year-old in their eyes in 20 years and say to them that I was a Member of the U.S. Senate, but I didn't do enough to protect their future.

I will not allow that to be the legacy of this U.S. Senator, nor do I believe that this is the legacy my distinguished colleagues wish to leave to their children, grandchildren, and America.

Thank you, Mr. President.

Mr. THURMOND. Mr. President, today, we being consideration of a proposed constitutional amendment to require the Federal Government to achieve and maintain a balanced budget.

Undoubtedly, it is the desire of every Member who supports the balanced budget amendment to see the Federal budget deficit eliminated so that we may begin to cut away at the Federal debt which is currently over $5.28 trillion. Without a balanced budget amendment, there has been little pressure on the President to submit a balanced budget and on the Congress to make tough legislative choices on Federal spending. I would note that the Republican-controlled Congress is working hard to balance the Federal budget. However, we need a balanced budget amendment as part of the Constitution. As the Congress authorizes Federal spending, we must understand the reality that there are a finite number of tax dollars available for public spending and various proposals would compete on merit and need, not popularity.

The balanced budget amendment would instill legislative accountability as the Congress considers various proposals for increased Federal spending. Currently, there is no real check on runaway Federal spending, and there will never be a shortage of legislation creating new Federal programs or efforts to increase spending in existing programs. Without a balanced budget amendment, budget deficits over the long term will continue to rise and the Federal debt will continue to grow. There have been times when gestures were made to bring spending within our means but those efforts were shortlived. Statutes to reduce Federal spending have not been enough. They are too easily cast aside and the Federal Government rolls along on its path of fiscal irresponsibility.

I am convinced that without the mandate of a balanced budget amendment, Federal spending will continue to eclipse receipts and the American people will continue to shoulder inordinate tax burdens to sustain an indefensible Federal appetite for spending. In 1950, an average American family with two children sent $1 out of every $50 it earned to the Federal Government. Today, the average American family is spending $1 out of every $4 it earns to the Federal Government.

Mr. President, we can trace the debate on a balanced budget amendment back in our history for 200 years. A defining moment may well have been the appointment of Thomas Jefferson as Minister to France. Thomas Jefferson was abroad when the Constitution was written and he did not attend the constitutional convention. If Jefferson had been in attendance, it is quite possible that he would have been successful in having language placed in the Constitution to limit the spending authority of the Federal Government. Upon studying the Constitution, Thomas Jefferson wrote in a letter of a change he so fervently believed should become part of the Constitution. He wrote the following:

> I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of its Constitution. I mean an additional article taking from the government the power of borrowing.

Further, Jefferson stated,

> To preserve our independence, we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude.

Another former President, Andrew Jackson, stated the following,

> Once the budget is balanced and the debts paid off, our population will be relieved from a considerable portion of its present burdens and will find . . . additional means for the display of individual enterprise.

President Harrison described unnecessary public debt as ''criminal.''

Mr. President, early American Presidents and public leaders understood the dangers of excessive public debt. For almost 150 years, balanced budgets or budget surpluses were the fiscal norm followed by the Federal Government. The unwritten rule followed by Presidents and legislators until recently in our Nation's history was to achieve balanced budgets except in wartime. Unfortunately, the role and the size of the Federal Government has grown out of control. In the past three decades, the Federal Government has run deficits in every year except one. Further, the Federal Government has run deficits in 56 of the last 64 years.

The Federal debt has grown as deficits have continued and the debt is now over $5.28 trillion. It took this Nation over 200 years to run the first trillion dollar debt yet we have recently been adding another trillion dollars to our debt about every 5 years.

I have been deeply concerned during my time in the Senate over the growth of the Federal Government. It has been too easy for the Congress to pass legislation creating new Federal programs and spending more tax dollars whenever there is a call for Federal intervention. Of course, the Federal Government has an appropriate role to protect the citizens of this Nation, but it is not realistic to believe that Washington should respond to every perceived problem with a new Federal approach. This Nation has drifted from its original foundations as a national government of limited authority. I believe the adoption of a balanced budget amendment will do much to return us to a more limited Federal Government and decentralized authority and the mandates of such an amendment will increase legislative accountability. A balanced budget amendment is the single most important addition we can propose to the Constitution to begin reducing the size of the Federal Government.

Mr. President, we have seen the national debt and deficits rise in large part because the Federal Government has grown. The first $100 billion budget in the history of the Nation occurred in 1962. This was almost 180 years after the Nation was founded. Yet, it took only 9 years, from 1962 to 1971, for the Federal budget to reach $200 billion. Then, the Federal budget continued to skyrocket; $300 billion in 1975, $500 billion in 1979, $800 billion in 1983, and the first $1 trillion budget in 1987. The budget for fiscal year 1996 was over $1.5 trillion. Federal spending has gripped Congress as a narcotic but it is time to break the habit and restore order to the fiscal policy of this Nation.

Two years ago, we were only one vote short of the votes needed to pass the balanced budget amendment. We now have another opportunity to send the balanced budget amendment to the American people for ratification. I hope we do not fail the American people on this historic opportunity and instead present to the States our proposed amendment to mandate balanced Federal budgets. It is time to act to secure the future for all Americans.

I thank the Chair and yield the floor.

Mr. HATCH. Mr. President, as you can see, this is a very important amendment. This is a very important debate. This particular debate is going to determine whether this country is going to go ahead with a fiscally responsible Government or whether it isn't. And, frankly, I think it is time that we do vote on this and that we do what is right for our country.

We are waiting for a couple of Senators who would like to come and speak to this.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I compliment the distinguished Senator from Nebraska for his maiden speech on the floor of the Senate on the balanced budget amendment. He did a very good job. He made a lot of very important points. I hope everybody in this country will pay attention to him.

This is a fellow who has sacrificed for his country. He was a war hero. He has been much decorated. He decided he wanted to run for the U.S. Senate so he could make a difference, and he made a real difference here today. I personally commend him for it and thank him for it.

Mr. LEAHY. Mr. President, while I disagree with the position of the distinguished Senator from Nebraska, I, too, compliment him on his first speech. He obviously had given great thought to it and to his position. It was sort of in the dim recesses of my own memory of the first time I spoke on the floor. I know it is a special time. I applaud him for waiting to speak on this matter. Whichever side we are on, we all agree that it is a very serious matter.

I notice that the distinguished senior Senator from Massachusetts is on the floor and wishes to speak. Following the sort of informal arrangement the Senator from Utah and I have worked out, trying to go back and forth, I will yield to the Senator from Massachusetts.

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. President, I thank the Senator from Vermont. Mr. President, I support a balanced budget, but I oppose this constitutional amendment. It is unnecessary, unwise, and untimely. At the very moment when Congress is about to balance the Federal budget the right way, our Republican friends are attempting to do it the wrong way, by writing an inflexible requirement into the Constitution.

Tomorrow, President Clinton will give Congress an opportunity to approve a balanced budget that genuinely protects the priorities of American families on key issues, such as Social Security, Medicare, education, jobs, health care, and the environment, while achieving the goal of a balanced budget in the year 2002. That is what American families want and need, not a risky and unnecessary constitutional amendment that would jeopardize these priorities, hamstring the economy, and place a straitjacket in the Constitution.

Our Republican friends refuse to admit the extraordinary progress we have already made under President Clinton to balance the budget. Twelve years of Reagan-Bush budgets tripled the national debt and quadrupled the deficit. But in 4 years under President Clinton's leadership, we have reduced the deficit by nearly two-thirds, and the goal of a balanced budget is clearly within our grasp.

The proposed constitutional amendment has several fatal flaws. One of the most flagrant is the clear threat it poses to Social Security. Today, over 43 million senior citizens rely on Social Security as a lifeline, and millions more are counting on it for their future. Yet the balanced budget constitutional amendment does not protect Social Security—it endangers it.

For over a decade, beginning with the Reagan administration when Social Security first came under heavy hostile fire from some members of the Republican Party, large bipartisan majorities in both the Senate and the House of Representatives have consistently dealt with that threat by providing clear protection for that basic program. Major legislation in 1983, 1985, and 1990 all protected Social Security by placing it outside the regular budget process. Yet this proposed constitutional amendment would undo all those protections, and put Social Security on the chopping block with all other programs.

When we were considering the markup of the balanced budget amendment, I made this point. Those who took a different position said, ''Well, Social Security will be protected in any event because of the existing statutes.'' But what they fail to understand is that we are talking about a constitutional amendment that will override those particular statutes. Those statutes will be ineffective because of the new constitutional mandate.

We will erode the protections afforded Social Security in the past. The protections recommended by the Social Security Commission in 1983, which were effectively adopted in the Gramm–Rudman-Hollings budget statute and restated, with bipartisan support, in 1990. These are important pieces of legislation that clearly said that Social Security is different.

Social Security is special. Social Security represents dollars paid in by workers with the clear understanding and effective guarantee that they will

be paid back at retirement. Social Security is different, as all of us well understand, from other provisions of legislation—direct appropriations and the discretionary budget, which funds, for example, education programs, NIH, the military, and the entitlement programs, plus the interest on the debt. As much as I strongly support the commitments at NIH or the Pell Grant Program, citizens do not pay into those programs expecting to get something back in the future.

That is why, Mr. President, it has been the time-honored position of this body—with bipartisan support—to place a firewall around Social Security. But not under the balanced budget amendment. It is right in there along with other programs, eligible for the chopping block.

This proposal could easily force the Federal Government to stop making payments on Social Security checks. As House sponsors of the amendment have admitted, ''The President would be bound, at the point at which the Government runs out of money, to stop issuing checks.'' That would be a disaster for senior citizens on fixed incomes who count on Social Security to pay their rent, buy their food, or pay their heating bills.

How can any senior citizen count on Republican pledges that say, ''Trust us. We won't hurt Social Security''? Our answer is clear—stop dissembling about Social Security. Stop playing this phony shell game with Social Security. We all know how to protect Social Security—so I say, protect it.

The second fatal flaw surrounding this amendment is the pretense of broad public approval. Proponents claim the amendment has widespread support among families in communities across the country. The polls seem—but only seem—to confirm that. A balanced budget constitutional amendment does have superficial appeal. It sounds good in a sound bite, but it can't survive serious debate.

Families don't balance their budgets this way. If they did, they could never buy a home through a mortgage, or borrow money to send their children to college or to buy a car.

That is the family budget. We hear, ''Well, the families have to account for their funding.'' They do, and we should. And we will under President Clinton's budget. But to say that the families of this country do not mortgage their homes and pay off the debt over a period of time or borrow to send their children to college or to buy a car is misstating and misrepresenting what is really happening on Main Street USA.

Our Republican friends should not be lulled into a false sense of public support for this phony amendment. When families across America realize its flaws, this amendment will flunk the kitchen table test.

The third fatal flaw in this amendment is its threat to the economy. Republicans tell us that this proposal is good for families. But over 1,000 economists, including 7 Nobel prize winners, have condemned the amendment as an unacceptable risk to the health of the economy.

As Secretary of the Treasury Bob Rubin told the Senate Judiciary Committee, the amendment would ''subject the Nation to unacceptable economic risks in perpetuity * * *. A balanced budget amendment could turn slowdowns into recessions, and recessions into more severe recessions or even depressions.''

Mr. President, we have seen an expanding and growing economy in recent years. It has worked very well for an important percentage of the American people. It has not worked as well for all working families in this country. We acknowledge that. That is an area which I think we have to give greater focus and attention. But we do not have the dramatic swings that we experienced at other times in our economic history. Times that had a disastrous effect on working families—in particular, working families at the lower level of the economic ladder. So why are we putting them at risk with the balanced budget amendment? The wealthiest individuals are not going to be hurt if their Social Security check is cut or the Pell Grant program is reduced. Working families will be at risk. And the working poor have the most to lose because, if this country is put into a depression, they are the ones who will forfeit their jobs and the opportunity to provide for their families.

This amendment could spell disaster for working families during times of recession. The amendment turns off the economy's automatic stabilizers. That could cause unemployment to rise dramatically.

It is estimated that the unemployment rate in the 1992 recession would have risen to 9 percent, instead of 7.7 percent, and an additional 1 million Americans would have been thrown into the unemployment lines. What sense does it make to pass a fell-good constitutional amendment that could have harsh and extreme consequences like that?

Proponents claim that Congress would act in time to avoid any economic emergency. Does anyone seriously believe that? Under the three-fifths rule in this amendment, a willful minority could hold the economy and the entire country hostage indefinitely.

The House sponsors of the amendment have acknowledged this problem. They admit the amendment would have the effect of ''lowering the blackmail threshold * * * from 50 percent plus one in either body to 40 percent plus one.'' That is the height of irresponsible government.

I say, let's work together, on both sides of the aisle, to pass an honest balanced budget that protects the Nation's priorities, protects the economy, and protects the Constitution too. Amending the Constitution is a transparent partisan political gimmick, and I'm convinced the people will see through it as this debate continues.

Mr. President, I look forward later in this debate to have the chance to debate the issues on Social Security, the enforcement provision, how this measure would tend to force amendments, and we will work with the leadership, Senators LEAHY and HATCH, to offer those amendments in a timely way to permit Members to engage in this debate.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nevada.

Mr. BRYAN. Mr. President, I thank the Chair.

I note by way of a prefacing comment the amendment that we are debating is a significant one. Obviously, there is going to be prolonged and thoughtful debate on the merits of Senate Joint Resolution 1, as is appropriate.

I note that not all Democrats agree with the position I take in support of this amendment, and not all members of the same family agree. The very able and distinguished senior Senator from Massachusetts has made an eloquent statement here just moments ago in opposition. His articulate and able nephew joined us at a press conference earlier today with equal vigor arguing for its ratification. So this will have some ramifications, I am sure, in terms of the process here in Washington.

Mr. KENNEDY. Will the Senator yield?

Mr. BRYAN. I am happy to yield.

Mr. KENNEDY. I appreciate the comment. It is two out of three. We have two out of three members of the family who oppose it. But I appreciate the Senator's pointing out the one member of the family. We will have a chance to talk to him.

Mr. HATCH. Will the Senator yield?

Mr. BRYAN. I will be happy to yield to the Senator.

Mr. HATCH. I think we see some hope for the Kennedy family.

Mr. BRYAN. I do not want to transgress and separate that wall of separation between church and state, but I think there may be a period of redemption here for those who have not yet been enlightened by our view.

It is always a pleasure to engage the Senator from Massachusetts in conversation because I know that he advocates from a position of conviction, sincerely a colleague whom I respect even though in this particular case I find myself in disagreement with his position.

Mr. President, this debate will climax later this month when the Senate tries to muster the 67 votes necessary to make this the 28th amendment to the Constitution. The outcome of this vote will have historic consequences which will significantly affect this country for decades to come. If we are successful in getting this amendment added to our Constitution, it will be this Congress' legacy to the history books and to our children and our grandchildren.

The President spoke eloquently last evening in his State of the Union Address. I have known the President for at least 15 years, when he and I served as chief executive officers of our respective States, and I have never heard him speak more eloquently. I believe it is the most eloquent of the State of the Union Messages that I have heard as a Member of this body. He spoke at considerable length about our children and the 21st century. We are part of the 20th century. As he pointed out, those who are born this year will have little or no memory of the century that has been the governing influence in the lives of every Member of this institution and those who report our actions for this generation.

I believe with equal sincerity that the action we take on this amendment is, likewise, for our children and their legacy so that they may have the same economic opportunities we have. It is my sense, and I will speak to this more in just a moment, that we foreclose and mortgage their future if we do not arrest a trend that has been institutionalized with both Democratic and Republican administrations and with Democratic and Republican Congresses.

As I commented earlier this month at a press conference with my able colleague, the distinguished chairman of the Judiciary Committee, both the White House and the Congress have supported a balanced budget. Democrats and Republicans in the Congress support a balanced budget. It has become the Holy Grail, if you will, of American political strategy to reach a balanced budget. Suffice it to say, our track record has not been particularly impressive. In 59 of the last 67 years, we have failed to balance the budget, and as a consequence these numbers are staggering. I want to talk to that issue a little bit more in a moment.

I do not underestimate the seriousness of an undertaking to amend the Constitution. We have only done so 27 times in our history, and so we should approach this carefully and analytically. This will and should be a lengthy debate, with serious consideration given to legitimate points of view, but in the final analysis I believe it is imperative that Congress send to the States some form of a balanced budget amendment. Other approaches have been tried and failed, but for the future economic well-being of our country, our children, and our grandchildren, we must take this step.

The wording of the resolution is straightforward and the text is barely two pages long. Under Senate Joint Resolution 1, total Federal spending must not exceed total Federal revenues for each year unless a 60-percent supermajority of those elected in both the House and the Senate vote to allow the Congress to authorize a specific amount of deficit spending.

While the wording is straightforward, the significance in terms of its impact on our country cannot be overestimated. Balanced budget amendments are not alien to our Government. In fact, almost all States have balanced budget requirements either in their constitutions or in their statutes.

As Governor of Nevada, I was required to balance the State's budget. It was not always an easy task, particularly during the economic slowdown of the early 1980's which affected my own State of Nevada and many other States. The year that I was elected Governor, in 1982, the recession had reached its low point in my State, and in January 1983, as I assumed office, we were not sure in that first month whether we could handle the payroll for State government. It was close. It was nip and tuck.

It is always the lot of those who seek support for programs, many of which I support, many of which the Members of this Chamber are supportive of, it is always the nature of those groups to ask more than they know you can provide, and Governors have the responsibility reinforced with a balanced budget provision, notwithstanding those requests and the merit of many of them, to simply say I would love to do it, I would like to do it, but we simply cannot do it because we do not have the money to do it and we have to operate within the revenue stream that we have.

That is the way we conduct our personal affairs, in business and private life. We lack that institutional discipline, it seems to me, here at the Federal level. And I say that without respect to partisanship. That is true with Democratic and Republican administrations alike.

My experience born out of that time is that a balanced budget requirement instills fiscal discipline in a system that is otherwise predisposed to avoid making hard, unpopular choices, and for the most part States have performed admirably when it comes to fiscal responsibility. We cannot say the same for the Federal Government in recent history.

In our country's first 150 years, there was almost an unwritten rule that the Federal Government should balance its budget. The United States Government ran deficits during the War of 1812, the Civil War and the Spanish-American War, to name a few occasions. But in other periods the Federal Government ran surpluses to reduce its outstanding debts. On the whole, only emergencies justified running deficits. However, in the past 36 years, the Federal Government has balanced its budget only once, in fiscal year 1969, and has failed in 59 of the last 67 years.

That is not an impressive record. None of us ought to be proud of that record. Let me emphasize, because this is bipartisan, that occurred under Republican administrations, Democrat administrations, Republican Congresses, and Democrat Congresses. So institutionally we all share the failure in being able to achieve that balanced budget.

Since 1980, the accumulated Federal debt has skyrocketed from less than $1 trillion to over $5 trillion. That represents $20,000 for every American, man, woman, and child. This has taken place in an era when our country has not been at war and has enjoyed relatively healthy economic conditions. No one can claim national emergency necessitated running these deficits.

Many in Washington believe there is now a true commitment to fiscal discipline. On the Federal level, in the last few years there has been some cause for optimism. For the first time since before the American Civil War, for four consecutive years, the annual deficit has declined. The President can take credit for that as well as the Congress for actions that have been taken.

What we do not hear is that in the current budget year we are developing, the deficits will begin to rise again, and so they will in each successive year to the year 2002. That success has been achieved as a result of a number of things that we have done in the Congress and in an economy that has enjoyed a surprising long run in growth. The deficit has been cut in half from its projected level just 4 years ago and the deficit has fallen from 4.9 percent of the gross domestic product in 1992 to 1.4 percent in 1996.

I know, and I think every Member of this Chamber knows, it is going to be extremely difficult, but we must complete the task and balance the budget by 2002. I am pleased to note and to sense a strong bipartisan will to achieve this goal. When we debate the budget resolution and 13 appropriations bills later this year, our will to achieve a balanced budget by 2002 will be sorely tested. I am optimistic, and I am hopeful we will rise to that challenge.

If we can balance the budget by 2002, some may ask, why do we need a balanced budget constitutional amendment? The simple answer is that this amendment is in the form of an insurance policy that Congress will live up to its good intentions. The amendment will keep our feet to the fire. While I respect the good intention of Members of Congress, history has proven that in the past three-quarters of a century we have not been up to the challenge. As I indicated a moment ago, in 59 of the last 67 years, the Federal Government has spent more money than it took in.

Additionally, since 1978, Congress has enacted five statutes requiring a balanced Federal budget—clearly good intentions. But Federal statutes have not worked, which is why I believe an amendment to the Constitution is the next logical and necessary step we must take. If we have the desire to balance the budget, why have we had so much difficulty in achieving this goal? While people in theory support a balanced budget, I am sure my colleagues share the same experience that I have had. At every townhall meeting, if asked, ''Do you favor the Federal Government balancing its budget?'' The answer is overwhelmingly in the affirmative. But when it comes down to specific cuts, it is interesting that that

same townhall meeting will say, ''But I don't want you to cut here.'' And in an audience of a couple hundred people, there are probably a dozen programs that those of our constituents who come to these meetings suggest: Balance the budget but don't make any cuts in these respective programs. They, like past Congresses, shy away from the hard choices.

Unfortunately, the consequences of failing to make the hard choices are either very subtle or are not felt for years or decades. While cuts in food stamps or home heating assistance are felt immediately and energize a specific constituency, a point or two rise in interest rates caused by deficit spending is hidden. Some of the American people have to make the connection between large Federal budget deficits and higher interest rates. These higher interest rates have a dramatic impact on the American family's bottom line. In fact, DRI-McGraw-Hill estimates that interest rates will drop by 2 percent if we balance the budget. This will save an average family $2,169 per year in mortgage interest, $180 on an auto loan, and $216 on a typical student loan.

But the most insidious effects of deficit spending are the larger and larger burdens we pass on to the next generation. In just a decade, the deficit has gone from $8,000 for every man, woman, and child in this country to more than $20,000 this year. We are burdening future generations with the tab for our inability to bite the bullet, to make the hard choices.

Our inability to balance the budget has had a compounding effect. Each year we fail to do so, the job becomes harder the next year, as we have to pay more to service the national debt. In the past 20 years, the percentage of our budget that goes to servicing the debt has risen from 7 to 15 percent. We lose 15 percent of our budget just paying for the excesses of the past and just the interest, none of that retiring the principal which is now approximately $5.3 trillion.

Put another way, $1 in every $6 of our Federal budget goes to paying interest on our more than $5 trillion national debt. Before the first school lunch is paid for, before another road is paved, before much-needed repair is undertaken on our neglected National Park System, we spend in gross interest payments alone, $300 billion as the cost of servicing our national debt. It is the second largest Federal spending item, following Social Security, and is equal to almost one-half of our personal income taxes paid to the Federal Government. Yet we have nothing to show for it.

While there is little disagreement on the evils of budget deficits, there is a serious disagreement and debate over whether Senate Joine Resolution 1 addresses specific concerns people have. I want to address one that is very sensitive and certainly worthy of being discussed and carefully considered, and that is whether Social Security should be included in a balanced budget amendment.

I believe Social Security should be removed from the balanced budget amendment. I do not do this lightly, because removing the Social Security surpluses will make it more difficult in our task of balancing the budget. The surplus for 1996 was approximately $60 billion. But whether Social Security should be taken out of the balanced budget amendment depends on how you view the Social Security system. If you believe it to be a pay-as-you-go system where today's workers' payroll taxes should go to pay the benefits of today's retirees, then Social Security should remain a part of the overall budget, and that is an honest, philosophical point of view. If, however, you believe the funds being taken out of today's workers' payrolls should be set aside for their retirement, years from now, then Social Security should be taken out of budget.

In fact, Congress has spoken on this issue and, in 1990, enacted legislation to take Social Security out of the unified budget. But my support for taking Social Security out of the balanced budget amendment is based on my conviction that we must start putting aside money for future retirees or we will face, as a country, financial calamity. The math does not work out, for there will be far too few workers to support far too many retirees when the baby boom generation retires in the next century.

Finally, we currently have 3.2 workers for every retiree. In the year 2030, we will have only two workers for every retiree, and young people today are rightfully skeptical about what will be left to pay for their retirement. One way to restore their confidence would be to truly set aside their payroll contribution by taking it out of a balanced budget amendment. This would prohibit the Federal Government from using Social Security surpluses when it balances the budget, and Social Security would look more like a traditional retirement system.

Over the next several weeks the Senate will engage in serious debate over the issue of excluding Social Security from a balanced budget amendment. While I support such an amendment, I believe it is vital that we pass a balanced budget amendment, even if it does not exclude Social Security. The worst thing we can do for Social Security is to fail to pass any balanced budget amendment.

Without the fiscal discipline provided by the amendment, we will never be able to keep our budget in order.

If we have learned nothing else from our past budget problems, it should be that putting off the solution only makes matters more difficult to rectify. A little pain now helps us to avoid a lot of pain later. The fiscal discipline of the balanced budget amendment will make it much easier for us to responsibly assure the long-term solvency of the Social Security System. The worst option for the long-term viability of Social Security, in my opinion, would be to continue with the status quo and fail to enact a balanced budget amendment.

Let me just embellish upon that for a moment. I know that many of my colleagues will be joining me in supporting an amendment to take Social Security off budget, and I believe they are sincere in desiring to protect Social Security. But I must say, I find it difficult to follow the logic that if there is not sufficient votes to take Social Security off budget in this constitutional amendment, that somehow voting against a balanced budget in some way protects Social Security.

I have been a Member of this body since 1989. I have seen budgets submitted by a Republican and a Democratic President, and we will see a budget submitted to us tomorrow by this President. Each President has submitted as part of a budget proposal to us the Social Security surplus. So tomorrow, the $60 billion that represents this year's surplus will be included in the spending plan that is recommended to the Congress.

So the notion that somehow if we fail to adopt a balanced budget amendment we are protecting Social Security, I must say, is an argument the logic of which I do not understand. We are currently using that surplus in the Social Security budget to finance the operational expenses of the Federal Government. Republican Presidents have done it; Democratic Presidents have done it. And in my view, it is a misguided notion that we protect Social Security by rejecting a balanced budget amendment that does not contain the off-budget language.

Mr. President, this Congress has a historic opportunity to take action that will positively affect this country for generations to come. If we fail, I am afraid we will continue to push financial burdens on those who come after us. Let this Congress' legacy be that it took bold action and that it did so in a bipartisan way, and that by so doing, we protect the future economic well-being of all Americans. I urge my colleagues to enact Senate Joint Resolution 1.

As I said at the outset, I do not take amending our Constitution lightly, but I feel, in light of the circumstances of our recent history, it is the only responsible course of action. History has shown us that good intentions, Federal statutory enactments have failed to do the job. A balanced budget amendment will bring about the fiscal discipline our country so desperately needs, and I urge my colleagues, Democrats and Republicans alike, to join with us in enacting a constitutional amendment that will balance the Federal budget in the year 2002, and, by so doing, ensure that our children and our grandchildren will enjoy the economic opportunities that have been the privilege of our generation to enjoy.

I yield the floor.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I will only take a moment, because the distinguished Senator from Minnesota wishes to make a statement on the other side of the issue.

I thank my colleague from Nevada for an excellent set of remarks. He is a tremendous leader on this issue, the principal cosponsor of this amendment on the Democratic side of the aisle. I thank him for all the work he has done and the excellent remarks that he has made. It means an awful lot to all of us.

Mr. BRYAN. I thank my colleague from Utah for his generous remarks. I look forward to working with him and our other colleagues in seeing this measure is enacted into law.

Mr. HATCH. Mr. President, I would like to take a few seconds to point out this little stack. This is only 28. This stack is only 28 of the unbalanced budgets since 1969. We were afraid to put up the ones before 1969, which was the last year when we had a balanced budget in this country. So those who get up and say, ''Well, we just simply ought to have the will to do it,'' look at this stack. We are going to have to take it down because we are afraid somebody will get hurt. We wanted the American people to see just what they have lived with for 28 solid years, and that doesn't even count the years before. It is pitiful for people to stand up and say, ''Well, we don't need a balanced budget amendment.'' That is pitiful, too,

Mr. DOMENICI. I wonder if Senator HATCH will yield for 1 minute.

Mr. HATCH. I yield to the distinguished chairman of the Budget Committee.

Mr. DOMENICI. Mr. President, I say to my fellow Senators, I happened to be on ''Meet the Press'' on Sunday. I couldn't put all 29 unbalanced budgets there, but I put a couple. Frankly, I described this episode in American history as 29 years of engagement where we have been engaged with the American people and to the American people on a balanced budget, and, as I put it, the time has come to get married, to tie the knot. The engagement has been too long, 29 years.

My second point is, for those who are listening and frequently see some of us speak to these issues on the floor, before you believe the statements coming from those who oppose this constitutional amendment that by taking it off budget you make it more secure and more safe, just be patient. Some of us will convince you that by taking it off budget, you put the Social Security trust fund at risk and pensions for the future at risk, because they will be subject to exclusively the will of a Congress.

That is all you need to worry about is to put a trust fund out there that has money and let Congress have ahold of it and no balanced budget requirement. You can just imagine what we are going to be able to show seniors what is going to happen to that fund if you take it off budget.

I thank the Senator.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I won't make some of the arguments that have been made in opposition to this amendment. With all due respect to my colleagues, we can look back with a sense of history, and I think there is probably plenty of blame on both sides—I am glad to say I wasn't here during most of that history—about budgets that were not in balance. But the fact of the matter is, people in our country have made it really clear that they want to see us get our fiscal house in order. We can do that, we should do that, and we don't need this amendment.

I do, in a moment, want to talk about who is at risk and exactly what kind of priorities I believe this amendment is going to lock us into, which I don't think are the priorities and values of people in our country.

PRIVILEGE OF THE FLOOR

Before I do that, I ask unanimous consent that Jordan Cross, who is an intern, be granted privilege of the floor for the duration of this debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, as we turn our thoughts to the new century—and I have a different context about this debate—we can celebrate a great deal. The past 100 years have seen massive improvements in the quality of our national life, American leadership in getting the world past murderous global conflict and successful transcendence of economic crisis.

Our population is more diverse than ever, and at midcentury, we dismantled the legal framework encasing our original sin of State-sanctioned racism. We are, in many varied ways, a model for much of the world.

But there is at least one way in which we are not a model, one area in which in recent times we have been moving in the wrong direction. That is in fulfilling our national vow of equal opportunity.

We said in 1776 that every American should have the right to life, liberty, and the pursuit of happiness. In 1997, that national commitment is in need of refurbishing and renewal. Mr. President, I will explain in a moment why I start out with this context.

More than 35 million Americans—1 out of every 7 of our fellow citizens—are officially poor. More than one out of every four children in our country today are poor. One out of every two children of color are poor in America today. And the poor are getting poorer.

In 1994, of the poor children under the age of 6, nearly half lived in families with incomes below half the poverty line. That figure has doubled over the last 20 years, as has the number of people who work full time, 40 hours a week, 52 weeks a year, and still are poor.

Mr. President, minorities are poorer than the rest of Americans. African Americans are close to 30 percent and Hispanics at a little over 30 percent. And 44.6 percent of children who lived in families that are female-headed families were poor in 1994. Almost half of all children who were poor live in female-headed households. Women are disproportionately among the ranks of the poor in America. There is a convergence between race and gender and poverty and children.

Mr. President, when I introduce my amendments in this debate that will ensue over the next couple of weeks, I am going to talk in very concrete terms about what it means to be poor in America.

Context, Time magazine, ''Special Report: How A Child's Brain Develops, And What It Means for Child Care and Welfare Reform.'' This is startling. This is medical evidence that is irreducible and irrefutable, and the evidence says that the first 3 years are critical. We have to make sure that, first of all, women that are expecting children have an adequate diet. Otherwise, their children at birth may not have the opportunity and the chance that is the very essence of the American dream. And if children do not have an adequate diet during these early years, and decent health care, and children do not get a smart start and have nurturing care and stimulation by age 3, it may very well be that they will never be able to fully participate in the economic and political and social and cultural life of our Nation.

What does this have to do with this debate? Let me be clear about who is at risk. According to the Center on Budget and Policy Priorities—by the way, Bob Greenstein and the work of this organization is impeccable. All of us on both sides of the aisle have a tremendous amount of respect for their work.

According to the Center on Budget and Policy Priorities, more than 93 percent of the budget reductions in entitlement programs in the 104th Congress came from programs for low-income people. Congress reduced entitlement programs by $65.6 billion over the period from 1996 to 2002. Of that amount, $61 billion out of the $65 billion came out of low-income entitlement programs. Entitlement programs not targeted on low-income households were reduced only $4.6 billion—whether it was nutrition, whether it was health care, whether it was early childhood development.

I will tell you what was interesting. Those citizens in this country who do not have the political power, who do not hire the lobbyists, who are not the heavy hitters—let me make a connection to campaign finance reform, who were not the big givers—they are the ones who disproportionately were asked to pay the price.

We had deficit reduction—talking about how to balance the budget—based on the path of least political resistance. It was not the oil companies. It was not the pharmaceutical companies. It was not the big insurance companies. But it was children, disproportionately low-income citizens and disproportionately poor children in America.

Mr. President, therefore, the first amendment that I am going to offer, which I think is a litmus test for all of us—I hope I will get support from the other side of the aisle—will read as follows: ''This amendment would exempt outlays that would disproportionately affect nutrition, health care, and education programs.''

Mr. President, this is an amendment that basically says that we want to make sure we would exempt outlays that would disproportionately affect the nutrition, health care, and educational programs and status of children.

Mr. President, it is a simple amendment. We have been hearing speeches in which all of us have talked about education and children. We love to have photo opportunities with children. This amendment just says, ''OK, if you're going to lock us in to a balanced budget, I think we need to get a commitment, based upon the record of the 104th Congress, that you are not going to make disproportionate cuts in programs that deal with the educational, health care, and nutritional status of children.'' Everyone should vote yes for that.

Let us go on record. Let us be clear that we are not going to target for cuts, we are not going to target for pain poor children in America, that we will not make those disproportionate cuts in nutritional programs for those children, in health care programs for those children, in educational programs and early childhood programs for those children.

I think this amendment speaks to a very real concern that people have in this country. Exactly what is the agenda here?

Mr. President, the second amendment—let me repeat the first amendment one more time: ''Federal outlays shall not be reduced in a manner that disproportionately affects outlays for education, nutrition, and health care programs for children.''

That should be an amendment that I should get support on from both sides of the aisle. ''Federal outlays shall not be reduced in a manner that disproportionately affects outlays for education, nutrition, and health care programs for children.''

Mr. President, the second amendment that I am going to offer is that ''Funding for the Women, Infants, and Children Program shall be exempted from the definition of outlays for balanced budget calculations, thus protecting such spending from cuts under a balanced budget amendment.''

Mr. President, it is pretty simple. The Women, Infants, and Children Program provided assistance in 1996 for 7.3 million women, infants, and children. However, it was only 60 percent of the eligible population, and 11 million mothers and children were eligible. Only 7.2 million were covered, leaving 4 million women, infants, and children vulnerable and not benefiting from the Women, Infants, and Children Program.

We all know what the evidence suggests. And so my amendment just simply says, we will exempt that from the definition of outlays for balanced budget calculations, thus protecting this program. Are we going to protect it or not? I want to hear people tell me why we would not go on record saying we would protect it.

The third amendment that I am going to lay out on the floor: ''Funding for Head Start shall be exempted from the definition of outlays for balanced budget calculations, thus protecting such spending from cuts under the balanced budget amendment.''

Mr. President, in 1996, Head Start served 796,500 children. According to the Census Bureau, there were roughly 2 million American children living in poverty. That leaves 1,200,000 children who were still unserved.

This program, which gives children just what the title says it does, a head start, reached only 17 percent of eligible 3-year-olds and only 41 percent of eligible 4-year-olds. The medical evidence is in. These are the ages where we need to support these children. These children, just because they come from poor households, deserve every bit of support we can give them.

This amendment lays itself on the line. If you are going to support this amendment to balance the budget and lock us in, then I want a commitment from this Senate that we will not target these children and we will not have cuts in this vital program that gives children a head start, some of the most vulnerable poor children in America.

Finally, Mr. President, another amendment—and these are just four I am going to preview. ''Funding for education shall be exempted from the definition of outlays for balanced budget calculations, thus protecting such spending from cuts under the balanced budget amendment.''

I heard the President last night talking about education. I heard the President last night talking about early childhood development. Senators were on their feet applauding. So I am just saying since I saw what we did last Congress, I saw where we made the cuts, I want to hear Senators argue with me that, if there is another position here—almost all those cuts affected low-income citizens. Almost all those cuts affected poor children in America, the very citizens who do not get to the bargaining table, the very citizens who do not march on Washington, DC, the very citizens who do not have lobbyists.

So I say to my colleagues who support this, how about giving me some reassurance and, more importantly, how about giving people in our country reassurance that when we do this we will make sure, one more time, that Federal outlays shall not be reduced in a manner that disproportionately affects outlays for education, nutrition and health care programs for children; that we go on record that we are not going to cut benefits that deal with the Women, Infants, and Children Program; that we are going to make sure that a woman expecting a child has an adequate diet; that we are not going to make cuts in Head Start, we are going to make sure these children are given a head start; and we are not going to make cuts in educational programs. It is real simple. It is up-or-down votes.

I want to know exactly where my colleagues want to take our country with this constitutional amendment to balance the budget. I want to know what the priorities are. I want to know where the cuts are going to be. My understanding, and I will talk much more about this when I bring the amendments to the floor, is that the majority party, roughly speaking, has about $500 billion of tax cuts, most of it accelerated beyond the year 2002—my colleague is shaking his head. We can have a debate upon that, and I will be very reassured if that is not the case.

Mr. President, if we have hundreds of billions of dollars, even if it is not $500 billion, in tax cuts and then the tradeoff is going to be cuts, but where? What is going to be the offset? They do not want to go after the corporate welfare. They do not want to go after the Pentagon budget. They want to have hundreds of billions of dollars of tax cuts, most of it benefiting high-income, wealthy people. Where will the cuts be?

In the last Congress almost all cuts focused on low-income families, low-income children, educational programs. All those programs were in jeopardy last time.

This time I think we need a reassurance and we need a strong vote in favor of each of these amendments so that we can have a reassurance for many, many citizens in our country. The goodness of America says do not cut Head Start. The goodness of America says do not cut the Women, Infants, and Children Program. The goodness of America says do not cut health care programs that will affect the status of children. The goodness of America says do not make disproportionate cuts in any of those programs. They have worked. They are important. They are vital.

I hope I will get 100 votes for each of these amendments. If not, then my colleagues will be making their point. My colleagues will be saying we refuse to vote for an amendment that puts us on record that we will not reduce Federal outlays in a manner that disproportionately affects outlays for education, nutrition, and health programs for children. I cannot imagine why any Senator would vote against such an amendment. We should go on record

and let the goodness of the Senate speak out on these amendments.

I look forward to coming to the floor with each of these amendments. I will have much supporting evidence. I want to talk about what happened in the last Congress. I want to go over exactly where we made the cuts, and I want to see if I can get my colleagues to make a commitment that we will not continue down this path. I really do believe that the vast majority of people in America think it would be wrong to make more cuts in programs like WIC and Head Start, more cuts in programs that affect the health care, nutrition and educational status of our children.

I yield the floor.

Mr. CRAIG. Mr. President, I think we are about to conclude the business of the Senate for today. Prior to that happening, I want to make some opening observations about this historic constitutional amendment, Senate Joint Resolution 1, that we have on the floor this evening and on which we have started debate.

Let me also say to my colleague from Minnesota, who has eloquently and passionately laid out a variety of critically important items for us to debate in the coming days, my colleague from Minnesota mentioned programs that I support. I have always voted for Head Start, and I have always voted for Women, Infants and Children. Those are very important programs for our country. I am also one who says those programs have to be funded within the context of a balanced budget.

I am standing here beside this 6-foot tall stack of budget documents, what I call the budgets of the era of liberalism. This is when America said that poor people ought to be cared for, and unprecedented in the world, this Nation poured out its riches to the poor. Mr. President, 28 years of budgets are represented here, and benefits resulted from some of what was in them.

We started the WIC program. We started Head Start in these budgets. They were funded last year and will continue to be funded. But what happened along the way? People did not seem to get better. People seemed to get poorer. While this Nation spoke about having a safety net, and it must speak to the need for a safety net for the truly needy, we began to learn lessons in the 1960's, 1970's and 1980's. We began to learn that handouts are not necessarily a hand up. In a society as wealthy as ours, while we truly need to be kind and caring—and the Senator from Minnesota is truly that, and I think that all Senators are—somehow, along the way, we began to realize that the cumulative effect of all these spending programs was to put the whole Nation at risk. These 28 budgets—28 budget packages submitted by six presidents, both Democrats and Republicans—also represent $5.3 trillion worth of debt. Enough money is paid out annually in interest to service the debt that these budgets created to fund all the programs that the Senator from Minnesota wants and many, many more.

That is what the debate is about today. This debate is not about Women, Infants, and Children. This debate is not about Head Start. This debate is about fiscal responsibility. This debate is about making tough policy choices.

I am amazed that the Senator from Minnesota would fear the constitutional amendment, as eloquent as he is on the issues that he is impassioned about, because he can appeal to me and he will get my vote—within the context of a balanced budget—for Head Start and for Women, Infants, and Children. Then he and I, working together, will have to work with our other colleagues to make sure that we choose a rational spending policy that prioritizes these programs because we decide to reduce elsewhere.

What I will not do and what this Congress will not do is send to the American people for ratification a constitutional amendment with a loophole in it large enough to drive all of the trucks that service the industries in Minnesota through. We dare not send to the American people a phony document that they might put in the Constitution, in which we exempt all of these programs from the responsible decisionmaking that the Senator from Minnesota and I want to make here on the floor.

Should we exempt Social Security? If we exempted Social Security and Women, Infants, and Children and Head Start and all of the other programs being suggested, that is probably better than a third of the budget. How can we turn to the American people and say now we have a balanced budget when we just took a third of it off-budget? No longer would we have the right to make the choice to set priorities. These would autopilot programs. But instead of protecting these programs, they would become the loophole through which to channel all sorts of new and increased spending. I do not think the Senator from Minnesota wants that. I think what the Senator from Minnesota is speaking to is setting priorities, making tough choices for the right reasons on the right issues for people who are less fortunate. If that is what he means, and I know he means that because I know him well, then he will have the Presiding Officer's support and he will have my support.

What we would like to ask him to do is to join us in pleading that we get away from this stack of 28 unbalanced budgets in a row, that we get away from adding to this $5.3 trillion worth of debt, with its $340 billion a year worth of interest to service the debt. Those huge interest payments actually strip this country of its resources to do what that Senator wants done. If we did not have to pay all that interest, if we had paid off the past Federal debts, then we would have a surplus today of more than $100 billion a year, available to spend on programs like those the Senator from Minnesota advances.

The American people now agree with us. Mr. President, 70 or 80 percent plus of the American people say a balanced budget is critical. President Clinton said last night he was sending us a balanced budget tomorrow. I bet he funds WIC, and I bet he funds Head Start, and I bet inside that budget is Social Security. This President, our President, last night said that was a balanced budget.

A few moments ago the Senator from Massachusetts was on the floor, and he said we should treat Social Security differently—that there will be an amendment to treat Social Security differently—from how we, the Republicans and some Democrats want to under the balanced budget. He said he wanted to keep it separate and apart. Then he spoke eloquently about the President's budget, and the President treats Social Security exactly the way Republicans want to treat it, leaving it inside the budget, making sure that our Government's fiscal house is in order so that a government whose budget is balanced is a government that can meet its obligation. That is really the issue here, and that is the crux of the debate that will go on over the course of the next several weeks.

The Senator from Minnesota has approached us this afternoon with four amendments. They are important amendments and they should be debated; they should be voted on. I hope that my colleagues, in considering any amendment, will consider that all of the budget be a part of the whole and the whole should be balanced. The Secretary of the Treasury does not suggest that we split anything out of the budget. He suggests that we deal with a whole budget, that we don't start prying things apart. The President will present that kind of a budget tomorrow. The reason that we want to make sure that happens is that it is time this country makes the tough choices. I think that when we make those tough choices, under the responsibility of a balanced budget requirement in our Constitution, social spending programs critical to the truly needy of our country will survive.

For a few moments, Mr. President, let me talk about what stands before us here. Twenty-eight years of endlessly unbalanced budgets are stacked here at my right hand, 28 years of deficit spending, 28 years since the last time this Government balanced its budget in 1969. Now, 14 of these 28 budgets were never intended to be balanced. They were intended to be in deficit, to create debt. But 14 of them—the other half—promised a balanced budget at some point. It was the same kind of promise we heard from President Clinton last night. These were sincere promises, all 14 of these budgets that promised eventual balance, spread over the last 28 years. And I do not question this President's sincerity in promising yet another budget that reaches balance in a few years. I believe that he

believes he can produce a balanced budget.

What was the rhetoric last night? ''You vote for it and I will sign it.'' The problem is choice making—choice making in an environment in which we don't have to make hard choices. And as a result of not having to make hard choices, wanting to serve the needs of the American people, wanting to address the truly needy, Congresses and Presidents instead have made easy choices, 28 long years of easy choices.

Oh, they were tough choices at the time, or at least they felt tough. But when you know you don't have to balance the budget—you do not really set priorities and make hard choices. And we went through an era when deficit spending was supposed to be good because it supposedly stimulated the economy and created jobs. Well, that may have been all right in some instances when we didn't have a $5.3 trillion debt, when service on the debt was $5 or $6 billion a year and was a minuscule part of a total budget. All of a sudden, over the last decade and a half, this debt has exploded on the American scene and on the American taxpayer's pocketbook. Today, Social Security and the interest on debt created by these 28 budgets now rival each other as to which is the largest single expenditure in the annual budgets of the Federal Government.

That is why, consistently over recent years, the American people have said to this Congress—Republican or Democrat— ''Get your fiscal house in order and balance the Federal budget.'' Seventy-plus percent of the American people want a constitutional amendment. But recently polled, only 12 percent really believed that we would get to a balanced budget by the year 2002. Why? Here is the reason why: 28 consistent years of promises made and promises broken to the real people of this country, the taxpayer who now feels exploited and put upon largely because this Congress and Congresses like it promised but failed to deliver. Twenty-eight years of budgets submitted by Presidents that promised deficit reduction or balanced budgets that never came to be.

Twenty-eight years of borrowing, a total of 36 deficits in 37 years, $5.3 trillion worth of gross debt. That is $20,000 of debt for every man, woman, and child in America. So the majority of all the real people living in this country today have seen a budget actually balanced only once or never. And they now question the integrity of their Government and the reality of what this country really is about and, more important, what its politicians are about.

We will honor the promises made by Social Security because we want to and because we must. It is a contract with the elderly of our country. A government whose budget is balanced is a government that can honor that pledge. A government that is in bankruptcy sends no checks out to a defense contractor, to an elderly person, or to a single parent on welfare.

That's the reality of the debate. Somehow we think there are special needs that could get separated out. At a time when our Government finds its fiscal house increasingly in trouble, if it goes bankrupt, no checks go out. That is why, for over 3 years, those who believe in a balanced budget amendment have argued against those who wish to exempt out Social Security and other unique social programs. We understand that the threat to Social Security, the threat to Women, Infants and Children, the threat to Head Start, is not the balanced budget amendment, but the debt. Why are we having to cut back on spending on some programs today? Because we did not balance the budget for so many years before now. Because of deficits and because of a huge, heavy debt structure, and because the American people are saying, ''Fix it, it's broken, correct it.''

What does it mean? What does this stack of paper—thousands of pages of debt—say to the average American family? Well, it's something like this, in the sense of what it costs them. Since the time I started debating this issue in 1982 until today it represents $15,000 for every American family in income loss, minimally—$15,000. That means that the average American family's income today—if we had balanced the Federal budget in 1982 and kept it balanced until 1997—would be $15,000 more. Those are not my figures. Those are the figures based on a study by the Concord Coalition. We talk of the needy and of wanting to care for people. Put an extra $15,000 in every American family's budget and see what kind of help you have offered them. But, instead, the Government has taken those fruits of their hard work to service the debt structure represented by 28 years of profligate deficit spending.

What does it mean to a household with a 30-year mortgage if the economists are right and we pass this amendment and balance the budget? Interest rates drop 1½ to 2 points. And that $30,000 to the average American family, saved on a 30-year mortgage, is a year in one of the most expensive colleges in the country. Or if you are in Idaho, that is 2½ to 3 years of college education in our land grant university. That is a lot of money. Where does it go today? Out of the working person's pocketbook into the IRS coffers to pay to service the debt structure created right here by Congresses past—caring and well-meaning Congresses—that created this stack of paper representing $5.3 trillion worth of debt.

Well, if there is frustration in this debate for some of our Members, I don't reject their concerns and I don't take it lightly. I must say that it may be frustration that we have inflicted upon ourselves, because it is now necessary to propose a constitutional amendment that is very simple. It gives us plenty of latitude to get our fiscal house in order by 2002. It does so in a way that also creates the necessary flexibility in times of real need and in times of war. It says that there are margins in which deficit spending can occur, but now it will take tough choices to deficit spend, not the automatic and easy choices of past years, not ''oh, well, we will make it up next year or a few years down the road.''

We will see a variety of amendments to the balanced budget amendment that will come to the floor in the next several weeks. Senators that will talk impassionedly about certain priorities that are all critical and all important. And all these priorities can be served inside a balanced budget by tough decisions and tough choices on this Congress.

What am I talking about this evening? Correcting a problem that we created, correcting a problem that threatens—not me, not the Presiding Officer, and not the Senator from Vermont, but his children, my children, our grandchildren, and future generations of American citizens who will want to be as productive as we hope we have been.

How important is correcting that problem of adding to the debt? The Office of Management and Budget—President Clinton's Office of Management and Budget—said that if we continue down the path that this Congress and other Congresses have been on, future generations would pay 82 percent of their total income in taxes for all levels of government because of debt, debt service, and government needs—82 percent. That means there is no money left to buy a house, there is no money to put in a savings account for a rainy day, and there is no money left for a college education.

So what happens? You turn to your government, and the endless process is always underway of a government having to do something for more people because government has taken so much from those who worked so hard and find themselves getting nowhere.

That is why this has to be corrected, or there will be no future for the young people of our country. Because a future in which 82 percent of your gross pay goes to all levels of government is no future at all. Those are some of the kinds of things we are talking about.

A child born today—again, not my figures, but those of the National Taxpayers Union—a child born today will pay an additional $180,000 in taxes during his or her lifetime to service the Federal debt—debt that his or her grandmas and grandpas spent but didn't pay for. And that is a tragedy.

Our friend Paul Simon, the now retired Senator from Illinois, who is as liberal as I am conservative but who stood shoulder to shoulder with me for a decade fighting the battle of the balanced budget amendment to our Constitution, called it fiscal child abuse. And he is right. Because that legacy of crushing debt is no future for any child

born in America today, having that obligation out in front of them, being required of them by their Government for from which something they get no value. That is why this issue has become the No. 1 issue in America.

Our President spoke of valuable priorities last night, important issues—education, some tax cuts, the kind of priorities that an American wants to be proud of and wants to be a part of. Republican or Democrat, there were many of us who heard a President last night speak of issues that we can all identify with. But in doing so, we say, with a simple caveat: They must be within the limit and the capacity of the ability of the Government to pay for them, and the permission of our citizens to pay for them, within a balanced budget. It is a simple requirement. The problem is that the choices are tough, but that is what my job is and that is what I have hired on to do, as has the Presiding Officer, and as has the Senator from Vermont.

In the coming days, as we debate, I hope we can see the very clear differences between those who oppose requiring fiscal responsibility, who do not want the citizens of this country through the Constitution to impose that kind of discipline on the floor of this Senate, and those of us who say that after 28 years of endless spending, endless debt, and endless deficits, it is time we offer the American people the choice of whether to require that kind of constitutional discipline.

The time is growing late. It is our intent to adjourn as soon as we can. But the debate will go on through tomorrow and next week, and we hope through the balance of February, as we deal with this issue and as Members of the Senate speak their will, as they should, because I know of no issue more important than this constitutional amendment.

Our vote will not make it so. Our Founding Fathers decided that was not our job. Our vote is simply to propose to the American people a constitutional amendment. And then 38 States, three-fourths of the States must vote to ratify, and the debate will go on in every State capital across this country—the debate about Government, the Federal Government, and its budgets and its priorities. And that will be one of the healthiest debates the American citizenry has ever been involved in. From that, Senators serving in this Congress and future Congresses will not only have the absolute constitutional requirement to balance the budget, but they will probably have a much clearer idea of what the American people expect of their Federal Government. That ratification process is an important process. If we send forth this amendment, we will have started in this country what I think not only assures that we get our fiscal house in order, but it assures future generations the same kind of opportunity that all of us have had in our lifetime.

I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will not be long because, if nobody else wants to go home, I know that staff who serve in this body probably would like to, including the young pages on both sides of the aisle. They are as important as any contributors to this body. They keep us going. I hope that for all of them their service here will be an experience that they will remember all of their lives as worthwhile. I know that former Senator Pryor, who just recently retired, had been a page and felt that way. I know two of my children were pages—here and in the other body—and feel that way.

Mr. President, my good friend from Idaho—he is my good friend—spoke eloquently of the stacks of budgets. You know that every year we do have a large document that represents the Federal budget, but I would point out to him that no constitutional amendment is needed to balance those budgets.

I have great affection for President Reagan. We had a very good personal relationship. I used to kid him that every year he would talk about a need for a constitutional amendment to balance the budget, and then he would send up a budget that increased our national debt, something he did more than any President in our Nation's history. By the time he got done, he had doubled or tripled the national debt that had taken over 200 years to build up.

He had wonderful speeches saying, ''Let us balance the budget. But, by the way, guys, here is my budget, and guess what is in it? It is one more huge deficit.''

We talk about charts showing how the deficits went up and they did throughout the 1980's. From President Reagan's election to President Clinton's election, they skyrocketed more than in all the Nation's history put together before those 12 years—more than all the debt that had been arisen from World War II, World War I, the Civil War, the War of 1812, from all of our wars combined, and from all of our depressions and from all of our recessions. In just 12 years, the amount of debt that had grown up was doubled and tripled.

We talk about the last 28 years. Well, President Clinton is the only President in those 28 years—and now for 4 years in a row—who has brought down the deficit. That is not withstanding the fact that he has to find in our budget several hundred million dollars every day, every single day, just to pay the interest on the debt that was built up during President Reagan's and President Bush's terms.

I have great affection for President Reagan and President Bush. I felt privileged to think of them as friends. But there is a big difference between the rhetoric and the reality when it came to balancing the budget with them. The debt that the Senator from Idaho so eloquently speaks of, in terms of our children and our children's children, the vast bulk of that debt built up just during those 12 years when some talked the talk but were not willing to walk the walk. And now we have to pay it off.

In 4 years, President Clinton has submitted budgets and fought hard for them. For 4 years, he has brought the deficit down. No President in my lifetime, Republican or Democrat, has done that. This year he is trying to reduce the deficit, again, and achieve a balanced budget agreement for the next several years.

We talk of amending this Constitution, this little, short Constitution, the greatest Constitution democracy ever had and the reason we are the most powerful democracy known to history. We talk about amending it as if we could, then we all go home and 10 years from now somehow the amendment would magically come into play and the Federal budget would be balanced. President Clinton told us last night that all it takes to balance the budget is our votes, courageous votes, and his signature. We can balance the budget and we can do it now without a constitutional amendment.

So, instead of amending our Constitution, why not proceed to use our votes. I hold up here the voting lists with the names of all Senators and places marked where they can vote ''yea'' or ''nay.'' Every one of us can stand up and vote ''yea'' or ''nay'' for a balanced budget. That is all it takes. We do not have to go through and say 10 years from now maybe the States will ratify it and it will be in place and maybe some future Congress will act to make the tough decisions. We can vote right this minute, today, this month, this year and do what we should do—make the tough decisions ourselves.

There are only five Senators remaining in this body who had the courage to vote against Reaganomics, which tripled the national debt. I am proud to be one of those five. I have cast the tough votes. I have had special-interest groups from the right and the left, from my State and your State and every other State, come and give me heck for voting against their favorite programs. I have probably written as much legislation as anybody here that has cut huge hunks out of the Federal budget, cuts that affected my State as well as others. But that is the way you do it. You do not cast a vote that is just a nice, popular thing that fits the polls of the moment. You cast votes that run the test of time.

I urge us to be courageous and think of the future. My children are going to live most of their lives in the next century, and when I vote I think of what that next century will be. I do not want them burdened with debt.

I wish the debt had not gone up as it did during the 1980's. I think it was a great mistake. This body went along

with it. I commend the political abilities of President Reagan. He got within one-quarter of 1 percent of every single budget he ever asked for. In fact, when we talk about the veto pen, the only appropriation, or spending bill that President Reagan ever vetoed was one that did not give him as much money as he wanted. He never vetoed a bill because it had too much money. The only spending bill he ever vetoed was one that did not give him all the money he wanted. As I recall, the years when the Democrats were in office, we actually came back with budgets that were smaller than asked for.

What was, was; what is, is. What is today is the ability, as President Clinton said last night, to vote for and enact a balanced budget.

Economists are not asking for a balanced budget amendment to the Constitution. Over 1,000 economists signed a letter, including 11 Nobel laureates, saying do not amend the Constitution; it creates far more problems than it solves. What they said was balance the budget, which we can do if we have the courage, but do not amend the Constitution to do it. Even as conservative a newspaper as the Wall Street Journal yesterday had an editorial saying do not vote for this constitutional amendment. Certainly nobody thinks of Alan Greenspan as a profligate, shoot-for-the-Moon kind of spender, and Alan Greenspan said do not pass this constitutional amendment. Secretary Rubin, one of the most trusted and respected Secretaries of the Treasury any administration has had, says do not pass this constitutional amendment. Instead of passing a bumper-sticker form of economics, do what is right. Have the courage to vote for budgets and spending bills that bring about a balanced budget.

I yield the floor.

Mr. CAMPBELL. Mr. President, for the past ten years I have spoken out in favor of a Balanced Budget Constitutional Amendment, and have supported and voted for this measure each time I have had the opportunity to do so.

In fact, in preparing for this statement, I looked back on my career in Congress to see how many times I have supported this measure, and I noted with interest that in January 1987, my first month of being a member of the House of Representatives, I joined as an original cosponsor to the Balanced Budget Constitutional Amendment. One of the primary sponsors of the legislation on the House side was my colleague, Senator CRAIG, and on the Senate side, Senator HATCH was in the forefront introducing the measure in this body. It is with great pleasure that I join my friends in this effort once again, along with well over 50 of my Senate colleagues.

Opponents believe it would be easy to give up on the idea of passing the Balanced Budget Constitutional Amendment. For a number of years, despite the hard work of many individuals, this measure has failed to pass through Congress and move on to the states for ratification where it belongs. I believe passage of this Amendment is in the best interest of the future of our country because it will force us to make the tough decisions now that need to be made to balance the budget and eventually eliminate the staggering debt that threatens the economic well-being of every American.

Now, there are those that believe there is no need for the Balanced Budget Constitutional Amendment—that the federal government can be fiscally responsible without being mandated by the Constitution to do so. Well, I have been a Member of Congress for 10 years now, and I have yet to see Congress or the administration bite the bullet, balance the budget, and tackle our enormous debt.

Just last week, the Congressional Budget Office released one of its annual reports making projections on the economic and budget outlook for Fiscal Years 1998–2007. According to CBO, last year's deficit was $107 billion, making it the fourth year in a row that the deficit has decreased. However, the news is not all good. CBO also projects that the deficit will increase for Fiscal Year 1997 to become $124 billion. And, if we do not commit ourselves to balancing the budget, and discretionary spending keeps pace with inflation, this country will be faced with a deficit estimated at $278 billion in 2007.

What does all this mean? It means that nothing ever changes. Year after year we are faced with huge deficits and an increasing national debt. Year after year we talk about doing the right thing, the responsible thing, and passing a balanced budget. And yet, once again, here we are debating the merits of the Balanced Budget Constitutional Amendment.

Back in my home state of Colorado, I have been conducting a series of town meetings, discussing a wide range of issues with my friends and constituents. When the discussion turns to balancing the budget, Coloradans realize that if we do not address this important issue with Constitutional authority, the amount of the federal budget devoted toward paying off the interest on the debt and the entitlement programs will increase to the point that there will be barely any money left for those programs which deserve and require Federal funding.

Currently, more than half of the $1.6 trillion in spending goes toward the entitlements and mandatory spending. According to CBO, ''if current policies remain unchanged, mandatory spending will be twice as large as discretionary spending by 2002.'' In addition, another 15 percent of all outlays goes toward interest costs on the debt. This is money that does not go toward education, law enforcement, national security, or even our national parks and monuments. As far as I am concerned, it is wasted money. My constituents realize this, and on their behalf I continue to fight for the Balanced Budget Constitutional Amendment.

Now, I am not saying that this Amendment will be the silver bullet which solves all of our problems. However, it will make us accountable to the Constitution and to the will of a majority of Americans and force us to get our fiscal house in order. If we achieve a balanced budget and reduce the deficit, we can expect even lower interest rates, an increased savings rate, and increased economic growth for every American. Essentially, Americans can expect an increase in their standard of living, and I think that is something everyone of us wants and deserves.

Congress came within one vote last session of passing the Balanced Budget Constitutional Amendment. I am optimistic that this year we can pass this legislation and send the measure on to the states for their deliberation. It is time to allow the American people and the state legislatures the opportunity to debate the merits of the Balanced Budget Constitutional Amendment, and I hope that the Congress will see fit to entrust this measure to those who must ratify or reject it.

I yield the floor.

Mr. ROBERTS. Mr. President, I appreciate this opportunity to speak in behalf of the balanced budget amendment to the Constitution.

I especially thank two of my colleagues, Mr. DOMENICI, the distinguished chairman of the Budget Committee, and Mr. HATCH, the distinguished chairman of the Judiciary Committee for their longstanding leadership and efforts in behalf of this legislation and in effect, enabling us to protect the financial and economic future of our children and their children.

Mr. President, for those who have had the perseverance and tenacity to pursue this goal, it has at times been a lonely trail. Whatever success we might achieve and I hope that we will achieve has been in large part due to the efforts of these two Senators.

I have read some interesting commentary regarding this effort. Our opponents predict dark budget clouds for Social Security and any other program deemed essential to a particular economic interest group. But, contrary to that dire prediction, I see a bright future with the sum of the balanced budget parts. I see a nation with 6.1 million more jobs in 10 years. I see lower interest rates that will directly affect the daily lives and pocketbooks of every citizen in terms of the amount of hard-earned income they pay now for living essentials, health care, housing, education loans, food, and transportation. With a 2-percent drop in interest rates, how would you like 6 months of groceries free or corresponding savings in your health care premium costs, mortgage payment, student loan? Compare those savings with the marginal reductions in the amount of growth of Federal programs.

In his State of the Union Address, the President said: ''Don't give me a balanced budget amendment; give me a balanced budget.''

I must say I agree. But, with all due respect, Mr. President, many of my colleagues and I have done just that to no avail. During the last session of Congress, we sent two balanced budgets to 1600 Pennsylvania Avenue and despite exhaustive effort, we were not able to reach agreement or accommodation.

However, I must say that passing the balanced budget amendment and two budgets that were, in fact, in balance did provide the kind of fiscal backbone and tenacity not seen in the Congress for decades. In my own case, I was proud of our efforts within the House Agriculture Committee in enacting farm program and food stamp reform that also produced an estimated $33 billion in savings over the life of the budget agreement. So, I agree with you. It can be done. And, with our reform of farm program policy passing by overwhelming margins, we also proved there is bipartisan support for true reform and budget savings. We also achieved considerable budget savings in discretionary spending at the conclusion of the appropriations process; something unique to the last Congress.

However, the real problem is that while there is considerable talk about accepting responsibility and standing four square for a balanced budget, there are serious differences of opinion as to how to bring the budget into balance. Which programs will be cut? Do we have the political wherewithal to save Medicare and other entitlements? In this regard, the President and many of our friends across the aisle stated over and over again they are for a balanced budget but not that budget—that budget meaning any cuts in their favorite and priority programs.

And, I must say, despite the fact that a Republican Congress and the President were within $10 a month difference in regard to preventing Medicare bankruptcy, the fact we were not able to reach agreement and the fact that the Democrat Party made a conscious decision to make Medicare a top issue in last year's campaign, I am not overly confident any budget agreement can be worked out—unless we have to—unless there is some outside discipline that will force Congress to get the job done. The lure of political opportunism is just too great, the coming debate regarding Social Security being a classic example.

The real question is, does the Congress have the fortitude, the perseverance and the tenacity to balance the budget? Despite good men and women of both parties and the best of intentions, it is now the 28th year in which a majority in the Congress has failed in efforts for the Federal Government to live within its means. We all agree we must make progress toward a balanced budget and then during the course of political deliberations we most generally agree to disagree as to how to achieve this goal. It is clear that if there is anything to be learned during the time we have regretfully experienced ever increasing deficits, it is that we need a balanced budget amendment to the Constitution to get the job done.

With the fall of the Greek Republic as an example, there is a theory that a democracy cannot exist as a permanent form of government. The theory is it can only exist until the voters discover that they can vote themselves largesse from the public treasury. From that moment on, the majority always votes for the candidates promising the most benefits with the result that a democracy always collapses over a loose fiscal policy.

That is the theory. If true, it is a terrible prospect.

Mr. President, I choose not to accept that dire prediction but I must say given our most recent history and given the fact our best efforts fell short during the last session of Congress, I believe this debate, this legislation, and this time represents our vest best opportunity to set our Nation's fiscal house in order.

As President Clinton stated, ''We don't need a constitutional amendment to balance the budget, we need action.'' Again, with due respect to the President, it is indeed time for action and for action, we need a constitutional amendment to get the job done.

The PRESIDING OFFICER (Ms. SNOWE). The Senator from Michigan.

Mr. ABRAHAM. Madam President, I rise today to give some opening remarks with respect to the resolution on the balanced budget that is now before us. I suspect during the course of the next several weeks in the debate that is ahead, I will probably be here several more times to discuss various aspects of this resolution as well as some of the amendments which are going to be offered. But today I thought I would just make some initial comments regarding what I consider to be the need, the necessity really, for this amendment, both why we need a balanced budget, why we need to have a balanced budget amendment, and why we need to do it now.

First of all, I think it should be clear to all Americans why we need a balanced budget, although it certainly has not been the case that the Congress or the President, over the last many, many years, has responded to the public's demands. The first reason is simple. We have gone literally a generation without balancing the budget.

Just a few minutes ago, all of these budgets were presented to us, reflecting the many years in which we have failed to balance the budget. This is as close to balancing the budget as we have come today, piling these documents on top of each other and making sure they do not fall over, but that is as close to balancing the budget as we have been in a quarter of a century. These years of deficits have to come to an end.

We need a balanced budget also because a failure to balance the budget has hurt the economy. To the extent that Government borrows, it means less capital is available for private citizens to borrow. That means that our economy cannot grow as fast as we would like it. It has especially meant that families in America have suffered. Families have suffered to the extent that the Federal Government's encroachment in capital markets means higher interest rates, higher interest rates on new home purchases, on new automobile loans, on student loans, on the variety of other things which average, hardworking American families must seek financing.

It has also hurt our families in the sense we are passing on to our children what is obviously a mountain of debt. Kids in America today, as one of the earlier speakers, the Senator from Idaho, indicated, inherit immediately upon their birth, an enormous responsibility for debts built up by past Congresses. A child born in America today—and I have a 5-month-old child so I suspect it applies to him—is immediately responsible for paying over his or her lifetime something in the vicinity of $180,000 in taxes simply to pay his or her share of this debt.

That is certainly not the kind of legacy that was passed on to my generation. It is not the legacy I intend to pass on to my children's generation. Therefore, it is essential that we balance the budget and we do so immediately so we do not continue to hurt our families, our businesses, and especially our children.

The next question is why we need a constitutional amendment to balance the budget. Indeed it is true, as many have said, that simply an action by Congress and the President would bring about a balanced budget. But, as we have seen just in the last 2 years, saying it and doing it are very different things. We reached an impasse in Washington in 1995. I don't think it's an impasse that was unique to the 104th Congress or President Clinton. I think it is the kind of impasse that is likely to be reached on almost any occasion in which the Congress of the United States is controlled by one political party and the executive branch is controlled by someone from the other party. The impasse was over spending priorities. But, even though everyone on all sides of the issue said they wanted a balanced budget, we did not get a balanced budget because of that impasse. The absence of a constitutional requirement that we balance the budget, that outlays not exceed revenues to the Federal Government, meant that the impasse continued in spite of the rhetoric on all sides, in spite of all of the balanced budget proposals that flowed from 1600 Pennsylvania Avenue and on Capitol Hill. Despite all of that, we never got to the balanced budget. It is my view that, without an amendment, without a constitutional requirement that the Congress and the President bring about a balanced budget, impasses such as the one that existed during the winter of 1995 will occur again.

Another reason I believe we need an amendment is because we do not know

what the future will bring, and we need to have a permanent safeguard against the kinds of deficits that have plagued the Nation over the past quarter of a century. Yes, today, today in America, talking about balancing the budget, advocating a balanced budget, is politically popular and what the American people are demanding. But, as we have seen for a quarter of a century, something that is simply politically popular may not get done. We have no idea what future Congresses will think about this issue. If we provide this sort of loophole that a failure to pass this amendment provides, we will be right where we have been for the last 25 years.

Yes, it is possible we all might get together and in this Congress, even though the parties that control the Congress and the White House are different, we might finally reach a balanced budget for the year 2002. But what about the year 2003, or 2005, or 2010? What is the safeguard the American people deserve, to guarantee that in those years the same atmosphere that will bring about a balanced budget maybe in 1 year, will continue? I think the only safeguard will be an amendment to the Constitution.

The last issue is why now? I think the crisis we confront today is one of the strongest arguments that we could have for balancing the budget. But the crises that fiscally will afflict this country in another 15 or 20 years are an even stronger argument for this amendment at this time. As we know, projections with respect to a variety of Federal spending programs, particularly the Federal entitlement programs, suggest that as the baby boom generation members age and ultimately become consumers of entitlements rather than providers of revenue to the Federal Government, such programs as Medicare and retirement programs will begin to run even greater costs than they do at this time. What we need to do is get our fiscal house in order today so that when those greater demands on the Federal Government begin to occur, we have the resources necessary to ensure they are honored. A constitutional amendment that prohibits us from running the deficits that are reflected in this stack of budgets before me will assist us in getting our fiscal house in order.

In summary, the average family in my State of Michigan has interests rates that are unnecessarily high due to the deficits we have run and due to the borrowing of the Federal Government. Because of that, the average family in my State does not have as much to spend on its priorities as it deserves.

That family's parents should have more income to spend on their children and their priorities and send less dollars to Washington and less dollars on interest payments than they do at this time. We need a balanced budget to help that working family in Michigan.

America's long-term security also is at stake. America deserves to have fiscal integrity so that as we move forward into the 21st century, this debt does not bind us down, this debt does not undermine our economic security, this debt does not hold America back as we try to compete in the global economy, this ever-more competitive global economy, in the years ahead.

For all these reasons, I think action is required now. I think a balanced budget is a necessity, and I think the only way to achieve it is with an amendment to the Constitution that not only brings about a balanced budget in the year 2002, but assures we will continue balancing the budget into the next century and into the future of our Nation.

For those reasons, Madam President, I support the balanced budget amendment. I look forward to continuing this debate as we move forward into the next few weeks and hope that by the time we reach a final vote on this issue, two-thirds of our colleagues will join together to finally change the direction here in Washington, in America and, most importantly, end the unbroken series of Federal deficit represented by this stack of budgets standing next to me.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. I thank the Chair.

TRIBUTE TO PATRICK ORMSBY

Mrs. MURRAY. Madam President, I rise today to pay a special tribute to a young man, a member of my staff, who was taken from us before his time by cancer last week: Pat Ormsby of Spokane, WA. Pat taught me and everyone he touched a most important lesson—how to live life to the fullest with courage, and how to die with dignity.

Pat came to my office just a few years ago, but he was no stranger to Northwest politics. For 10 years he served on the staff of former Speaker Tom Foley. A schoolteacher, Pat started in Mr. Foley's office as a constituent caseworker and eventually moved to the Nation's Capital to become his adviser for agriculture issues.

His reputation was one of someone who was hardworking, down to earth, never caught in the insider beltway thinking. He was always remembering to do what was right for the people he knew so well—the people of Spokane and eastern Washington.

Two years ago, Pat wanted to return home to Washington State to raise his family. As it happened, we crossed paths at an opportune time: he was job-hunting just when I was looking for an eastern Washington director. Pat fit the bill perfectly, and I could not have asked for a better hire.

For the past 2 years, Pat ran my Spokane office. He worked diligently for the people: he was always there to take cases and advise my D.C. staff on issues like agriculture and business that so intimately affected the lives of the people around him. He was known across the countryside, and everyone to a person, loved him.

Pat was the guy we counted on. Quiet. Unassuming. But always honest, forthright, and clear. His advice on the farm bill, taxes, even welfare reform was always on target, because Pat always knew we worked for the people—and we were there to serve them first.

He was rare in political circles. He brought a certain generosity and good humor to the job that is not seen too often in politics any more. He loved it, he worked tirelessly, he loved being in the thick of things, but he never let it go to his head. And though he was a committed Democrat, he took pains to avoid bringing any partisan edge to his work. He never forgot who he was—a dad and husband first, a public servant, and a devoted community member.

Last spring Pat shared with us that he and his wife Janet were expecting a second child in November, as his first son, Miles, was just turning 3. A happier man, you could not find.

But July of this year brought tough news. Pat was diagnosed with liver cancer. The news of his illness was tough on all of us who knew him. There was universal disbelief. Everyone I talked to wanted to help, to change the course of his illness, to do something.

Inevitably, these conversations would bring out a funny story about Pat, about his tireless work on some project like housing, or commodity programs, or taking extra time to help a constituent who was upset and feeling frustrated with a bureaucracy. And the more I heard from people, the more clear it became just how special a person Pat was.

Despite chemotherapy and exhaustive treatment, Pat determinedly came to the office each day, after taking time to go to church and put his faith in God. He continued to be the one to encourage all of us, and to let us know he was going to be all right no matter what happened.

Recently it became clear his battle was coming to an end. Pat in his quiet way prepared all of us. He maintained what I can only call a relentless optimism. He reminded us of his deep faith, and said his greatest joy was seeing his new son, Paul, come into the world at the end of September. He even had the audacity to apologize when it became clear he could no longer work, but quickly added that he didn't mind because he never liked the commute. Somehow, amazingly, he always emphasized the positives.

He took care of his family and prepared for their future. Again, with great humor, he reminded us it was actually a blessing that he had time to do everything necessary to chart a path for them. He took the time to tell each of us who knew him that it was OK, not an end, just a new beginning for him.

A week and a half ago in Spokane, friends, family, and coworkers gathered together to honor Pat. Mayor Jack Geraghty declared it Pat Ormsby Appreciation Day in Spokane. We gathered with Pat to share feelings and stories about him and his endless contributions. Pat again thanked us all and said his goodbyes.

Last Thursday, we lost Pat. Our staff came together and shared a quiet moment. It was hard to believe he was gone, and it still is. He had become such an important part of our lives, as an example of a true public servant and family man—who always put others before himself and gave something of his life to so many.

It is not fair that children so young should be denied their father, or Janet her husband. But the steps he took to prepare near the end, and the way he lived his life, will be there to show how much he loved them. And because of the example he set, those children will carry something of their father with them always.

We are grateful we knew him, and we are especially grateful to his family for sharing him. We are comforted now only in knowing that a bit of Pat lives on in each of us who knew him: his courage, his common sense, and his pride in community, State, and country. Pat, in his short life, did what each of us should—gave much more than he received. We will miss him.

BREAST CANCER SCREENING GUIDELINES RESOLUTION

Mrs. MURRAY. Madam President, last night the Senate voted on a resolution proposed by the Presiding Officer, Senator SNOWE of Maine, regarding the urgent need for breast cancer research funding. I was unable to be here to cast a vote for that bill because I was at home attending a funeral of my staff member, but I wish the RECORD to reflect that I would have voted ''aye'' on the resolution by Senator SNOWE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, I would like to thank my friends, Senators SNOWE and MIKULSKI, for offering their resolution in support of regular mammograms for women over 40. While I certainly respect the National Cancer Institute and its work, I, too, am very concerned about their recent conclusion that standard mammography guidelines for women ages 40 to 49 are unnecessary.

At a time when there is still so much we do not know about breast cancer, I believe it is particularly important that we take the best science available and advise women based on its conclusions. More and more, we are learning that preventive care is the best way to catch breast cancer in time to save a woman's life. With that knowledge, we fought hard for Medicare coverage of mammography screening, and now President Clinton is proposing we expand that coverage.

We all know that mammographies save not only lives, but Federal dollars as well. The cost of annual mammographies is far less than the cost of mastectomies, radiation, or other treatments. M. President, I believe we are headed in the right direction with these policies, and stepping back from encouraging annual check ups is not sending a consistent message to women. Instead, we should be making the same commitment to women between the ages of 40 and 50 as we have to those who are older. Evidence shows that this is the age when the risk of breast cancer increases for many women—and continues to climb in later years.

According to the American Cancer Society, the incidence of breast cancer in the United States has leveled off in recent years. That is very good news. Even still, in my home State an estimated 3,500 women will learn that they have breast cancer this year. An estimated 850 will die from this disease in the same year. And, breast cancer is the No. 1 cancer killer among women ages 15 to 54. Like many here, I have seen the devastation breast cancer leaves in its path and the children it has left motherless. It is heartbreaking to think that with earlier detection they may not have lost their lives. I think we can all agree that—as with any other cancer—if we believe we can prevent women from suffering from this disease, we must do everything in our power to do so.

The American Cancer Society also tells us that in the last decade, the average breast lump size—the first indicator of cancer in most cases—has decreased substantially. In 1991, the average size of detected tumors was down to 2.1 centimeters—that is about the size of a nickel. What this tells us is that potentially malignant tumors are being found in earlier and earlier stages of development. Consequently, women have the opportunity to start treatment earlier, and have a higher chance of survival or avoiding drastic options like mastectomies. Mortality rates for Caucasian women have leveled off and even started dropping in recent years. Unfortunately, however, the statistics for women of color are not as good, but at least we know screening helps—now we have to make sure that these women have access to screening.

I do not believe that anyone in this Chamber would deem regular mammographies for a woman over 40 as frivolous. On the contrary, I believe the Members of this body, including myself, now understand better than ever the importance of regular screening for many forms of cancer. I am not a doctor, nor do I pretend to know more than the participants of the NCI's breast cancer screening consensus panel. However, I do know enough to understand the value of preventive screening for breast cancer. And, I also know that we have been fighting an uphill battle to get women—or men, for that matter—into their doctors' offices to have annual check ups. Therefore, I am very concerned about the consequence of continued confusion over recommendations for how often a woman should have a mammography and mixed signals from leading officials. I look forward to the results of the American Cancer Society's review of the data used by the consensus panel.

In the meantime, I support Senator SNOWE and MIKULSKI's efforts to send a strong, clear signal to women that until we have conclusive evidence to the contrary, we know there is a benefit to regular screening. Along with my colleagues, I encourage all women over 40 to follow the American Cancer Society's recommendation of mammographies every 1 to 2 years. Again, I thank my friends from Maine and Maryland for their work on this issue and their dedication to women's health.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE REFERRED

The Committee on Environment and Public Works was discharged from further consideration of the following measure which was referred to the Committee on Governmental Affairs:

S. 203. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to State and local government of certain surplus property for use for law enforcement or public safety purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–996. A communication from the Secretary of the U.S. Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule relative to disclosure requirements, (RIN3235–AG42, AG77) received on February 3, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–997. A communication from the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule relative to the exclusive economic zone off Florida, received on February 3, 1997; to the Committee on Commerce, Science, and Transportation.

EC–998. A communication from the General Counsel, Department of Transportation, transmitting, pursuant to law, the report of six rules including one rule relative to oil spills, (RIN2133–AB28, 2115–AE01, AF46, AE47, AA97) received on February 3, 1997; to the

Committee on Commerce, Science, and Transportation.

EC–999. A communication from the General Counsel, Department of Transportation, transmitting, pursuant to law, the report of twenty-four rules including one rule relative to class E airspace, (RIN2120–AE64, AE65, AE66) received on February 3, 1997; to the Committee on Commerce, Science, and Transportation.

EC–1000. A communication from the Executive Director of the District of Columbia Financial Responsibility and Management Assistance Authority, transmitting, pursuant to law, the report entitled ''District of Columbia's Procurement system, received on February 3, 1997; to the Committee on Governmental Affairs.

EC–1001. A communication from the Chairman Pro Tempore of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11–505 adopted by the Council on December 3, 1996; to the Committee on Governmental Affairs.

EC–1002. A communication from the Administrator of the U.S. Small Business Administration, transmitting, pursuant to law, the report under the Federal Managers' Financial Integrity Act for fiscal year 1996; to the Committee on Governmental Affairs.

EC–1003. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report under the Federal Managers' Financial Integrity Act for fiscal year 1996; to the Committee on Governmental Affairs.

EC–1004. A communication from the Senior Vice President and Chief Financial Officer of the Potomac Electric Power Company, transmitting, pursuant to law, the report of the balance sheet for calendar year 1996; to the Committee on Governmental Affairs.

EC–1005. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule relative to adoption fees, (RIN1004–AC61) received on February 3, 1997; to the Committee on Energy and Natural Resources.

EC–1006. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule relative to lessee and contractor employees, (RIN1010–AB99) received on January 31, 1997; to the Committee on Energy and Natural Resources.

EC–1007. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule relative to adoption fees, (RIN1010–AC19) received on January 31, 1997; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROTH, from the Committee on Finance, without amendment:

S. 279. An original bill to amend the Internal Revenue Code of 1986 to reinstate the Airport and Airway Trust Fund excise taxes, and for other purposes (Rept. No. 105–4).

EXECUTIVE REPORTS OF COMMITTEES

The following executive report of committee was submitted on January 30, 1997:

By Mr. ROTH, from the Committee on Finance:

Charlene Barshefsky, of the District of Columbia, to be United States Trade Representative, with the rank of Ambassador Extraordinary and Plenipotentiary.

(The above nomination was reported with the recommendation that she be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

The following executive report of committee was submitted on February 5, 1997:

By Mr. McCAIN, from the Committee on Commerce, Science, and Transportation: Rodney E. Slater, of Arkansas, to be Secretary of Transportation.

(The above nomination was reported with the recommendation that he be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. McCONNELL (for himself, Mr. SMITH, Mr. COCHRAN, Mr. INHOFE, Mr. WARNER, Mr. D'AMATO, Mr. ALLARD, Mr. KYL, Mr. JEFFORDS, Mr. DEWINE, Mr. LUGAR, Mr. LEAHY, Mr. MOYNIHAN, Mr. CRAIG, Mr. REID, Mr. BUMPERS, Mr. WYDEN, Mr. KENNEDY, Mrs. BOXER, Mrs. FEINSTEIN, Mr. KERRY, and Mr. INOUYE):

S. 263. A bill to prohibit the import, export, sale, purchase, possession, transportation, acquisition, and receipt of bear viscera or products that contain or claim to contain bear viscera, and for other purposes; to the Committee on Environment and Public Works.

By Mr. McCAIN:

S. 264. A bill to amend title XI of the Social Security Act to provide an incentive for the reporting of inaccurate medicare claims for payment, and for other purposes; to the Committee on Finance.

By Mr. REID:

S. 265. A bill to provide off-budget treatment for the Highway Trust Fund; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one committee reports, the other committee have thirty days to report or be discharged.

By Mr. ROTH:

S. 266. A bill to establish the Government 2000 Commission to increase the efficiency and effectiveness of the Government, and for other purposes; to the Committee on Governmental Affairs.

By Mr. McCAIN:

S. 267. A bill to provide for the imposition of administrative fees for medicare overpayment collection, and to require automated prepayment screening of medicare claims, and for other purposes; to the Committee on Finance.

By Mr. McCAIN (for himself and Mr. FRIST):

S. 268. A bill to regulate flights over national parks, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ABRAHAM:

S. 269. A bill to provide that the Secretary of the Senate and the Clerk of the House of Representatives shall include an estimate of Federal retirement benefits for each Member of Congress in their semiannual reports, and for other purposes; to the Committee on Rules and Administration.

By Ms. SNOWE (for herself, Ms. COLLINS, Mr. LEAHY, and Mr. JEFFORDS):

S. 270. A bill to grant the consent of Congress to the Texas Low-Level Radioactive Waste Disposal Compact; to the Committee on the Judiciary.

By Ms. SNOWE:

S. 271. A bill to require the Secretary of Commerce to ensure that at least an equivalent level of service will be supplied to the public and affected agencies before closing National Weather Service field stations; to the Committee on Commerce, Science, and Transportation.

S. 272. A bill to amend the Internal Revenue Code of 1986 to allow defense contractors a credit against income tax for 20 percent of the defense conversion employee retraining expenses paid or incurred by the contractors; to the Committee on Finance.

S. 273. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives relating to the closure, realignment, or downsizing of military installations; to the Committee on Finance.

S. 274. A bill to establish a Northern Border States-Canada Trade Council, and for other purposes; to the Committee on Finance.

By Mr. CHAFEE (for himself, Mr. WARNER, Mr. MOYNIHAN, and Mr. BOND):

S. 275. A bill to amend the Internal Revenue Code of 1986 to provide for tax-exempt financing of private sector highway infrastructure construction; to the Committee on Finance.

By Ms. SNOWE:

S. 276. A bill to amend title 23, United States Code, to conform to State law the vehicle weight limitations on certain portions of the Interstate System, and for other purposes; to the Committee on Environment and Public Works.

By Mr. COCHRAN (for himself, Mr. COVERDELL, and Mr. HELMS):

S. 277. A bill to amend the Agricultural Adjustment Act to restore the effectiveness of certain provisions regulating Federal milk marketing orders; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRAMM (for himself, Mrs. HUTCHISON, Mr. SESSIONS, and Mr. COVERDELL):

S. 278. A bill to guarantee the right of all active duty military personnel, merchant mariners, and their dependents to vote in Federal, State, and local elections; to the Committee on Rules and Administration.

By Mr. ROTH:

S. 279. An original bill to amend the Internal Revenue Code of 1986 to reinstate the Airport and Airway Trust Fund excise taxes, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mrs. MURRAY (for herself, Mr. DODD, Mr. DASCHLE, Mr. KENNEDY, Mr. HARKIN, Ms. MOSELEY-BRAUN, Mr. INOUYE, Mr. LAUTENBERG, Mr. WELLSTONE, Mr. KERRY, and Mr. AKAKA):

S. 280. A bill to amend the Family and Medical Leave Act of 1993 to allow employees to take school involvement leave to participate in the school activities of their children or to participate in literacy training, and for other purposes; to the Committee on Labor and Human Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROTH (for himself and Mr. MOYNIHAN):

S. Res. 50. A resolution to express the sense of the Senate regarding the correction of cost-of-living adjustments; to the Committee on Finance.

By Mr. ROTH (for himself, Mr. LIEBERMAN, Mr. LUGAR, Ms. MIKULSKI, Mr. HAGEL, Mr. MCCAIN, Mr. COCHRAN, Mr. ENZI, and Ms. MOSELEY-BRAUN):

S. Con. Res. 5. A concurrent resolution expressing the sense of Congress that the extension of membership in the North Atlantic Treaty of 1949 to certain democracies of Central and Eastern Europe is essential to the consolidation of enduring peace and stablity in Europe; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN:

S. 264. A bill to amend title XI of the Social Security Act to provide an incentive for the reporting of inaccurate Medicare claims for payment, and for other purposes; to the Committee on Finance.

THE MEDICARE WHISTLEBLOWER ACT

Mr. McCAIN. Mr. President, I am proud to be introducing legislation today which will significantly reduce fraud and abuse by providers in the Medicare program. The Medicare Whistleblower Act of 1997 will provide strong incentives for Medicare beneficiaries to identify provider fraud in the Medicare system.

As I travel around my home State of Arizona, seniors keep telling me about the fraudulent and negligent billings which are rampant throughout the Medicare Program. Over and over again, they tell me about their personal experiences with fraud and overbillings in the Medicare system. Many of the seniors say that their Medicare bills frequently include charges for medical services which they never received, double billings for a specific treatment, or charges which are disproportionate and severely marked up. Usually, most of these seniors have no idea what Medicare is being billed on their behalf and they have no way to obtain a detailed explanation from the Medicare providers.

These personal stories from senior citizens are confirmed by analyses and detailed studies. According to the General Accounting Office, fraud and abuse in our Nation's health care system costs taxpayers as much as $100 billion each year. Medicare fraud alone costs about $17 billion per year which is about 10 percent of the program's costs.

This is quite disconcerting, especially in light of the financial problems facing our Medicare system. Currently, the Medicare system is expected to run out of funds in the year 2001.

A fundamental problem with the Medicare system is that most beneficiaries are not concerned with the costs of the program because the Government is responsible for them. One of my constituents shared with me an experience he had when his provider double-billed Medicare for his treatment and the provider told him not to be concerned about it because, ''Medicare is paying the bill.'' This is an outrage and we cannot allow this flagrant abuse of taxpayers dollars to continue. Remember, when Medicare overpays, we all overpay, and costs to beneficiaries and the taxpayers spiral while the financial sustainability of the program is violated.

My bill, the Medicare Whistleblower Act addresses this fundamental problem in the Medicare Program. This legislation strengthens the procedures for detecting and identifying fraud and waste in the Medicare system. This bill provides beneficiaries with incentives for carefully scrutinizing their bills and actively pursuing corrections when they believe there has been an inappropriate or unjustified charge made to the Medicare Program. The beneficiaries would be financially rewarded if they detect negligent or fraudulent charges in their Medicare bill.

I recognize that provider fraud is not the sole source of waste and abuse in the Medicare system, and I wholeheartedly support other initiatives which address beneficiary fraud. However, studies indicate that provider fraud is most prevalent and the greatest concern for the system, making initiatives such as this one which specifically target provider fraud very important.

The Medicare Whistleblower Act will give beneficiaries the right to request and receive a written itemized copy of their medical bill from their Medicare health care provider. This itemized bill should be provided to the beneficiary within 30 days of the provider's receipt of their request. Once the beneficiary receives the itemized bill they would have 90 days to report any inappropriate billings to Medicare. The Medicare intermediaries and carriers would then have to review the bills and determine whether an inappropriate payment has been made and what amount should be reimbursed to the Medicare system.

If the Secretary of Health and Human Services confirms that the charges were either negligent or fraudulent, the beneficiary would receive an award equal to 1 percent of the overpayment reimbursed up to $10,000. The financial awards given to the beneficiaries would not increase costs to the Federal Government since they would be paid directly from the overpayment. In cases of fraud, the rewards would be paid directly by the fraudulent provider as a penalty, and would therefore not even reduce the amount of the overpayment reimbursed to the Federal Treasury.

Several important safeguards have been built into this legislation. First, the Secretary of Health and Human Services would be required to establish appropriate procedures to ensure that the incentive system is not abused by overzealous beneficiaries. Second, an incentive payment would be awarded only to the extent that the Health Care Financing Administration HCFA is able to recover the overpayment from the provider. Finally, there would be no incentive payment if HCFA can demonstrate that it had identified the overpayment prior to receiving the beneficiary's complaint.

Some may argue that seniors and other beneficiaries should not receive financial rewards for fighting fraud—that it should be their civic responsibility. While I may agree with this contention, I also recognize that these seniors would not be able to detect and report fraud or abuse without having access to the itemized bills that this legislation provides. Besides, I do not see anything wrong with providing beneficiaries with a financial incentive for fighting waste. After all, we currently pay Federal employees for suggestions which result in savings for the taxpayers, and we pay private citizens for identifying fraud by defense contractors.

It is imperative that we put an end to the rampant abuse and fraud in the Medicare system. This bill would contribute significantly to this effort.

Mr. President, I believe that a very effective approach for detecting and fighting fraud is to provide individuals with a personal financial interest in the process. By passing this legislation, Congress would be empowering over 36 million Medicare beneficiaries to protect their program from fraud, waste, and abuse. I ask unanimous consent that the following letters of support from the Seniors Coalition and the National Committee to Preserve Social Security and Medicare be included in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY AND MEDICARE,
Washington, DC, January 27, 1997.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: On behalf of the 5.5 million members and supporters of the national Committee to Preserve Social Security and Medicare, we offer our endorsement of the Medicare Whistleblower Act of 1997, legislation to strengthen procedures for identifying fraud and waste in the Medicare program.

A major effort to prevent fraud and abuse is essential and appropriate—particularly at a time when Congress is considering ways to ensure the solvency of the Medicare program for current and future beneficiaries. It is essential that we enlist the cooperation of the public, beneficiaries, providers and carriers to curb fraud and waste in the Medicare program and ensure that Medicare funds go toward patient care. As you know, major and increasingly complex patterns of fraud and abuse have infiltrated many health sectors.

Your legislation will strengthen the role of beneficiaries in detecting and reporting fraud and waste. Of particular importance are the provisions ensuring that beneficiaries be provided, upon request, copies of itemized bills submitted on their behalf. Beneficiaries must have accurate information about bills submitted on their behalf in order to meaningfully participate in this

program. It is also important for the Secretary to establish procedures to prevent abuse or over-use of the reporting system.

Seniors thank you for your help in combating this growing problem.

Sincerely,

MARTHA A. MCSTEEN,
President.

THE SENIORS COALITION,
Fairfax, VA, January 30, 1997.

Hon. JOHN MCCAIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCAIN: The Seniors Coalition, representing 2.4 million senior citizens nationwise, is pleased to support the legislation you have recently introduced to reduce waste and fraud in the Medicare system. Our members report to us the same kinds of experiences as your constituents do to you, and we are certain that your legislation will help.

However, I must note that while these are desirable reforms, they do not correct the basic flaws in the Medicare program, and it is these flaws which make Medicare ultimately unsustainable.

By separating those who receive benefits from those who pay, Medicare encourages overuse, waste, fraud, abuse, and cheating. Passage of legislation such as yours, which creates some incentives to discover fraud and abuse, can never substitute for the self-policing systems of true free markets, where every patient has an incentive to find the least expensive, most cost-effective treatment, and to monitor for double-billing, mistakes, and fraud in a way no artificial system can ever re-create.

The Seniors Coalition is happy to support your efforts, but we urge you to undertake a thorough and long-overdue revamping of the entire program, before its internal contradictions bring it crashing down on the heads of seniors who deserve better treatment.

Please let us know what we can do to help you with your efforts.

Sincerely,

THAIR PHILLIPS,
Chief Executive Officer.

By Mr. REID:

S. 265. A bill to provide off-budget treatment for the highway trust fund; to the Committee on the Budget and the Committee on Government Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one committee reports, the other committee have 30 days to report or be discharged.

THE HIGHWAY TRUST FUND PROTECTION ACT OF 1997

Mr. REID. Mr. President, I have just come from my office where I had a number of meetings. I met with a group of lawyers this morning. They were talking about issues that are going to come before the Congress that are important to them. But in the course of the conversation, I talked to them about the days when I was an attorney and practiced law.

One of the things that has been brought to my mind as a result of my meeting with those lawyers today is how important it is to protect your client's assets. If you had a case for a client, any money that came in that was that client's property, you had to put that money in a trust account. None of that money in that trust account could be used to make a house payment or make a car payment of yours. Those moneys could only be used for the benefit of your client. If a lawyer violated the trust that he or she had with his client, you could lose your license to practice law. You could, in fact, be prosecuted criminally and go to jail.

It seems around here that we handle people's trust accounts, the taxpayers' trust accounts in a very cavalier fashion. Today I want to talk about one of those trust funds. I want to talk about the highway trust fund. It is coincidental that I am here introducing legislation after having met in my office just a short time ago with Nevada's head of the department of transportation, a man by the name of Tom Stephens. He was back here with other Nevadans to tell me the problems that the State of Nevada has. I am a member of the Environment and Public Works Committee and we will have to address the problems of this entire country when we reauthorize the highway transportation bill this year. The people from Nevada were telling me about the problems we have in Nevada. They are significant. We are the most rapidly growing State in the Union. We have traffic jams where we never had them before, especially in the southern part of the State. He proceeded to tell me about five projects that will cost about $1 billion—extension of Highway 95, I–15 to the California border, in the Reno-Carson City area we have to get the freeway completed between Carson City and Reno, and a number of other very difficult projects that cost a lot of money. He was looking to me for guidance and direction as to how some of these very difficult projects could be directed—how moneys in the bill could be directed toward the State of Nevada.

There is no question, Mr. President, that this is going to be a busy legislative year. As I have indicated, one of the things we will work on is the Intermodal Surface Transportation Efficiency Act, what we call ISTEA, reauthorization of the highway bill. This legislation plays an integral role in the financing of our Nation's transportation infrastructure. It is a bill that will receive bipartisan support, I hope, for a number of reasons. Most recognize the need to invest in our transportation infrastructure. It is that way all over the country.

The Presiding Officer of this body today is from a very sparsely populated State, but it is a big State and covers a lot of area. I have driven much of the State of Wyoming. The State of Wyoming has, like Nevada but in a more exaggerated sense, a very small population base. However, the people of Wyoming travel these long distances and they want to travel these distances on good roads. Not only do the people that live in Wyoming need those good roads, but the State of Wyoming is surrounded by States that people are trying to get to. Wyoming is a bridge State. Thousands and thousands of people come to Wyoming every year to go to Yellowstone National Park. Should the people of Wyoming alone be responsible for those roads? Well, the answer is no, we have a Federal policy that helps the State of Wyoming in the road construction. You have demand in the State of Wyoming that cannot be met by the State of Wyoming. Your transportation director, I am sure, will come and visit the Presiding Officer, just like my State of Nevada head of transportation came and visited me, to talk about particular specific problems that you have in the State of Wyoming which are compounded by the bad weather that you have there.

I am sure a lot of people do not know that this money we collect in the highway trust fund is not used for highway construction. What is it used for? It is used to mask the Federal deficit to the tune of about $20 billion. All of us agree that we need to invest in our highway transportation system. We all agree that there is a need to provide a safe, efficient, and modern transportation infrastructure, and most agree that too little is being spent on this important investment. The biggest reason, though, we are spending too little on this investment is we are not spending the money we have in trust to spend. Just like the example I gave earlier where I, as an attorney, would take my client's money, just as we as a Federal Government take our client's money, the taxpayer, every time a gallon of gas is purchased, we take approximately 19 cents. Most of that money is required by law to be spent on the infrastructure of this country and it is not. That is what is wrong. Finances that should go to the highway construction is being use for other purposes. The money collected is not being used, I repeat, for its intended purpose. It is a perversion of the whole notion of how a trust fund should operate.

There have been earlier attempts to end this misspending by taking the transportation trust fund moneys off budget. In the House it has been successful. I am going to initiate an effort here in the Senate too to do likewise. They have not only gotten it out of committee in the House, they passed it on the floor. I support these efforts that they have initiated in the House because I believe we need to protect the integrity of these trust funds. I believe we should attempt to get these funds off budget and we should do it now.

That is why I am introducing this bill, the Highway Trust Fund Protection Act of 1997. It is very straightforward. It is a short bill. By taking the highway trust fund off budget we will be fulfilling our commitment to the taxpayer. We will be spending the revenues on the specific activities identified as the purpose of these trust funds. Mr. President, the trust fund is financed by sales taxes on tires, trucks, buses, trailers, as well as truck usage taxes. But about 90 percent of the trust fund revenue comes from excise taxes

on motor fuels. As I have indicated earlier, the majority of the motor fuel revenue dedicated to the trust fund is derived from 18.4 cents per gallon tax on gasoline. Of this, 14 cents is dedicated directly to the highway trust fund. Of the remaining 4.5 cents, 4.3 cents go to deficit reduction and one-tenth of 1 percent goes to the leaky underground storage fund.

Mr. President, there are many arguments for taking these trust funds off budget. I will talk about a few. First of all, it represents a contract with the people of this country. We pass legislation that tells someone when they buy a gallon of gasoline, part of that money is going to go into a trust fund to improve the roads—the roads in Wyoming, the roads in Nevada, and all over this country. If the highway trust funds are not going to be used for their stated purpose, we should eliminate the tax, or part of it.

According to the Federal Highway Administration there are significant infrastructure needs not being met. We do not need to go to the Highway Administration. We know by our own individual experiences in our individual States that it is important we spend more money on this construction. The trust fund inclusion in the unified budget subjects our outlays to the budget process. As a result, they are liable to legislative spending limitations. These limits are not based on analysis of national transportation spending need. Not once in the 5 years since ISTEA was enacted have Federal highway programs been funded at their authorized levels; this, despite the fact that the Department of Transportation has identified billions of dollars in need.

Remember, Mr. President, we have approximately $20 billion in excess funds not being spent and going into our infrastructure needs. The balances we run in the transit highway accounts makes no sense. This money should and could be invested in our Nation's highway system. It is estimated that to maintain—not improve, just maintain—our current highway system would cost over $200 billion. Taking the highway trust funds off budget will have limited effect on the deficit. The highway trust fund is user fee supported. The highway trust fund is deficit proof and has never contributed a single penny to the budget deficit. The highway trust fund supports long-term capital investments that produce economic benefits, which in turn generate increased revenue for the Federal Government.

This bill is about protecting the integrity of the highway trust fund. All taxpayers have an interest in this. We are told when we pay taxes at the pump that this money goes toward maintaining and improving our roads. I wish that were so. It is a myth. It is a myth of the highway trust fund. My legislation provides truth and budgeting and would simply do away with this myth.

It is unfair that we take a trust fund and use it for purposes other than for which the trust fund moneys were dedicated. I ask all of my colleagues to follow the example of the other body, the House of Representatives, and join me in supporting this legislation, which would take these moneys off budget and would allow us to spend the money that is so badly needed for highway construction in the United States.

By Mr. ROTH:

S. 266. A bill to establish the Government 2000 Commission to increase the efficiency and effectiveness of the Government, and for other purposes; to the Committee on Governmental Affairs.

THE GOVERNMENT 2000 COMMISSION ACT

Mr. ROTH. Mr. President, today I am introducing a bill which would establish a bipartisan Government 2000 Commission, charged with developing a comprehensive legislative proposal to reorganize, consolidate, and streamline Federal departments, agencies, and activities.

Mr. President, this Commission is very similar to the one that was included in S. 929 in the 104th Congress which was reported out of the Senate Governmental Affairs Committee under my chairmanship.

To make clear our objectives, this legislation includes specific goals for reducing costs and improving the performance.

These goals include: a 35-percent reduction in the costs of administration, a tenfold increase in the timeliness of service delivery, a compound annual improvement in productivity of 6 percent, and customer service levels comparable to the private sector.

The Commission's reorganization plan must include no more than 10 Cabinet Departments—a reduction from 14—and a substantial reduction in the number of agencies and subdepartmental bureaus, offices, divisions, and other program operating units to eliminate duplication and fragmentation. It is also required to achieve a reduction in the layers of organizational hierarchy and a substantial reduction in the total number of midlevel supervisory, administrative, and political positions.

The Commission is charged with considering the consolidation of program service delivery functions into operating units that are independent of individual executive departments, to maximize service coordination, and whether the heads of such program operating units should be nonpolitical, noncareer appointments hired for a fixed-term under an employment contract with specific, measurable program performance goals, to maximize accountability.

There will be nine Commission members: Two each appointed by the President, the Speaker of the House, and the Senate majority leader, and one each by the House and Senate minority leaders. The Chairman shall be appointed by agreement of the President, the Speaker, and the Senate majority leader. The Commission is authorized an appropriation of $5 million for fiscal year 1998.

The Commission shall report its recommendations in a single legislative package by June 1, 1998. The act provides for fast-track consideration of this legislation. In the Senate, there is no time limit on debate, and only germane amendments will be order. In the House, there will be 10 hours of general debate followed by 20 hours of debate on all amendments.

By Mr. McCAIN:

S. 267. A bill to provide for the imposition of administrative fees for medicare overpayment collection, and to require automated prepayment screening of Medicare claims, and for other purposes; to the Committee on Finance.

THE MEDICARE OVERPAYMENT REDUCTION ACT OF 1997

Mr. McCAIN. Mr. President, today I am introducing legislation which addresses a very serious problem in the Medicare system—Medicare overpayments. Medicare overpayments are costing the Medicare trust funds billions of dollars each year.

This bill imposes an administrative fee on providers who submit inaccurate Medicare claims and are overpaid by the Health Care Financing Administration [HCFA]. The purpose of the fee is to discourage overpayments and to offset the costs which HCFA incurs while recovering overpayments.

In addition, this bill requires HCFA to screen claims for accuracy, paying particular attention to procedures and services which have high rates of overbillings and inaccurate billings.

Under Medicare part A, hospitals and providers are prepaid annually by HCFA for expected Medicare expenditures. Currently, many hospitals grossly overestimate their Medicare funding needs and use the overpayment to subsidize services delivered at their facility which are not Medicare related. This is an abuse which must be stopped. This legislation will impose an administrative fee if a hospital overestimates its Medicare needs by more than 30 percent and does not repay the overpayment to HCFA within 30 days.

Unlike hospitals, doctors must submit claims for payment to Medicare part B after they provide services to beneficiaries. However, these claims sometimes are submitted for services that were never provided or that are incorrectly coded. The fee which this bill would impose will discourage physicians from submitting false or misleading claims and will help HCFA cover the costs incurred while recovering overpayments to providers.

Most importantly, prepayment screening will help eliminate overpayments in the first place. The technology for prescreening is available and already used extensively in the private sector. I believe that it is imperative that we start using prescreening

to improve Medicare payment accuracy.

As my colleagues know, the Medicare system is in serious financial condition and will be bankrupt in 2001 if we do not make necessary reforms. We have an obligation to take every possible step to protect the Medicare trust funds and preserve them for current beneficiaries and future generations.

I recognize that overpayments are not the only financial problem with Medicare, but they are a significant problem within the system. GAO reported that over $4.1 billion was overpaid from the trust funds in 1995. Had this legislation been in place, I believe that we could have prevented a large portion of these overpayments if not prevented we could have at least imposed the administrative fee and recouped a significant amount.

This bill is not the cure for what ails our Medicare system, but it is a step in the right direction. Overpayments are costly and contribute to the Medicare solvency problem. This legislation will help stop them.

I ask unanimous consent a letter of support from the National Committee to Preserve Social Security and Medicare be included in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL COMMITTEE TO PRESERVE SOCIAL SECURITY AND MEDICARE,
Washington, DC; January 23, 1997.

Hon. JOHN MCCAIN,
U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR SENATOR MCCAIN: The national Committee to Preserve Social Security and Medicare, on behalf of our 5.5 million members and supporters, endorses the ''Medicare Overpayment Reduction Act.'' This important legislation will improve the Medicare program by encouraging greater care in claim submission and reducing the incentive to overbill the Medicare program.

The ''Medicare Overpayment Reduction Act'' addresses the significant problem of waste and abuse in the Medicare program by restoring to the Medicare program expenditures that were the result of overpayments to providers. The bill imposes a one percent administration fee on overpayments not returned within 30 days by Medicare providers. By encouraging a careful review of Medicare claims submissions by providers, this legislation is an important step toward preserving the Medicare program for current and future beneficiaries.

Thank you, Senator McCain, for your outstanding work on behalf of older Americans.

Sincerely,

MARTHA A. MCSTEEN,
President.

By Mr. MCCAIN (for himself and Mr. FRIST):

S. 268. A bill to regulate flights over national parks, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE NATIONAL PARKS OVERFLIGHTS ACT OF 1997

Mr. MCCAIN. Mr. President, I rise today to introduce legislation to promote safety and quiet in our national parks. I want to thank Senator FRIST for joining me as an original cosponsor of this bill.

Under this legislation, the Secretary of the Interior would develop recommendations which may include flight-free zones, curfews, and other flight restrictions for aircraft operating over certain national parks. The Federal Aviation Administrator would then develop a plan, based upon these recommendations, to promote quiet and safety in our parks. Under the bill, the entire process would be completed within months after enactment of this legislation.

To ensure that we take immediate action in those parks experiencing the greatest threats to their natural resources from aircraft noise, this bill requires the Secretary of the Interior to recommend a proposal for prioritizing the implementation of appropriate flight restrictions at certain parks. The bill also requires the Secretary and the Administrator to work together on recommendations that propose methods to encourage the use of quiet aircraft in our parks, unless such proposals are not needed to meet the goals of protecting quiet and promoting safety.

This bill promotes safety in our national parks by allowing the FAA Administrator, in consultation with the Secretary, to set minimum altitudes for overflights in certain parks and to prohibit flights below those minimum altitudes where necessary to meet safety goals. The bill makes safety the paramount concern for the Administrator in developing an overflight plan for a national park. Under the bill, the Administrator may revise the Secretary of the Interior's recommendations to ensure public health and safety goals are met.

Mr. President, this bill is intended to begin a dialog on how we can best promote safety and quiet in our national parks. I am sure that this legislation can be refined to better meet its essential goals and I am eager to start that process.

I also want to make clear that I fully appreciate that air tourism provides a legitimate way for visitors to see national parks and also provides an important opportunity for disabled persons to view certain parks. I want to ensure that this legislation provides a balanced and fair approach to solving safety and noise problems in our national parks.

I believe this bill takes a crucial first step toward restoring and preserving a vital resource within many national parks—natural quiet. The natural ambient sound conditions found in a park, or natural quiet, as it is commonly called, is precisely what many Americans seek to experience when they visit some of our most treasured national parks. Natural quiet is as crucial an element of the natural beauty and splendor of certain parks as those resources that we visually observe and appreciate.

I also believe that this bill provides important safety protections. As the air tour industry in many parks continues to grow, safety concerns also increase. By addressing safety now, before tragic accidents occur, we can assure the public that we have taken every precaution to protect visitors in our parks.

Ten years ago, legislation I authored to promote safety and provide for the substantial restoration of natural quiet in the Grand Canyon was signed into law. This year, the Federal Aviation Administration [FAA] issued a final rule which modifies and expands flight-free zones in the canyon. The final rule is scheduled to go into effect on May 1, 1997. But lawsuits threaten to further delay implementation of additional measures to meet the goals of the 1987 law.

Moreover, the final rule does not contain incentives for operators to convert to quiet aircraft, although the FAA recognizes that moving to quiet aircraft technology offers the most promising approach to providing for the substantial restoration of natural quiet in the Canyon. Rather, a notice of proposed rulemaking was issued outlining a proposal for mandating conversion to quiet aircraft. This proposed rulemaking must now undergo public comment and agency review of those comments before it becomes final. In the meantime, natural quiet still has not been restored at the Grand Canyon.

There are many lessons to be learned from our efforts to restore natural quiet in the Grand Canyon. The Grand Canyon experience teaches us that we cannot afford to wait until natural quiet has been lost before we take steps to protect and preserve that resource. Simply put, we have found that it is very difficult to undo what has already been done. Thus, wherever possible, we must strive to prevent the impairment of natural resources in our national parks. To that end, this bill sets up a process for achieving balanced and fair approach to resolving noise concerns in other national parks before any problems get out of hand in those parks, too.

In addition, as a result of the Grand Canyon experience, we have learned some very valuable lessons about what we can and must do to ensure safety in the air above our national parks. Providing for public health and safety in our national parks must always be a foremost concern in our minds when developing any park overflight plan.

Finally, I expect the administration, in exercising its authority under this bill, to meet with interested groups and affected communities, including local chambers of commerce. These groups should be involved in the process before implementing any flight restrictions in order to ensure that proposed actions are appropriate and necessary and that all important issues have been thoroughly considered and addressed.

Again, Mr. President, this bill is intended to begin an open dialog on how we can best achieve our safety and natural quiet goals. Many parks throughout America are now being threatened

by the same kind of air pollution problems and noise pollution problems that we had over the Grand Canyon. I believe we can begin to work on ways in which we can protect and preserve one of the most precious natural resources within many of our national parks—natural quiet. At the same time, the bill seeks to ensure that public health and safety is not compromised as a result of increasing park overflights. I urge my colleagues to join me in this effort to reach an important balance and preserve our natural heritage while we provide for the safe and continued enjoyment of our parks.

By Mr. ABRAHAM:

S. 269. A bill to provide that the Secretary of the Senate and the Clerk of the House of Representatives shall include an estimate of Federal retirement benefits for each Member of Congress in their semiannual reports, and for other purposes; to the Committee on Rules and Administration.

THE CONGRESSIONAL PENSION DISCLOSURE ACT

• Mr. ABRAHAM. Mr. President, I rise today to introduce S. 269 which would require the Secretary of the Senate and the Clerk of the House of Representatives to disclose information relating to the pensions of Members of Congress. This legislation would require these officers to include in their semiannual reports to Congress detailed information relating to the Members pensions. The semiannual reports would then be available to the public for inspection.

The reports would include the individual pension contributions of Members; an estimate of annuities which they would receive based on the earliest possible date they would be eligible to receive annuity payments by reason of retirement; and any other information necessary to enable the public to accurately compute the Federal retirement benefits of each Member based on various assumptions of years of service and age of separation from service by reason of retirement.

The purpose of this legislation is to afford citizens their rightful opportunity to learn how public funds are being utilized. The taxpayers are not only entitled to know the various forms of compensation their elected officials are being paid, they are also entitled to make decisions about the reasonableness of such compensation.

My bill, S. 269, would make this information conveniently available to the public. I believe that this bill would eliminate the present shroud of secrecy which has surrounded the congressional pension system and give the public better access to information regarding their representatives in Congress.•

By Ms. SNOWE:

S. 271. A bill to require the Secretary of Commerce to ensure that at least an equivalent level of service will be supplied to the public and affected agencies before closing National Weather Service field stations; to the Committee on Commerce, Science, and Transportation.

THE NATIONAL WEATHER SERVICE OFFICE CLOSURE CRITERIA ACT OF 1997

• Ms. SNOWE. Mr. President, today I am introducing legislation to create additional office closure certification criteria for National Weather Service offices located in geographical areas of concern designated by the National Research Council. The amendment is designed to guarantee that weather services will be fully maintained in these areas after the National Weather Service completes its modernization plan.

My bill adds a new paragraph to section 706(e) of the Weather Service Modernization Act of 1992. This section deals with ''special circumstances'' under which the Secretary may not close or relocate a NWS field office unless he meets certain specified certification criteria in addition to the standard certification criteria that apply to all field offices.

This legislation would create another special circumstance category for offices that serve parts of the country identified as ''areas of geographic concern'' in the National Research Council's June 1995, report on the modernization program. The NRC identified 32 such areas of concern across the country, including Caribou, ME, Williston, ND, Baton Rouge, LA, and Kalispell, MT, in which a National Weather Service field office has been proposed for closure under the modernization plan and the people who live in the area have expressed serious concerns about the impacts of it.

My bill would prohibit the Secretary from closing or relocating these offices unless he first evaluates the effect of a closing or relocation on all weather information and services provided to local users; and, second, he includes in the standard certification required under section 706(b), a determination that at least an equivalent level of weather services will be provided in the future.

This amendment provides an additional but very important layer of scrutiny to NWS plans to close field offices in areas of the country—a number of which are sparsely populated and rural—specified in the NRC report. It provides an extra safeguard for these communities to ensure that they will continue to receive at least the same level of weather information and services that they currently receive. Without adequate safeguards, the rural communities described in the amendment will face greater threats to public safety, infrastructure, private property, agricultural production, and the economy generally when a local weather office closes.

As experience shows, the rural field offices, in particular, play a special role in gathering weather information from diverse and disparate locales across a large region, and in disseminating this information, along with standard NWS forecasts and flood warnings, to all citizens of the region. Field offices located outside these service areas may not be able to devote the same level of comprehensive, real-time attention to weather events affecting these areas. Given the importance of accurate and timely weather information to rural areas subject to severe weather conditions, we cannot let the quality of weather services for these areas diminish. My legislation will help to prevent that from happening.

Mr. President, this is good-government legislation. It helps to ensure that an essential Federal agency makes very well-informed and prudent decisions, and it enhances the protection of our citizens' lives and property.

I introduced this legislation as an amendment to the NOAA reauthorization bill in the Commerce Committee last year. The amendment was adopted unanimously, but unfortunately the full Senate did not have an opportunity to consider the bill before adjournment. I intend to resume my efforts on this issue at the earliest opportunity in the new Congress. I hope other Senators will join me in cosponsoring this bill and in working toward its enactment.•

By Ms. SNOWE:

S. 272. A bill to amend the Internal Revenue Code of 1986 to allow defense contractors a credit against income tax for 20 percent of the defense conversion employee retraining expenses paid or incurred by the contractors; to the Committee on Finance.

By Ms. SNOWE:

S. 273. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives relating to the closure, realignment, or downsizing of military installations; to the Committee on Finance.

DEFENSE CONVERSION TAX CREDIT LEGISLATION

• Ms. SNOWE. Mr. President, I am introducing two bills today to assist workers who have lost their jobs as a result of closure or cutbacks at defense installations or the loss of defense contracts by private industry. The first bill extends the existing targeted jobs tax credit to employers who hire individuals who have lost their jobs at a Federal military installation through a closing, realignment or reduction in force. The credit equals 40 percent of the first $6,000 in wages paid to each newly hired worker. The second bill I am introducing provides defense contractors with an income tax credit for 20 percent of costs incurred in retraining employees for nondefense-related jobs.

Since 1988, the Department of Defense has undertaken four base realignment and closure [BRAC] rounds—in 1988, 1991, 1993, and 1995. In total the BRAC process has authorized the closing of 261 military facilities, including 98 major defense installations where 300 or more civilian and/or military jobs were eliminated. Many base closings and realignments under the BRAC

process are still in progress and their full impact has not yet been felt. In addition, reductions in force continue to be the order of the day at the Pentagon. In December, the Navy announced plans to reduce civilian employment by 11,000 positions at 240 facilities.

The economic impact of defense downsizing on the affected individuals and surrounding communities can be devastating. In my own State of Maine, the closure of Loring Air Force Base in 1994 resulted in the loss of nearly 20 percent of the jobs in Aroostook County, affecting 3,000 military personnel, 900 civilians and an additional 6,000 private sector jobs which were dependent on the air base. The annual loss of income to Maine's economy from the Loring closure totaled more than $370 million.

At the other end of the State, Kittery-Portsmouth Naval Shipyard has seen its workforce cut from 8,600 employees in 1989, when the Berlin wall fell, to 3,600 today with another reduction of 454 Navy civilian jobs planned for 1997. And Bath Iron Works, Maine's largest defense contractor, has seen its employment level drop from a high of 12,000 in 1990 to 7,500 today. Smaller defense contractors in Maine have experienced similar job losses.

Mr. President, defense downsizing and economic conversion can be an excruciatingly slow and painful process for those households and communities in Maine and across the country who are going through it. I feel strongly that our obligation to the military and civilian workers who, after all, helped win the cold war, does not end with adoption of the BRAC recommendations. Successful defense conversion is a long-term process requiring a multipronged strategy that must include coordinated Government assistance to affected communities, workers, and businesses.

The two tax credit proposals I am introducing today form an essential part of that strategy. They will encourage the private sector to hire workers whose jobs have been lost from Federal defense facilities and will encourage defense contractors to retrain workers for employment in nondefense areas. I urge my Senate colleagues to join me in supporting these important legislative initiatives.●

By Ms. SNOWE:

S. 274. A bill to establish a Northern Border States-Canada Trade Council, and for other purposes; to the Committee on Finance.

THE NORTHERN BORDER STATES COUNCIL ACT

● Ms. SNOWE. Mr. President, today I am introducing legislation that would establish a Northern Border States Council on United States-Canada Trade.

The purpose of this Council is to oversee cross-border trade with our Nation's largest trading partner—an action that I believe is long overdue. The Council will serve as an early warning system to alert State and Federal trade officials to problems in cross-border traffic and trade. The Council will enable the United States to more effectively administer trade policy with Canada by applying the wealth of insight, knowledge and expertise that resides in our northern border States on this critical policy issue.

Within the U.S. Government we already have the Department of Commerce and a U.S. Trade Representative. But the fact is that both are Federal entities, responsible for our larger, national U.S. trade interests. Too often, such entities fail to give full consideration to the interests of the 12 northern States that share a border with Canada, the longest demilitarized border between 2 nations anywhere in the world. The Northern Border States Council will provide State trade officials a mechanism to share information about cross-border traffic and trade. The Council will then advise the Congress, the President, the U.S. Trade Representative, the Secretary of Commerce, and other Federal and State trade officials on United States.-Canada trade policies, practices, and problems.

Canada is America's largest and most important trading partner. Canada is by far the top purchaser of U.S. export goods and services, as it is the largest source of U.S. imports. With an economy one-tenth the size of our own, Canada's economic health depends on maintaining close trade ties with the United States. While Canada accounts for about one-fifth of U.S. exports and imports, the United States is the source of two-thirds of Canada's imports and provides the market for fully three-quarters of all of Canada's exports.

The United States and Canada have the largest bilateral trade relationship in the world, a relationship that is remarkable not only for its strength and general health, but also for the intensity of the trade and border problems that do frequently develop. Over the last decade, Canada and the United States have signed two major trade agreements—the United States-Canada Free Trade Agreement in 1989, and the North American Free Trade Agreement in 1993. Notwithstanding these trade accords, numerous disagreements have caused trade negotiators to shuttle back and forth between Washington and Ottawa. Most of the more well-known trade disputes with Canada have involved agricultural commodities such as durum wheat, peanut butter, dairy products, and poultry products, and these disputes have impacted more than just the 12 northern border States.

Each and every day, however, an enormous quantity of trade and traffic crosses the United States-Canada border. There are literally thousands of businesses, large and small, that rely on this cross-border traffic and trade for their livelihood.

My own State of Maine has had a long-running dispute with Canada over that nation's unfair policies in support of its potato industry. Specifically, Canada protects its domestic potato growers from United States competition through a system of nontariff trade barriers, such as setting container size limitations and a prohibition on bulk imports from the United States. This bulk import prohibition effectively blocks United States potato imports into Canada. At the same time, Canada artificially enhances the competitiveness of its product through domestic subsidies for potato growers.

Another trade dispute with Canada, specifically with the province of New Brunswick, served as the inspiration for this legislation. In July 1993, Canadian federal customs officials began stopping Canadians returning from Maine and collecting from them the 11-percent New Brunswick Provincial Sales Tax [PST] on goods purchased in Maine. Canadian Customs Officers had already been collecting the Canadian federal sales tax all across the United States-Canada border. The collection of the New Brunswick PST was specifically targeted against goods purchased in Maine—not on goods purchased in any of the other provinces bordering New Brunswick.

After months of imploring the U.S. Trade Representative to do something about the imposition of the unfairly administered tax, Ambassador Kantor agreed that the New Brunswick PST was a violation of NAFTA, and that the United States would include the PST issue in the NAFTA dispute settlement process. But despite this explicit assurance, the issue was not, in fact, brought before NAFTA's dispute settlement process, prompting Congress last year to include an amendment I offered to immigration reform legislation calling for the U.S. Trade Representative to take this action without further delay.

Throughout the early months of the PST dispute, we in the State of Maine had enormous difficulty convincing our Federal trade officials that the PST was in fact an international trade dispute that warranted their attention and action. We had no way of knowing whether problems similar to the PST dispute existed elsewhere along the United States-Canada border, or whether it was a more localized problem. If a body like the Northern Border State Trade Council had existed when the collection of the PST began, it could have immediately started investigating the issue to determine its impact and make recommendations on how to deal with it.

In short, the Northern Border States Council will serve as the eyes and ears of our States that share a border with Canada, and are most vulnerable to fluctuations in cross-border trade and traffic. The Council will be a tool for Federal and State trade officials to use in monitoring their cross-border trade. It will help ensure that national trade policy regarding America's largest trading partner will be developed and

implemented with an eye towards the unique opportunities and burdens present to the northern border States.

The Northern Border States Council will be an advisory body, not a regulatory one. Its fundamental purpose will be to determine the nature and cause of cross-border trade issues or disputes, and to recommend how to resolve them.

The duties and responsibilities of the Council will include, but not be limited to, providing advice and policy recommendations on such matters as taxation and the regulation of cross-border wholesale and retail trade in goods and services; taxation, regulation and subsidization of food, agricultural, energy, and forest-products commodities; and the potential for Federal and State/provincial laws and regulations, including customs and immigration regulations, to act as nontariff barriers to trade.

As an advisory body, the Council will review and comment on all Federal and/or State reports, studies, and practices concerning United States-Canada trade, with particular emphasis on all reports from the dispute settlement panels established under NAFTA. These Council reviews will be conducted upon the request of the United States Trade Representative, the Secretary of Commerce, a Member of Congress from any Council State, or the Governor of a Council State.

If the Council determines that the origin of a cross-border trade dispute resides with Canada, the Council would determine, to the best of its ability, if the source of the dispute is the Canadian Federal Government or a Canadian provincial government.

The goal of this legislation is not to create another Federal trade bureaucracy. The Council will be made up of individuals nominated by the Governors and approved by the Secretary of Commerce. Each northern border State will have two members on the Council. The Council members will be unpaid, and serve a 2-year term.

The Northern Border States Council on United States-Canada Trade will not solve all of our trade problems with Canada. But it will ensure that the voices and views of our northern border States are heard in Washington by our Federal trade officials. For too long their voices were ignored, and the northern border States have had to suffer severe economic consequences at times because of it. This legislation will bring our States into their rightful position as full partners in issues that affect cross-border trade and traffic with our country's largest trading partner.

I urge my colleagues to join me in supporting this important legislation. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 274

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 ''Northern Border States Council Act''.

SEC. 2. ESTABLISHMENT OF COUNCIL.

(a) ESTABLISHMENT.—There is established a council to be known as the Northern Border States-Canada Trade Council (hereafter in this Act referred to as the ''Council'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Council shall be composed of 24 members consisting of 2 members from each of the following States:

(A) Maine.
(B) New Hampshire.
(C) Vermont.
(D) New York.
(E) Michigan.
(F) Minnesota.
(G) Wisconsin.
(H) North Dakota.
(I) Montana.
(J) Idaho.
(K) Washington.
(L) Alaska.

(2) APPOINTMENT BY STATE GOVERNORS.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Commerce (hereafter in this Act referred to as the ''Secretary'') shall appoint 2 members from each of the States described in paragraph (1) to serve on the Council. The appointments shall be made from the list of nominees submitted by the Governor of each such State.

(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for terms that are coterminous with the term of the Governor of the State who nominated the member. Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Council have been appointed, the Council shall hold its first meeting.

(e) MEETINGS.—The Council shall meet at the call of the Chairperson.

(f) QUORUM.—A majority of the members of the Council shall constitute a quorum, but a lesser number of members may hold hearings.

(g) CHAIRPERSON AND VICE CHAIRPERSON.—The Council shall select a Chairperson and Vice Chairperson from among its members. The Chairperson and Vice Chairperson shall each serve in their respective positions for a period of 2 years, unless such member's term is terminated before the end of the 2-year period.

SEC. 3. DUTIES OF THE COUNCIL.

(a) IN GENERAL.—The duties and responsibilities of the Council shall include—

(1) advising the President, the Congress, the United States Trade Representative, the Secretary, and other appropriate Federal and State officials, with respect to—

(A) the development and administration of United States-Canada trade policies, practices, and relations,

(B) taxation and regulation of cross-border wholesale and retail trade in goods and services between the United States and Canada,

(C) taxation, regulation, and subsidization of agricultural products, energy products, and forest products, and

(D) the potential for any United States or Canadian customs or immigration law or policy to result in a barrier to trade between the United States and Canada,

(2) monitoring the nature and cause of trade issues and disputes that involve one of the Council-member States and either the Canadian Government or one of the provincial governments of Canada; and

(3) if the Council determines that a Council-member State is involved in a trade issue or dispute with the Government of Canada or one of the provincial governments of Canada, making recommendations to the President, the Congress, the United States Trade Representative, and the Secretary concerning how to resolve the issue or dispute.

(b) RESPONSE TO REQUESTS BY CERTAIN PEOPLE.—

(1) IN GENERAL.—Upon the request of the United States Trade Representative, the Secretary, a Member of Congress who represents a Council-member State, or the Governor of a Council-member State, the Council shall review and comment on—

(A) reports of the Federal Government and reports of a Council-member State government concerning United States-Canada trade,

(B) reports of a binational panel or review established pursuant to chapter 19 of the North American Free Trade Agreement concerning the settlement of a dispute between the United States and Canada,

(C) reports of an arbitral panel established pursuant to chapter 20 of the North American Free Trade Agreement concerning the settlement of a dispute between the United States and Canada, and

(D) reports of a panel or Appellate Body established pursuant to the General Agreement on Tariffs and Trade concerning the settlement of a dispute between the United States and Canada.

(2) DETERMINATION OF SCOPE.—Among other issues, the Council shall determine whether a trade dispute between the United States and Canada is the result of action or inaction on the part of the Federal Government of Canada or a provincial government of Canada.

(c) COUNCIL-MEMBER STATE.—For purposes of this section, the term ''Council-member State'' means a State described in section 2(b)(1) which is represented on the Council established under section 2(a).

SEC. 4. REPORT TO CONGRESS.

Not later than 2 years after the date of the enactment of this Act and at the end of each 2-year period thereafter, the Council shall submit a report to the President and the Congress which contains a detailed statement of the findings, conclusions, and recommendations of the Council.

SEC. 5. POWERS OF THE COUNCIL.

(a) HEARINGS.—The Council may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Council considers advisable to carry out the provisions of this Act. Notice of Council hearings shall be published in the Federal Register in a timely manner.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Council may secure directly from any Federal department or agency such information as the Council considers necessary to carry out the provisions of this Act. Upon the request of the Chairperson of the Council, the head of such department or agency shall furnish such information to the Council.

(c) POSTAL SERVICES.—The Council may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) GIFTS.—The Council may accept, use, and dispose of gifts or donations of services or property.

SEC. 6. COUNCIL PERSONNEL MATTERS.

(a) MEMBERS TO SERVE WITHOUT COMPENSATION.—Except as provided in subsection (b), members of the Council shall receive no compensation, allowances, or benefits by reason of service to the Council.

(b) TRAVEL EXPENSES.—The members of the Council shall be allowed travel expenses,

including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Council.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Council may, without regard to the civil service laws, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Council to perform its duties. The employment of an executive director shall be subject to confirmation by the Council and the Secretary.

(2) COMPENSATION.—The Chairperson of the Council may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(d) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Council without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Council may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) OFFICE SPACE.—The Secretary shall provide office space for Council activities and for Council personnel.

SEC. 7. TERMINATION OF THE COUNCIL.

The Council shall terminate on the date that is 54 months after the date of the enactment of this Act and shall submit a final report to the President and the Congress under section 4 at least 90 days before such termination.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated from amounts made available by appropriations to the Department of Commerce an amount not to exceed $250,000 for fiscal year 1996 and for each fiscal year thereafter to the Council to carry out the provisions of this Act.

(b) AVAILABILITY.—Any sums appropriated under the authorization contained in this section shall remain available, without fiscal year limitation, until expended.●

By Mr. CHAFEE (for himself, Mr. WARNER, Mr. MOYNIHAN, and Mr. BOND):

S. 275. A bill to amend the Internal Revenue Code of 1986 to provide for tax-exempt financing of private sector highway infrastructure construction; to the Committee on Finance.

THE HIGHWAY INFRASTRUCTURE PRIVATIZATION ACT

Mr. CHAFEE. Mr. President, today, I am introducing legislation which will allow the private sector to take a more active role in building and operating our Nation's highway infrastructure. The Highway Infrastructure Privatization Act will allow the private sector to gain access to tax-exempt bond financing for a limited number of highway projects. I am pleased that my distinguished colleagues, Senators WARNER, MOYNIHAN, and BOND, have agreed to join me in this effort.

One needs only to venture a few blocks from here to see the terrible condition of many of the Nation's roads and bridges. Regrettably, the United States faces a significant shortfall in funding for our highway and bridge infrastructure needs.

The investment need comes at a time when we in Congress are desperately looking for ways to reduce spending to balance the budget. State governments face similar budget pressures. It is incumbent upon us to look at new and innovative ways to make the most of limited resources to address significant needs.

In the United States, highway and bridge infrastructure is the responsibility of the Government. Governments build, own, and operate public highways, roads, and bridges. In many other countries, however, the private sector, and private capital, construct and operate important facilities. These countries have found that increasing the private sector's role in major highway transportation projects offers opportunities for construction cost savings and more efficient operation. They also open the door for new construction techniques and technologies.

To help meet the Nation's infrastructure needs, we must take advantage of private sector resources by opening up avenues for the private sector to take the lead in designing, constructing, financing, and operating highway facilities.

A substantial barrier to private sector participation in the provision of highway infrastructure is the cost of capital. Under current Federal tax law, highways built by Government can be financed using tax-exempt debt, but those built by the private sector, or those with substantial private sector participation, cannot. As a result, public/private partnerships in the provision of highway facilities are unlikely to materialize, despite the potential efficiencies in design, construction, and operation offered by such arrangements.

To increase the amount of private sector participation in the provision of highway infrastructure, the Tax Code's bias against private sector participation must be addressed.

The Highway Infrastructure Privatization Act creates a pilot program aimed at encouraging the private sector to help meet the transportation infrastructure needs for the 21st century. It makes tax-exempt financing available for a total of 15 highway privatization projects. The total face value of bonds that can be issued under this program is limited to $25 billion.

The 15 projects authorized under the program will be selected by the Secretary of Transportation, in consultation with the Secretary of the Treasury. To qualify under this program, projects selected must: serve the general public; be on publicly owned rights-of-way; revert to public ownership; and, come from a State's 20-year transportation plan. These criteria ensure that the projects selected meet a State or locality's broad transportation goals.

A revenue estimate for this legislation has not yet been completed, however we anticipate that the bill will not result in a revenue loss for the Federal Government. The projects that are candidates to participate in this pilot program are ones that are likely to be funded by tax-exempt bonds issued by State and local governments. Therefore, the bill should not result in an increase in the amount of tax-exempt bonds that will be issued. Furthermore, it is possible, depending on the efficiencies resulting from substantial private sector participation, that the bill actually would result in fewer bonds being issued and therefore would provide a revenue increase for the Federal Government.

The bonds issued under this pilot program will be subject to the rules and regulations governing private activity bonds. Moreover, the bonds issued under the program will not count against a State's tax-exempt volume cap.

This legislation has been endorsed by Project America, a coalition dedicated to improving our Nation's infrastructure, and the Public Securities Association.

I hope that this bill can be one in a series of new approaches to meeting our substantial transportation infrastructure needs and will be one of the approaches that will help us find more efficient methods to design and to build the Nation's transportation infrastructure.

I encourage my colleagues to join me as cosponsors of this important initiative.

By Mr. COCHRAN (for himself, Mr. COVERDELL, and Mr. HELMS):

S. 277. A bill to amend the Agricultural Adjustment Act to restore the effectiveness of certain provisions regulating Federal milk marketing orders; to the Committee on Agriculture, Nutrition, and Forestry.

FEDERAL MILK MARKETING ORDERS LEGISLATION

● Mr. COCHRAN. Mr. President, today I am introducing legislation to reauthorize seasonal base plans for Federal milk marketing orders.

This program encourages dairy farmers to stabilize their milk production seasonally. This results in more stable production in the fall and winter, when there is an economic disincentive for dairy farmers to produce milk, and thereby ensures stable milk prices to consumers.

Mr. President, this is a matter of fairness. Seasonal base plans were instituted under the Agricultural Act of 1933. Currently, seasonal base plans are included in five Federal milk marketing orders that affect producers in 25 States. Without extension of this authority expeditiously, dairy producers

in those five orders who adjusted their production last fall will receive lower average prices while those who made no adjustments will receive higher average prices.

This is not a new issue to my colleagues. In fact, during consideration of the fiscal year 1997 Agriculture Appropriations Act, the Senate approved the extension of seasonal base plan authority until the year 2002. The 1996 farm bill requires the Secretary of Agriculture to submit a reform plan for Federal milk marketing orders by 1999 and this bill reauthorizes the base excess plans until 1999. This will ensure that the market environment the Secretary was directed to reform exists until he has a chance to submit his plan.

I hope my colleagues will support this legislation.●

By Mr. GRAMM (for himself, Mrs. HUTCHISON, Mr. SESSIONS, and Mr. COVERDELL):

S. 278. A bill to guarantee the right of all active military personnel, merchant mariners, and their dependents to vote in Federal, State, and local elections; to the Committee on Rules and Administration.

THE MILITARY VOTING RIGHTS ACT OF 1997

● Mr. GRAMM. Mr. President, this bill would guarantee that active duty military personnel and their dependents have the right to vote in Federal, State, and local elections.

On December 19, 1996, Texas Rural Legal Aid [TLRA] filed suit against Val Verde County, TX, alleging that 800 military absentee ballots were improperly counted in local races. The challenge argues that the Uniformed and Overseas Absentee Voting Act was not intended to allow voting in State and local elections.

The Military Voting Rights Act of 1997 amends the Uniformed and Overseas Absentee Voting Act to make explicit the right of active duty military personnel and their dependents to vote in all Federal, State, and local elections. This change is consistent with the way the law has historically been interpreted by State election officials.

In addition, the Military Voting Rights Act of 1997 amends the Soldiers' and Sailors' Civil Relief Act of 1940 to extend additional voting rights protections to our Nation's military forces. This section guarantees that extended absences incurred as a result of service to the Nation do not result in the loss of residency for voting purposes.

The assertion of TLRA that our soldiers can lose the right to vote in State and local elections by virtue of service-connected absences is absurd and must not be allowed to go unanswered. The Military Voting Rights Act of 1997 makes it clear that those who protect our freedom should not be denied the right to exercise freedoms they protect.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 278

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 ''Military Voting Rights Act of 1997''.

SEC. 2. GUARANTEE OF RESIDENCY.

Article VII of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. 700 et seq.) is amended by adding at the end the following:

''SEC. 704. (a) For purposes of voting for an office of the United States or of a State, a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that absence—

''(1) be deemed to have lost a residence or domicile in that State;

''(2) be deemed to have acquired a residence or domicile in any other State; or

''(3) be deemed to have become a resident in or a resident of any other State.

''(b) In this section, the term 'State' includes a territory or possession of the United States, a political subdivision of a State, territory, or possession, and the District of Columbia.''.

SEC. 3. STATE RESPONSIBILITY TO GUARANTEE MILITARY VOTING RIGHTS.

(a) REGISTRATION AND BALLOTING.—Section 102 of the Uniformed and Overseas Absentee Voting Act (42 U.S.C. 1973ff–1) is amended—

(1) by inserting ''(a) ELECTIONS FOR FEDERAL OFFICES.—'' before ''Each State shall—''; and

(2) by adding at the end the following:

''(b) ELECTIONS FOR STATE AND LOCAL OFFICES.—Each State shall—

''(1) permit absent uniformed services voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and run-off elections for State and local offices; and

''(2) accept and process, with respect to any election described in paragraph (1), any otherwise valid voter registration application from an absent uniformed services voter if the application is received by the appropriate State election official not less than 30 days before the election.''.

(b) CONFORMING AMENDMENT.—The heading for title I of such Act is amended by striking out ''FOR FEDERAL OFFICE''.

THE RETIRED OFFICERS ASSOCIATION,
Alexandria, VA, February 5, 1997.

Hon. PHIL GRAMM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAMM: On behalf of the nearly 400,000 members of the Retired Officers Association, of which 33,000 members plus their families reside in Texas, I want to express our strong support for the ''Military Voting Rights Act of 1997.'' It's a travesty that a taxpayer-funded group like the Texas Rural Legal Aid (TRLA) would represent individuals in an action to deny military members the right to vote by absentee ballot in Val Verde County, Texas.

Although TRLA has now withdrawn from the suit and deferred to a private attorney, the case remains a threat to the voting rights of active duty personnel and their families. Should the view enunciated by TRLA prevail, military personnel who were absent because of exigencies of the service would be denied a fundamental right to vote. Many of these individuals, who are daily placed in ''harms way'' in areas like Bosnia, would rightfully question why they should be treated like second class citizens and be subjected to different registration procedures than individuals who register to vote by any other means under state law.

The current practice that enables an absentee voter to submit a Federal Post Card Application has long-standing roots and should not be altered to require supplementary information and to specifically discriminate against servicemembers. Therefore, we strongly support your effort to preclude unfair sanctions from being imposed on members of the uniformed services and will do our utmost to generate strong grassroots support for the enactment of the ''Military Voting Rights Act of 1997.''

Sincerely,

PAUL W. ARCARI,
Colonel, USAF (Ret),
Director, Government Relations.

THE AMERICAN LEGION,
NATIONAL HEADQUARTERS,
Indianapolis, IN, February 5, 1997.

Hon. PHIL GRAMM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAMM: On behalf of The American Legion, I want to note our appreciation and express our support for The Military Voting Rights Act of 1997 which, I understand, will soon go to the floor of the United States Senate.

One of the most important responsibilities for the people of a free nation is exercising their franchise. One of the most precious rights we have as Americans is access to the ballot box. That right and that responsibility is as important to our nation's active duty military as it is to the rest of the population.

Anyone who has served the nation in its military knows that every right enjoyed and exercised by the average American is, of necessity, not inherent in military service. The human body is a remarkable thing. When one of the senses is diminished, others increase to compensate. The loss of sight may well lead to an acute sense of hearing. This concept could be applied to military service. Forfeiting the comforts of home and family, of occupational pursuits and the protection of our borders, the opportunity to vote becomes a more cherished right, a more heightened responsibility.

Those whose lives are on the line daily will someday return to their homes. They will return to a government that shapes their community and effects the lives of all those within. It follows then that those on active duty in a foreign country should be accorded every opportunity help structure that government locally, across the state, and at the federal level.

To you and other supporters of The Military Voting Rights Act of 1997 goes the gratitude of our Organization. I believe it accurate to say that the young men and women who protect our nation and its interests through military service have the full support of our nation's people and its government. And they should have every chance to exercise their franchise in support of it.

Sincerely,

JOSEPH E. CAOUCTTE, Jr.,
Chairman, National Americanism Commission.

NATIONAL ASSOCIATION FOR UNIFORMED SERVICES,
Springfield, VA, February 5, 1997.

Hon. PHIL GRAMM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAMM: The National Association for Uniformed Services thanks you for your action to ensure active duty personnel and their family members have the right to vote in federal, state, and local elections.

We support strongly your ''Military Voting Rights Act of 1997'' which amends the ''Unformed and Overseas Absentee Voting Act''. Your bill will make more explicit the right of active duty personnel and their family members to vote in federal, state, and local elections with absentee ballots as the ''Soldier's and Sailors' Civil Relief Act of 1940'' has historically been interpreted by state election officials.

Any assertion that military personnel, who are serving their country, can lose their right to vote in state and local elections because of their service-connected absences is outrageous! All the brave men and women of the armed forces serving throughout the world are grateful for your prompt, decisive action to preserve their Constitutional right to vote.

Sincerely,

J.C. PENNINGTON,
Major General, U.S. Army (Ret.), President.

AIR FORCE ASSOCIATION
Arlington, VA, February 5, 1997.

Hon. PHIL GRAMM,
Senate Russell Building,
Washington, DC.

DEAR SENATOR GRAMM: The Air Force Association strongly endorses your sponsorship of ''The Military Voting Rights Act of 1997.'' The right of active duty military personnel and their dependents to vote in all federal, state and local elections needs to again be reemphasized to state and local election officials. Recent problems in Texas have again reminded us that the right to vote must be fought for time and time again. Your legislation, once enacted, will help to correct this inequity.

We pledge our support to assist you by seeking additional cosponsors, to inform our members nationwide of your effort and to help in any appropriate way.

Sincerely,

DOYLE E. LARSON.●

By Mrs. MURRAY (for herself, Mr. DODD, Mr. DASCHLE, Mr. KENNEDY, Mr. HARKIN, Ms. MOSELEY-BRAUN, Mr. INOUYE, Mr. LAUTENBERG, Mr. WELLSTONE, Mr. KERRY, and Mr. AKAKA):

S. 280. A bill to amend the Family and Medical Leave Act of 1993 to allow employees to take school involvement leave to participate in the school activities of their children or to participate in literacy training, and for other purposes; to the Committee on Labor and Human Resources.

THE TIME FOR SCHOOLS ACT OF 1997

Mrs. MURRAY. Mr. President, 4 years ago today, thanks to the hard work of Senator DODD, we passed the Family and Medical Leave Act. It was one of the first things I did as a newly elected Senator. And I am proud of its success. In fact, it is probably the single most effective law passed by Congress this decade.

Now I want to expand the scope of FMLA to apply to participation in our schools. The Time for Schools Act of 1997 will allow parents 24 hours per year to participate in activities in their child's school.

As the mother of two children—one a teenager in high school—I know how difficult and how important it is to participate in their education. I have been lucky to have had the opportunity to be involved in their lives. But many parents do not have the time it takes to do those little things that will assure their child's success in school.

By expanding the uses of one of the most successful laws in years, I want to give parents something they don't have enough of—time.

When I tour schools in my home State of Washington, I often hear young people say, ''Adults don't seem to care about me.'' We know that's not true, but we need to show them that adults do care. And one of the best places to start is to reaffirm the importance of their education by taking steps to help their families get more involved in schools.

These days we have many dual-income families and single parents struggling to work to make ends meet. All of these families know how important it is to be involved in their children's learning.

However, a recent study, Parents as School Partners research initiative, sponsored by the National Council of Jewish Women's Center for the Child, found that a basic lack of time was one of the main barriers to more parental involvement at schools.

Educational studies have shown that family involvement is more important to student success than family income or education. In fact, things parents control, such as limiting excess television watching and providing a variety of reading materials in the home, account for almost all the differences—nearly 90 percent—in average student achievement across States.

All sectors of our communities want more time for young people. Students, teachers, parents and businesses feel something must be done to improve family involvement. In fact, 89 percent of company executives identified the biggest obstacle to school reform as the lack of parental involvement.

And, a 1996 postelection poll commissioned by the national PTA and other organizations found that 86 percent of people favor legislation that would allow workers unpaid leave to attend parent-teacher conferences, or to take other actions to improve learning for their children.

A commitment to our children is a commitment to the future. I want to make sure all young people receive the attention they need to succeed.

My legislation will allow parents time to: First, attend a parent/teacher conference; second, interview a new school for their child; and third, participate in family literacy training.

Just last week, I talked to a woman from Bellevue who has an 11-year-old special needs daughter in school. Both she and her husband work during the day, but he cannot get away for school activities. She told me my legislation would allow her husband to attend school conferences and participate in their child's education for the first time.

I look at the Family and Medical Leave Act—which has helped one in six American employees take time to deal with serious family health problems, and which 90 percent of businesses had little or no cost implementing—and I see success. People in my State have been able to deal with urgent family needs, without having to give up their jobs.

My bill expands the uses of Family and Medical Leave to another urgent need families face—the need to help their children learn.

Now we need to grant employees the same peace of mind about preventing problems in school that can lead to bigger problems for their children later on. The time is right for the Time for Schools Act.

ADDITIONAL COSPONSORS

S. 70

At the request of Mrs. BOXER, the name of the Senator from Illinois [Ms. MOSELEY-BRAUN] was added as a cosponsor of S. 70, a bill to apply the same quality and safety standards to domestically manufactured handguns that are currently applied to imported handguns.

S. 183

At the request of Mr. DODD, the names of the Senator from Minnesota [Mr. WELLSTONE], the Senator from Hawaii [Mr. AKAKA], and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 183, a bill to amend the Family and Medical Leave Act of 1993 to apply the Act to a greater percentage of the United States workforce, and for other purposes.

S. 212

At the request of Mr. WELLSTONE, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 212, a bill to increase the maximum Federal Pell Grant award in order to allow more American students to afford higher education, and to express the Sense of the Senate.

SENATE CONCURRENT RESOLUTION 5—RELATIVE TO THE NORTH ATLANTIC TREATY OF 1949

Mr. ROTH (for himself, Mr. LIEBERMAN, Mr. LUGAR, Ms. MIKULSKI, Mr. HAGEL, Mr. MCCAIN, Mr. COCHRAN, Mr. ENZI, and Ms. MOSELEY-BRAUN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 5

Whereas the North Atlantic Treaty Organization (NATO) is a community of democracies that continues to play a critical role in addressing the security challenges of the post-Cold War era and in creating an environment of enduring peace and stability in Europe;

Whereas NATO remains the only security alliance with both real defense capabilities and transatlantic membership;

Whereas the North Atlantic Council held a ministerial meeting on December 10, 1996, at NATO Headquarters in Brussels, Belgium, and—

(1) decided to hold a summit meeting on July 8 and 9, 1997, during which it will extend invitations to accession negotiations to one or more countries that have participated in the process of intensified dialogue with NATO;

(2) established for the North Atlantic Alliance the goal of welcoming one or more new members by the time of the Alliance's fiftieth anniversary in 1999;

(3) announced that the Council seeks to reach agreement with the Russian Federation on arrangements that would widen and deepen the current relationship between the Russian Federation and NATO in order to enhance security and stability in the Euro-Atlantic area; and

(4) announced its commitment to further developing and reinforcing a distinctive and effective relationship with Ukraine;

Whereas Congress has repeatedly endorsed, with bipartisan majorities, the enlargement of NATO through the enactment of legislation that includes the NATO Participation Act of 1994, the NATO Participation Act Amendments of 1995, and the NATO Enlargement Facilitation Act of 1996;

Whereas the North Atlantic Assembly, a multinational body composed of delegations from the 16 signatory nations of the North Atlantic Treaty, has called for the Alliance to welcome new members through the adoption of resolutions, including Resolution 255 (1994) entitled ''NATO Partnership for Peace and the Enlargement Process'', Resolution 268 (1996) entitled ''On a Wider Alliance for Enhanced Stability and Freedom'', and Resolution 271 (1996) entitled ''Toward the 1997 NATO Summit'';

Whereas the enlargement of NATO, a defensive alliance, threatens no nation and reinforces peace and stability in Europe, the enlargement of NATO would provide benefits to all nations;

Whereas NATO has extended its membership to additional nations on three different occasions since its founding in 1949; and

Whereas the new members of the North Atlantic Alliance must assume all the rights and obligations under the North Atlantic Treaty, signed at Washington on April 4, 1949: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) regards the political independence and territorial integrity of the emerging democracies in Central and Eastern Europe as vital to European peace and security and, thus, to the interests of the United States;

(2) endorses the goal established by the North Atlantic Council to welcome one or more new members by the time of the fiftieth anniversary of the North Atlantic Alliance in 1999;

(3) calls upon the Alliance to extend invitations to accession negotiations to those nations who seek membership in NATO and who are ready to make a net contribution to the Alliance's security by 1999, including Poland, the Czech Republic, Hungary and Slovenia;

(4) endorses the commitment of the North Atlantic Council further to develop and reinforce a distinctive and effective relationship between the Alliance and Ukraine;

(5) endorses the pledge of the North Atlantic Council that the Alliance will remain open to the accession of further members in accordance with Article 10 of the Washington Treaty;

(6) endorses the Alliance's decision to seek a charter with Russia that reflects the common interest that Russia and the Alliance have in reinforcing enduring peace and stability in Europe;

(7) calls upon the President to fully use his offices to facilitate the objectives and commitments described in paragraphs (2) through (6); and

(8) reserves the right of advice and consent to the ratification of treaties and pledges seriously and responsibly to review the results of accession negotiations between the North Atlantic Council and prospective NATO members.

SEC. 2. The Secretary of the Senate shall transmit a copy of this concurrent resolution to the President.

Mr. ROTH. Mr. President, one of the greatest foreign policy opportunities and challenges before the 105th Congress is the consolidation of a wider, peaceful, and democratic Europe.

The inclusion of the new democracies of Central and Eastern Europe in the core institutions of the transatlantic community has been a cornerstone of American foreign policy for the last 50 years.

Its attainment remains both a strategic and moral imperative for the United States.

A key step toward this end is the inclusion of democracies from Central and Eastern Europe as full members in the North Atlantic Treaty Organization [NATO].

This is a step that has been endorsed by the U.S. Congress. It is a step that has been endorsed by the American people.

It's a step that must be taken.

I was glad to hear the President emphasize last night in his State of the Union Address that the first task of our foreign policy is to build an undivided, democratic Europe.

He is right to emphasize that a wider NATO and stable partnership between the alliance and Russia are cornerstones to this vision.

As we look to the 21st century, and the uncertainties that still threaten our vital interests and those of our allies—as we see the need to maintain an organization that is dedicated to safeguarding freedoms, promoting democracy, and supporting the rule of law—we realize that NATO is critical to our future.

It is not enough to win the cold war; we must now ensure the peace. This is NATO's commission * * * a commission the alliance must continue to carry out.

Now more than ever, NATO has the opportunity to fulfill the role for which it was originally intended.

Those who know the history of the alliance understand the historic significance of this moment. With the cold war behind us, NATO is now in the position to consolidate a wider democratic Europe—the very reason for which the alliance was born.

We must welcome this.

Enlarging and strengthening the alliance is a catalyst for increased security, productive communication, enhanced cooperation, and common objectives.

An alliance that is outward-looking and inclusive provides a framework for peace that possesses infinite capabilities.

For these reasons, the North Atlantic Council recently issued an historic communique that offers a long-awaited blueprint for building the alliance's relationship with the new democracies of Central and Eastern Europe.

The communique calls for the alliance to advance its original objectives by moving toward the integration of these nations. It articulates the North Atlantic Council's intention at its July summit meeting in Madrid, to extend invitations to accession negotiations to one or more countries which have participated in NATO's intensified dialog process.

The communique establishes for the alliance the goal of welcoming new members by the time of NATO's 50th anniversary in 1999.

It also announces the North Atlantic Council's objective to reach agreement with the Russian Federation on arrangements that will widen and deepen their current relationship in order to enhance security and stability in the Euro-Atlantic area.

Mr. President, NATO enlargement is not a new issue before the Congress, but it is among the most important foreign policy issues the 105th Congress will face.

The timeline established by the North Atlantic Council is both worthy and challenging.

NATO's 50th anniversary will be in April of 1999. To ensure the accession of new members into the alliance by that date, 16 parliaments or legislatures will have to ratify accession treaties.

Considering the important role the United States will have to play in ensuring success in this process, it is incumbent upon the 105th Congress to lead the ratification process.

Toward this end, I call upon my colleagues to endorse the goals and timetable established by the North Atlantic Council through a resolution sponsored by Senators LIEBERMAN, LUGAR, MIKULSKI, HAGEL, MCCAIN, COCHRAN, and myself.

I encourage my colleagues to approach this resolution with an eye toward the July summit in Madrid.

The principal theme of this summit will be enlargement, and this resolution expresses the ''sense of Congress that the extension of membership in NATO to the democracies of Central and Eastern Europe is essential to the consolidation of enduring peace and stability in Europe.''

The resolution we introduce today also reviews congressional support for NATO enlargement—as well as the support of the North Atlantic Assembly which represents over 200 legislators from more than 40 political parties around the world.

Most importantly, this resolution declares that Congress regards the political independence and territorial integrity of emerging democracies in Central and Eastern Europe as vital to European peace and security and, thus, to the interests of the United States.

Our resolution calls upon the alliance, during the Madrid summit, to extend invitations to accession negotiations to Poland, the Czech Republic, Hungary, and Slovenia.

It endorses the pledge of the North Atlantic Council that the alliance will remain open to the accession of further members in accordance with article 10 of the Washington Treaty.

It also endorses the alliance's decision to seek a charter with Russia that reflects the common interest that Russia and the alliance have in reinforcing enduring peace and stability in Europe.

Finally, this resolution reserves the Senate's right of advise and consent over international treaties. It pledges that the Senate will seriously and responsibly review the outcomes of accession negotiations between the North Atlantic Council and prospective NATO members.

Passage of this resolution prior to the Madrid summit meeting in July would reiterate and reaffirm both at home and abroad the strong bipartisan support behind NATO enlargement in the United States.

This would strengthen the President's position within the alliance on the issue of enlargement as he prepares for the July summit in Madrid.

And, it would further reinforce the groundwork that has been laid for NATO enlargement, demonstrating that the 105th Congress is ready and willing to aggressively address this important issue.

I urge my colleagues to support this resolution, to send a strong and unmistakable message to our friends and allies, and to ensure that the NATO's half century of success carries well into the future.

I would also like to submit for the RECORD some important documents concerning the support for NATO enlargement I am finding in my home State of Delaware.

On 19 December 1996, the Wilmington Town Council passed a resolution introduced by Council Member Bartowski endorsing Poland's membership in NATO. I ask unanimous consent that this resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, the Republic of Poland is a free, democratic and independent nation with a long and proud history, whose sons and daughters have played significant roles in the history of Wilmington; and

Whereas, the North Atlantic Treaty Organization is dedicated to the preservation of the freedom and security of its member nations and there is now a plan for enlargement of NATO to proceed in 1997 and 1998; and

Whereas, the Republic of Poland has expressed its desire to share in both the benefits and obligations of NATO in pursuing the development, growth and promotion of democratic institutions and ensuring free market economic development and Poland may be invited to NATO membership, if criteria are met, as early as Spring, 1997; and

Whereas, Poland recognizes its responsibilities as a democratic nation and wishes to exercise such responsibilities in concert with members of NATO; and

Whereas, the Republic of Poland desires to become part of NATO's efforts to prevent the extremes of nationalism; and

Whereas, it has been observed that ''whenever Europe and the United States go separate ways, they pay a terrible price'' and the security of the United States is dependent upon the stability of Central Europe, of which Poland is a vital part.

Now, therefore, be it

Resolved by the Council of the City of Wilmington, Delaware, That:

1. This Council respectfully urges the President of the United States and the Congress of the United States to continue their support of the Republic of Poland's entry into the North Atlantic Treaty Organization and to support the establishment during 1997 and 1998 of a timetable for such entry, partly in order that NATO may be cohesive, effective, credible and display a sense of co-responsibility for the security and stability of the whole of Europe.

2. The City Clerk is hereby directed to forward duly authenticated copies of this resolution to the President of the United States; the Presiding Officer of both branches of the United States Congress; the members thereof from the State of Delaware, including Senator Joseph R. Biden, Jr. of the Senate Foreign Relations Committee; Robert Hunter, the U.S. Permanent Representative to NATO; Marek Lesniewski-Laas, the Honorary Consul of the Republic of Poland; and former Wilmington Mayor John E. Babiarz.

Mr. ROTH. Mr. President, this resolution, as well as the one that we are introducing in the Senate today, reflect the recognition, that by any measure, the North Atlantic Treaty Organization has been a resounding success.

It has kept the peace, reinforced geopolitical relationships, and provided the foundation upon which we were able to bring the cold war to a peaceful end.

Mr. President, I ask unanimous consent that the North Atlantic Council Communique be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MINISTERIAL MEETING OF THE NORTH ATLANTIC COUNCIL, DECEMBER 10, 1996—FINAL COMMUNIQUE

1. As we look ahead, the new NATO is taking shape, reflecting the fundamental changes in the security environment in Europe and the enduring vitality of the transatlantic partnership which underpins our endeavours. The broad vision of this new NATO and its role in the development of a new European security architecture was set out at the 1994 Brussels Summit and further defined at our last meeting in Berlin. The Alliance's adaptation and reform is well underway. We will take this process forward today.

The Alliance is resolved to preserve its political and military strength, ensuring its ability to carry out the full range of its missions—as IFOR and its planned successor SFOR in Bosnia and Herzegovina clearly show. We have issued a separate statement in this regard. The Alliance will continue to strengthen European security by maintaining its capability for collective defence, admitting new members, expanding and strengthening cooperative relationships with all Partners, including building a strong security partnership with Russia and a distinctive relationship with Ukraine, and realising the European Security and Defence Identity within the Alliance.

The evolution of the Alliance takes place in the context of our aim to help build a truly cooperative European security structure. We welcome as a contribution the important decisions taken at the recent OSCE Summit in Lisbon and the decision by the States Parties to the CFE Treaty to begin negotiations in early 1997 with a view towards adapting the Treaty to the changing security environment in Europe.

2. Against this background, we have decided to recommend to our Heads of State and Government to convene a Summit meeting in Madrid on 8/9 July 1997 to set the course for the Alliance as it moves towards the 21st century, consolidating Euro-Atlantic security. To achieve this aim, major decisions will have to be taken by the time of the Summit concerning NATO's internal adaptation, the opening of the Alliance and its ability to carry out all its new roles and missions. The agenda for our Summit will include:

Agreeing a new command structure, which enables all Allies to participate fully, and further advancing the implementation of the Combined Joint Task Force (CJTF) concept, in order to enhance the Alliance's ability to carry out the full range of its missions, while preserving the capability for collective defence, based on a strong transatlantic partnership;

Finalizing, to the satisfaction of all Allies, all the necessary arrangements for the European Security and Defense Identity (ESDI) within NATO, which will allow for the preparation and conduct of WEU-led operations with the participation of all European Allies if they were so to choose;

Inviting one or more of the countries which have expressed interest in joining the Alliance to begin accession negotiations;

Pledging that the Alliance will remain open to the accession of further members and will remain ready to pursue consultations with nations seeking NATO membership, as it has done in the past;

Strengthening cooperative relations with all our Partners including through an enhanced Partnership for Peace (PfP) and the initiative to establish an Atlantic Partnership Council;

Intensifying and consolidating relations with Russia beyond the Partnership for Peace by aiming at reaching an agreement at the earliest possible date on the development of a strong, stable and enduring security partnership;

Further developing an enhanced relationship with Ukraine;

Enhancing our Mediterranean dialogue;

Further developing our ability to carry out new roles and missions relating to conflict prevention and crisis management; and

Further enhancing our political and defense efforts against the proliferation of nuclear, biological and chemical weapons and their delivery means.

3. We warmly welcome the decision of the Government of Spain, endorsed by the Spanish Parliament on 14 November 1996, to take the necessary steps to participate in the Alliance's new structure. Spain's participation will further strengthen the cohesion and military effectiveness of the Alliance, as it takes on new roles and missions, reinforce the transatlantic link and help develop ESDI within the Alliance.

4. Stability and security in the whole Euro-Atlantic area are our primary goal. We want to help build cooperative European security structures which extend to countries throughout the whole of Europe without excluding anyone or creating dividing lines. Recent decisions at the OSCE Summit meeting in Lisbon on European security cooperation and the decision to adapt the CFE Treaty to the new European security environment establish a cooperative foundation for our common security. The Alliance, for its part, has developed a broad pattern of intensive cooperation with North Atlantic Cooperation Council (NACC) and PfP Partner

countries and with other international organizations and is thereby contributing to security and stability in the Euro-Atlantic area. With the same aim, we are now working towards opening the Alliance to new members; developing ever-closer and deeper cooperative ties with all Partner countries who so wish; building a strong, stable and enduring security partnership with Russia; strengthening our relationship with Ukraine; and enhancing our Mediterranean dialogue.

5. We reaffirm that the nuclear forces of the Allies continue to play a unique and essential role in the Alliance's strategy of war prevention. New members, who will be full members of the Alliance in all respects, will be expected to support the concept of deterrence and the essential role nuclear weapons play in the Alliance's strategy. Enlarging the Alliance will not require a change in NATO's current nuclear posture and therefore, NATO countries have no intention, no plan, and no reason to deploy nuclear weapons on the territory of new members nor any need to change any aspect of NATO's nuclear posture or nuclear policy—and we do not foresee any future need to do so.

6. A number of countries have long-standing aspirations to become full members of our Alliance and have undertaken intensive and wide-ranging preparations and reforms with this aim in mind. We are now in a position to recommend to our Heads of State and Government to invite at next year's Summit meeting one or more countries which have participated in the intensified dialogue process, to start accession negotiations with the Alliance. Our goal is to welcome the new member(s) by the time of NATO's 50th anniversary in 1999. We pledge that the Alliance will remain open to the accession of further members in accordance with Article 10 of the Washington Treaty. We will remain ready to pursue consultations with nations seeking NATO membership, as we have done in the past.

We are satisfied with the intensified, individual dialogue which the Alliance has been conducting throughout this year with interested Partners. This dialogue has improved their understanding of specific and practical details of how the Alliance works. It has provided the Alliance in turn with a better understanding of where these countries stand in their internal development as well as in the resolution of any external issues with neighbouring countries. We have tasked the Council in Permanent Session to prepare comprehensive recommendations for decisions to be taken by the Summit on which country or countries to invite to begin accession negotiations. The process should include:

An intensified dialogue with interested Partner countries including in a ''16+1'' format, as appropriate;

Analysis, on the basis of further political guidance to be elaborated by the Council in Permanent Session, of the relevant factors associated with the admission of potential new members;

Preparation of recommendations on the adaptation of Alliance structures necessary to integrate new members into the Alliance;

Preparation of a plan for conducting the accession talks with one or more new members.

7. We look forward to tomorrow's meeting of the NACC, which will mark its fifth anniversary. The NACC has provided us over the years with a valued opportunity to consult regularly with our Partners on political and security issues. Through NACC and Partnership for Peace, we have achieved the development of common approaches to European security and brought the NACC countries closer together in a spirit of cooperation and a common commitment to European security. We are committed to ensuring that the NACC goals of enhancing transparency and confidence in security matters among member states remain central to future cooperation. In order to derive maximum benefit from our NACC meetings, we want to move towards further deepening our political dialogue and giving it more focus.

8. We are pleased with the dynamic development of Partnership for Peace and the role it plays in building European security cooperation. The Partnership for Peace will continue as a permanent element of the Alliance's cooperative effort to contribute to the development of a more stable European security area and, with those Partners seeking to join NATO, will also facilitate their preparations to meet the responsibilities of membership in the Alliance. Substantial progress has been achieved in enhancing the scope and substance of our Partnership cooperation, in particular the growing range of exercises, the broadening and deepening of the PfP Planning and Review Process, the intensification of work on civil-military relations, and civil emergency planning and disaster relief. In the current IFOR operation, in which 13 Partner countries are cooperating with Alliance armed forces, the Partnership for Peace has proved its value with regard both to political commitment to joint crisis management and to military interoperability.

We want to develop on the basis of transparency ever-closer and deeper cooperative ties open to all Partner countries by making the Partnership more operational; strengthening its political consultation element, taking full account of the respective activities of the OSCE and the relevant European institutions such as the WEU and the EU; and involving Partners more in operations planning and Partnership decision-making. To this end, the Alliance has set up a Senior Level Group to develop by the time of the Summit meeting a clearly strengthened and thus more attractive Partnership for Peace. We have received an interim report on the ongoing work and agree that work should begin without delay to implement its recommendations. These include:

Enhancing the political dimension of the Partnership through increasing opportunities for political consultations;

Expanding the agreed fields of military missions within PfP to the full range of the Alliance's new missions, as appropriate, including Peace Support operations over and above previously agreed areas;

Broadening the NATO/PfP exercise programme in accordance with the expanded scope of the Partnership;

Enabling Partner countries to participate in the planning and execution of PfP activities (exercises and operations);

Involving Partners more substantively and actively in PfP-related parts of the regular peacetime work of NATO's Military Authorities;

Affording the appropriate opportunity to Partners who join future NATO-led PfP operations to contribute to the provision of political guidance for oversight over such operations, drawing on the experience gained in Operation Joint Endeavour;

Examining, together with Partners, the possible modalities for the elaboration of a political-military framework for PfP operations, building on the current work of the Political-Military Steering Committee;

Enhancing Partner participation in decision-making for PfP programmes issues;

Increasing regional cooperation within the Partnership provided it remains open to all Partners and remains an integral part of the overall PfP;

Expanding the Planning and Review Process; and

As soon as the Brussels Agreement on the Status of Missions and Representatives of Third States to NATO comes into force, offering Partners the opportunity to establish diplomatic missions with NATO.

We have asked the Council in Permanent Session to ensure implementation of these recommendations without delay and to continue the work on the enhancement of Partnership for Peace and also to review its common funding and resource implications, with a view to providing a further report by the SLG with recommendations for decisions at the time of the Spring Ministerial meeting.

9. With the rapid growth of our activities under both NACC and PfP, we have identified a need for greater coherence in our cooperation in a framework which will establish with Partners a more meaningful and productive cooperative and consultative process, building on the elements of NACC and PfP which we and our Partners deem most valuable. To this end, we have agreed to work with Partners on the initiative to establish an Atlantic Partnership Council (APC) as a single new cooperative mechanism, which would form a framework for enhanced efforts in both practical cooperation under PfP and an expanded political dimension of Partnership. We have accordingly tasked the Council in Permanent Session to draw up the modalities for such a council, in close coordination with Partners, by the time of our next meeting.

10. We affirm our support for the political and economic reform process in the Russian Federation. We welcome the landmark Presidential elections in Russia. * * *

A broad process of integration and cooperation is underway in Europe; Russia is a part of it through its membership in the OSCE and the Council of Europe and its relationship with NATO as well as the European Union and the WEU. The pattern of consultations anchored by our regular ''16+1'' discussions, provide a firm foundation on which to build. We welcome Russia's participation in Partnership for Peace and encourage it to take full advantage of the opportunities which the Partnership offers.

We value the close and effective cooperation between Russia and NATO in IFOR. This cooperation demonstrates that NATO and Russia can collaborate effectively in the construction of cooperative security structures in Europe. We appreciate and welcome Russia's readiness to contribute to a follow-on operation to consolidate peace in Bosnia and Herzegovina. We look forward to continuing the experience of working closely together, which we believe will have a lasting, positive impact on our relationship.

Today, we reiterate our commitment to a strong, stable, and enduring security partnership between NATO and Russia. This partnership demonstrates that European security has entered a fundamentally new, more promising era. It constitutes an important element of the developing European cooperative security architecture to which Russia has an essential contribution to make. It will further enhance stability and security in the Euro-Atlantic area. By the time of the Summit, we aim to reach agreement with the Russian Federation on arrangements that can deepen and widen the scope of our current relationship and provide a framework for its future development. We want to ensure that NATO and Russia have a strong, flexible means to consult and cooperate as part of our evolving relationship. Agreement might be expressed in a document or could take the form of a Charter, which could encompass:

The shared principles that will form the basis of our relationship;

A broad set of areas of practical cooperation in particular in the political, military,

economic, environmental, scientific, peacekeeping, armaments, non-proliferation, arms control and civil emergency planning fields;

Mechanisms for regular and ad hoc consultations; and

Mechanisms for military liaison and cooperation.

We therefore task the Council in Permanent Session to develop further guidance on these matters on the basis of which the Secretary General could explore with Russia the possibility of such agreement.

11. We continue to support Ukraine as it develops as a democratic nation and a market economy. The maintenance of Ukraine's independence, territorial integrity and sovereignty is a crucial factor for stability and security in Europe.

Ukraine's development of a strong, enduring relationship with NATO is an important aspect of the emerging European security architecture. We greatly value the active participation of Ukraine in the Partnership for Peace and look forward to next year's exercise near Lviv. We also value Ukraine's cooperation with European institutions such as the EU and the WEU. Ukraine has made an important contribution to IFOR and UNTAES, and we welcome its commitment to contribute to a follow-on operation to consolidate peace in Bosnia and Herzegovina.

We welcome the continued development of our broad cooperation beyond PfP. We note with satisfaction the recent meeting between the Alliance and Ukraine on issues related to the proliferation of weapons of mass destruction. We welcome the progress made towards establishing a NATO information office in Kyiv, and look forward to its opening in the near future. We welcome Ukraine's active interest in further enhancing its relations with the Alliance. We are committed to the development in coming months, through high level and other consultations, of a distinctive and effective NATO-Ukraine relationship, which could be formalised, possibly by the time of the Summit, building on the document on enhanced NATO-Ukraine relations agreed in September 1995, and taking into account recent Ukrainian proposals.

12. We support the Middle East peace process, and urge all participants to remain firmly committed to it.

We reaffirm our conviction that security in Europe is closely linked with security and stability in the Mediterranean, and that the Mediterranean dimension is consequently one of the various components of the European security architecture. In this regard, as part of the adaptation of the Alliance, we will work towards enhancing our relations with non-NATO Mediterranean countries through our dialogue.

The dialogue complements other international efforts, such as those undertaken by the Barcelona process, the OSCE and the WEU without creating any division of labour. We welcome the report of the Council in Permanent Session on the progress of and recommendations for future steps to develop the dialogue with Mediterranean countries through political dialogue and other activities agreed by the Alliance. Egypt, Israel, Jordan, Mauritania, Morocco and Tunisia have reiterated their interest in the development of our relations. We have decided to enhance our Mediterranean dialogue in a progressive way and have tasked the Council in Permanent Session to report at our next meeting on the implementation of the activities foreseen in the report as well as on the scope for further development.

13. We are carrying forward the process of the Alliance's internal adaptation, with the fundamental objectives of ensuring the Alliance's military effectiveness, maintaining the transatlantic link, and developing the ESDI within NATO. In keeping with the decisions taken by NATO Heads of State and Government at the 1994 Summit Meeting and by the Ministerial meetings in June this year in Berlin and Brussels and with a view to preparing for the Summit next year, our primary focus has been on three closely linked issues: the development of a new command structure for the Alliance; the implementation of the CJTF concept; and the development of the ESDI within NATO.

14. We welcome the progress made in the development of the future command structure, noting that two structural alternatives have been selected by the Military Committee for future assessment and subsequent political consideration and agree the proposed way ahead. We urge the Council in Permanent Session and the Military Committee to complete the work as quickly as possible. Once approved, this new command structure will help ensure the Alliance's military effectiveness so that it is able, in the changing security environment facing Europe, to perform its traditional mission of collective defense and through flexible and agreed procedures to undertake new roles in changing circumstances and to provide for increased participation by Partner countries. It will constitute a renovated, single multinational command structure, reflecting the strategic situation in Europe and enabling all Allies to participate fully.

15. We welcome the progress made towards realizing the CJTF concept, on the basis of the Overall Politico-Military Framework approved by us last June. We direct the Council in Permanent Session and the NATO Military Authorities to pursue vigorously their work on this concept, bearing in mind its importance for future Alliance operations, including the possible involvement of development of ESDI.

16. We are pleased with the progress made in developing the appropriate arrangements for ESDI within NATO, as decided at the Brussels Summit and at our meeting last June in Berlin. The newly created Policy Coordination Group has contributed significantly to this process.

17. We note in particular the steps taken towards implementing the concept of separable but not separate capabilities:

The decisions of the Council in Permanent Session on political guidance concerning the elaboration of European command arrangements within NATO able to prepare and conduct WEU-led operations;

The decisions of the Council in Permanent Session regarding the arrangements for identifying NATO capabilities and assets which might be made available to the WEU for a WEU-led operation;

The progress to date on arrangements for the release, monitoring and return or recall of Alliance assets and capabilities;

The decision of the Council in Permanent Session with respect to modalities of cooperation with the WEU;

The progress on work regarding planning and conducting exercising for WEU-led operations, following receipt of illustrative profiles for WEU missions.

18. We have directed the Council in Permanent Session to submit to the Spring 1997 Ministerial meetings a report on the adaptation of Alliance structures and procedures related to the future command structure, on the implementation of the CJTF concept, and on further progress with recommendations for decisions in the development of ESDI within the Alliance.

19. We welcome the close and intensifying cooperation between NATO and the WEU. At their meeting in Ostend on 19 November 1996, WEU Ministers agreed that it would be valuable for WEU to become actively involved in the Alliance's defense planning process and expressed their readiness to participate. Early agreement is now being sought in the WEU on the participation of all European Allies in WEU-led operations using NATO assets and capabilities, as well as in planning and preparing for such operations. This would be a key contribution to the development of ESDI within the Alliance. We have tasked the Council in Permanent Session to develop the NATO–WEU relationship further in order to ensure effective cooperation in preparing for possible WEU-led operations.

20. We are pleased with the successful outcome of the OSCE Summit in Lisbon and, in particular, the adoption of a declaration on security as a result of work on a Common and Comprehensive Security Model for the 21st Century. The Lisbon Summit has created a security framework in which all European states can participate on an equal footing. The Security Model adopted in Lisbon is a comprehensive expression of the endeavour to strengthen security and stability. It complements the mutually reinforcing efforts of NATO and other European and transatlantic institutions and organisations. We attach great importance to the role of the OSCE as a primary instrument in preventive diplomacy, conflict prevention, post-conflict rehabilitation and regional security cooperation, as well as to the enhancement of its operational capabilities to carry out these tasks. We believe the OSCE, as the only pan-European security organisation, has an essential role to play in European peace and stability. We are committed to supporting its comprehensive approach to security. The principles and commitments on which the OSCE is built provide the standards for the development of a comprehensive and cooperative European security structure.

We commend the OSCE for its essential contribution to the implementation of civil aspects of the Peace Agreement for Bosnia and Herzegovina, particularly in supervising the preparation and conduct of the elections, in promoting and monitoring human rights and in overseeing the implementation of agreed confidence—and security—building measures and sub-regional arms control agreements. The OSCE thereby demonstrates its central role in contributing to regional stability and security.

We are pleased with the support given by IFOR to the OSCE in carrying out its tasks. The cooperation between OSCE and IFOR is a good example of our concept of mutually reinforcing organisations. The practical assistance given by NATO to the OSCE in helping to establish measures to verify the confidence-building and arms control agreements of the Dayton Accords testifies to a growing cooperation between NATO and the OSCE. We reiterate our readiness to further develop the cooperation between the two organizations.

The democratic and economic development, independence, sovereignty and territorial integrity of all states are essential factors for stability and security in the Euro-Atlantic area. We commend the OSCE for its mediation efforts in a number of regional conflicts through its various missions, and recognize the valuable work of the High Commissioner on National Minorities. We support the efforts of the Minsk Group to achieve a political settlement of the conflict in and around Nagorno-Karabakh.

The OSCE acquis in the field of disarmament, arms control, and confidence- and security-building measures continues to contribute significantly to political and military stability. We consider the full implementation, the further development, and if necessary, the adaptation of these measures to be indispensable elements in our effort to further enhance the European security architecture. We welcome the recent adoption by the Forum for Security Cooperation of the

Framework for Arms Control and its Future Agenda.

21. The CFE Treaty is a fundamental cornerstone of security and stability for all in the Euro-Atlantic area. We are committed to maintain and strengthen it. Consistent with our broader goal of enhancing political cooperation and military stability in a Europe without dividing lines, we welcome the decision of the 30 States Parties to the CFE Treaty on 1 December 1996 in Lisbon to launch negotiations to adapt the Treaty to the changing security environment in Europe. We look forward to beginning negotiations in the Joint Consultative Group in Vienna in January 1997 on the basis of the scope and parameters (Terms of Reference) document agreed on Lisbon.

Our common goal is to enhance security for all States Parties, irrespective of whether they belong to an alliance, and preserve their right to choose and change their security arrangements. Within the broader political context of enhanced security for all, this process should strengthen the cooperative pattern of relationships between States Parties, based on mutual confidence, transparency, stability and predictability. Committed, like the other States Parties, to adapting the Treaty by developing mechanisms which will enhance the Treaty's viability and effectiveness, we will pursue steps to review the Treaty's group structure, to adapt the Treaty system of limitations and to enhance its verification and information provisions. To that end, the members of the Alliance will develop and table proposals for the negotiations in Vienna.

We reaffirm our support for the CFR Flank Agreement, reached at this year's Review Conference in Vienna. We urge all States Parties who have not yet done so to approve this Agreement before the end of the extended provisions application period efforts directed at resolving outstanding implementation issues.

The members of the Alliance reaffirm the commitment made at Lisbon to exercise restraint during the period of negotiations as foreseen in the document in relation to the current postures and capabilities of their conventional armed forces—in particular, with respect to their levels of forces and deployments—in the Treaty's area of application. As decided in Lisbon, this commitment is without prejudice to the outcome of the negotiations, or to voluntary decisions by the individual States Parties to reduce their force levels or deployments, or to their legitimate security interests. We believe that the CFE Treaty must continue to play a key role in ensuring military stability into the 21st century, and are committed to adapting it expeditiously in order to take account of new security challenges.

22. We emphasize the importance of the START Treaties for international stability and security. We note with satisfaction the progress made by the United States and the Russian Federation in the implementation of START I. We urge the Russian Federation to follow the United States in ratifying the START II Treaty.

We welcome the successful conclusion and signing by the great majority of UN members of the Comprehensive Test Ban Treaty, and we urge all other nations to sign this important international arms control agreement. We look forward to the early start of negotiations on a Fissile Material Cut-Off Treaty.

We are pleased that the Chemical Weapons Convention will soon enter into force and we look forward to its early implementation. We welcome the fact that States Parties to the Biological and Toxin Weapons Convention have at the Fourth Review Conference in Geneva in December 1996 again solemnly declared their recognition that effective verification could reinforce the Convention.

Recognizing the heightened concern of the international community of the suffering and casualties caused by anti-personnel mines, we support the vigorous pursuit of an effective, legally binding international agreement to ban the use, stockpiling, production and transfer of antipersonnel mines and, as an important step to this end, support the early ratification of the Treaty on Open Skies by those states which have not already ratified.

23. Proliferation of nuclear, biological and chemical weapons and their delivery means continue to be a matter of serious concern to us. Progress in expanding and intensifying NATO's political and defense efforts against proliferation, as directed by NATO Heads of State and Government in January 1994, is an integral part of NATO's adaptation to the new security environment. These efforts also contribute to NATO's ability to conduct new roles and missions. We remain committed to preventing proliferation in the first place, or, if it occurs, to reversing it through diplomatic means. The Alliance is improving its capabilities to address the risks posed by proliferation. We welcome further consultations and cooperation with Partner countries to address the common security risks posed by proliferation. We note with satisfaction the report of the Alliance's Joint Committee on Proliferation on the activities of the Senior Political-Military Group on Proliferation and the Senior Defence Group on Proliferation and direct them to continue their vital efforts.

We attach particular importance to a solid preparation of the first preparatory committee of the strengthened review process of the Nuclear Non-Proliferation Treaty (NPT), scheduled for April 1997. This process will significantly contribute to the further strengthening of the NPT, which is the cornerstone of the global non-proliferation system.

24. We reaffirm our commitment to the Alliance's common-funded programmes.

We note with appreciation the progress made in moving existing resources to the highest priority programmes, such as Partnership for Peace and the support of enhanced information activities in Moscow and Kyiv. We have directed the Council in Permanent Session to keep under review the allocation of resources in order to ensure their optimal use. We have also directed the Council in Permanent Session to identify the implications of adaptation for NATO's common-funded budgets and to make appropriate recommendations for dealing with these.

25. We continue to support all efforts to combat terrorism, which constitutes a serious threat to peace, security and stability.

26. The Spring 1997 meeting of the North Atlantic Council in Ministerial Session will be held in Sintra, Portugal, on 29 May.

Mr. LIEBERMAN. Mr. President, I thank my friend and colleague from Delaware, not, of course, simply for yielding, but for his continuing leadership on this vital question of whether or not NATO will be enlarged.

Mr. President, this is one of those moments in history when we are presented with an extraordinary opportunity to do something that will shape the course of the coming decades. So often so much happens in our professional lives, our personal lives, that it is hard to distinguish between the important and the very important. This, in my opinion, is a very important resolution, beginning as it does the consideration by the 105th session of Congress of the critical question of whether the North Atlantic Treaty Organization will extend memberships beyond its current role.

This resolution reaffirms the shared commitment expressed repeatedly by strong bipartisan majorities in the Congress to the continued viability of our transatlantic alliance and to its irreplaceable contribution to peace and stability in Europe, and therefore to the vital strategic and economic and moral interests of our own country.

Mr. President, we are at a moment which, while the details may differ, is not unlike the time after the Second World War when enlightened leaders of both parties in this country, learning the lessons of their departure from the field of international relations after the First World War, came together and supported the reconstruction of post-World War II Europe, building not just the strength of those countries, the economic might that followed, but building therein great democracies that have become once again our best friends and allies.

We are at such a moment after another war, the cold war, has ended. The question is whether we will see forward boldly and honorably to understand that whether or not we will accept the nations that lived under Soviet domination into the community now of free nations will have a substantial effect on our security and our economic strength and our moral vitality for decades to come.

For unless we close our eyes to history, we must recognize that we are vitally interested in what goes on in Europe. We are connected. Our pasts and our futures are linked economically, politically, culturally, and militarily. Those ties did not break away with the fall of the Berlin Wall. Indeed, they will become more complex and more compelling and more productive over time. Over time, NATO has proved itself the most enduring guarantee that we and our allies in Europe are brought together in peace and freedom, not in tyranny and war.

NATO remains today the world's single most effective partnership of like-minded countries, sharing the burdens of international security and preserving the conditions in which open societies and free markets flourish.

Enlarging NATO means enlarging the transatlantic sphere of peace and stability, of peace and prosperity. It means honoring our promise made repeatedly throughout the cold war that we would be there when that cherished moment arrived to support the new independent nations of Central and Eastern Europe in their struggle for democracy and a better life. It means helping to ensure that those countries will continue their democratic development and take their place peacefully in the expanding community of freedom. And it means expanding the family of

nations that will share with us Americans the burden of protecting the stability and peace of the world and expanding the family of free peoples of the world.

Mr. President, this resolution expresses, in very strong and very clear language, our conviction across party lines that NATO enlargement is the best way to ensure a peaceful, stable, free future in Europe. It also makes clear that we must work with Russia, which is inherently and, of course, part of the European community and critical to the future stability of Europe. We must work with Russia to reach common ground on European security.

Proceeding steadfastly with our plans to enlarge NATO, I think, will make that task easier. For where we leave doubt, there will be further doubts created. Where we are uncertain, there are those who will take advantage of our uncertainty.

The fact is that NATO is today and has always been a defensive alliance. It poses no threat to its neighbors. Instead, it offers the confidence of secure borders and stable relationships. And by making it clear that the NATO enlargement process is ongoing and open to other countries as they qualify, it alleviates the threat of future conflict between competing blocs. NATO does not seek to target nations for exclusion. It seeks to engage nations on the high ground of democracy and free market economics and to become partners with them.

Mr. President, this week there is a remarkable statement of opinion in Newsweek magazine, the February 10, 1997, issue, written by Andre Kozyrev, former Foreign Minister of Russia. The title is ''NATO Is Not Our Enemy.'' I will read briefly from the article.

> The Russian people [former foreign minister Kozyrev says] must be told the truth. And the truth is, NATO is not the enemy. Indeed, fighting the West's proposal to admit Central European countries to NATO is self-defeating [for Russia], because Russia has no means of stopping it. The vital Commonwealth of Independent States alliance would surely fall on hard times if it is burdened with opposition to NATO. What member-nation [of the CIS] would remain part of such a group, when the NATO seal of approval often brings investment, advancement and economic enhancement? As foreign minister, [Kozyrev writes] I found that every Eastern European leader who wanted NATO membership saw it primarily as an economic move, not a military one. Opposing that will weaken our [that is to say the Russian] economic position in Central Europe.
>
> The West must recognize this as a domestic-policy crisis, [which is to say a domestic policy crisis in Russia] resist capitulation to the old guard and deal with it in a balanced fashion. An entirely new generation of leaders in our country [Russia] is waiting for this policy shift. To accomplish it, NATO's member-nations must take very difficult and challenging steps. The practical way for Russia to transform NATO is to cooperate with the alliance—and vice versa.

End of quote from Mr. Kozyrev's remarkable and, I think, very powerful statement.

Mr. President, NATO enlargement is moving forward thanks to the leadership of President Clinton, the support of a strong bipartisan group here in Congress, the very effective advocacy of NATO Secretary Solana, and so many others around the world.

We in Congress can play a very important part in this remarkable historical achievement. This resolution which Senator ROTH has brought before the Senate today, and which I am proud to cosponsor with him, will provide the President with the support to work with our allies to create the mechanisms by which new members will be welcomed into the alliance and the broad-based bipartisan support with which to go forward to develop a strong NATO-Russia security relationship.

As its 50th anniversary approaches, the Atlantic alliance remains at the core of America's global strength and at the core of global peace and security. The reach of this alliance should now be extended to those whose histories and policies justify it, just as America's own strategic interests and moral imperatives require it.

I yield the floor.

Mr. HAGEL. Mr. President, I rise today in strong support of expanding the North Atlantic Treaty Organization to help ensure stability in Central and Eastern Europe. I am proud to be an original cosponsor of this resolution to encourage the NATO expansion process and to put the 105th Congress on record in support of bringing Poland, Hungary, the Czech Republic, and Slovenia into the alliance.

I believe restructuring Europe's post-cold-war security architecture and securing lasting peace and stability throughout the continent constitute one of the great foreign policy challenges of our time. From two world wars to the former Yugoslavia, history has shown that Europe's security problems eventually become America's. Time and again, we have found ourselves confronted with only two options: Choosing to lead and help shape events in Europe, or waiting for events to overtake us as they certainly will.

Americans are well-served when America chooses to lead.

For half a century, the NATO alliance has been the foundation of European security. It has been the most meaningful multinational security framework in history. NATO will continue to be that foundation for the next half century—but only if America helps lead the alliance to adapt to the new reality in Europe after the end of the cold war.

The new reality is that the nations of Central and Eastern Europe are free from oppression and many yearn to align themselves with the West.

The new reality is that instability in the lands one author called ''Between East and West'' has replaced invasion from the East as the most likely threat to our allies and to our own interests in Europe.

The new reality is that America, Russia, and Europe will all benefit if the nations of Central and Eastern Europe are anchored in the peaceful security that NATO can offer.

I am convinced that we must move swiftly to expand the NATO alliance and to rethink our commitment to European security. More than 7 years after the Berlin Wall fell, NATO has yet to take in new members.

Congress has consistently supported NATO expansion and has enacted legislation to prepare the nations of Central and Eastern Europe for membership in the alliance. The resolution we are introducing today is designed to push ahead once again. It encourages the President to move quickly. It endorses the idea of embracing new members by the alliance's 50-year anniversary in 1999. It makes plain our belief that our alliance must reach out to work with Russia as friends rather than antagonists. And it names Poland, the Czech Republic, Hungary, and Slovenia as nations whose membership would contribute to the alliance's security.

Those of us who support NATO expansion must be prepared to make the case that it serves America's long-term security interests. This is a debate that must reach far beyond the Halls of Congress. NATO expansion, when it does occur, will require the consent of the Senate. And that will require the support of the American people.

It is time for this debate to begin.

Ms. MIKULSKI. Mr. President, I am proud to join my colleagues in introducing this resolution in support of NATO enlargement.

I support NATO enlargement because it will make Europe more stable and secure. It means that the new democracies of Central and Eastern Europe will share the burden of European security. It will mean that future generations of Americans might not have to fight and die for Europe.

America has fought and won three wars in Europe:

World War I, when an assassination in Yugoslavia led to years of bloodshed

World War II, the bloodiest war in history—when thousands of young Americans left factories and farms to fight on the battlefields of Europe

And the cold war—when Soviet expansionism forced us to prepare to defend Western Europe—and when the captive nations of Eastern Europe were forced behind the Iron Curtain.

If NATO doesn't enlarge—the Iron Curtain returns—and the unnatural division of Europe into two parts will live on longer than the Soviet Empire did.

As a Polish American, I know that the Polish people did not choose to live behind the Iron Curtain. They were forced there by the Yalta Agreement, by Potsdam, and because they and the Baltic States and the other captive nations were sold out by the free world.

But my support for this resolution is based on the future—not the past. I support this resolution because NATO enlargement will mean a future in which the newly free and democratic

countries will take their rightful place as members of Europe.

NATO played an important in part in securing this freedom. It has been the most successful defensive alliance in history. It is an alliance that helped us win the cold war. It deterred war between the super powers, and it helped prevent confrontations between member states.

But if NATO is to survive, it must adapt to meet the needs of the post-cold-war-World—or it will become irrelevant.

NATO has evolved since we created it in 1949. We have enlarged NATO on three different occasions. Each new member strengthened NATO and increased security in Europe.

Today, we are facing very different threats to security and stability in Europe. We have hot spots caused by ethnic and regional tensions. We have civil wars—as in Bosnia. And we have international crime, drugs, and terrorism. NATO must change and expand to meet these new threats.

The countries of Central and Eastern Europe want to help us address these new threats. How many times has the Senate discussed burden sharing in Europe? How often have we complained that European countries were not willing to pay their fair share for their own defense?

Now we have countries that are asking to share the burden. They are asking to pledge their troops and equipment for the common defense. They are asking to share the burden of peacekeeping—in fact they are doing it right now in Bosnia where thousands of troops from Poland, Hungary, the Czech Republic, the Baltics, Ukraine, and others are helping to secure the peace.

These countries are not asking for a handout. They are not asking for our protection. They are asking to be full partners in the new Europe. By transforming their countries into free market democracies, they have earned this right.

Mr. President, NATO is moving toward enlargement. In July President Clinton will join the leaders of our NATO partners in naming the first countries to be asked to join NATO.

This resolution states that the U.S. Senate stands with our President as he leads our effort to prepare NATO for the 21st century. I urge my colleagues to join us in supporting this resolution.

SENATE RESOLUTION 50—RELATIVE TO COST-OF-LIVING ADJUSTMENTS

Mr. ROTH (for himself and Mr. MOYNIHAN) submitted the following resolution; which was referred to the Committee on Finance:

S.RES. 50

Whereas the final report of the Senate Finance Committee's Advisory Commission to Study the Consumer Price Index, chaired by Professor Michael Boskin, has concluded that the Consumer Price Index overstates the cost of living in the United States by 1.1 percentage points;

Whereas Dr. Alan Greenspan, Chairman of the Board of Governors of the Federal Reserve System, has testified before the Senate Finance Committee that ''the best available evidence suggests that there is virtually no chance that the CPI as currently published understates'' the cost of living and that there is ''a very high probability that the upward bias ranges between ½ percentage point per year and 1½ percentage point per year'';

Whereas the overstatement of the cost of living by the Consumer Price Index has been recognized by economists since at least 1961, when a report noting the existence of the overstatement was issued by a National Bureau of Economic Research Committee, chaired by Professor George J. Stigler;

Whereas Congress and the President, through the indexing of Federal tax brackets, Social Security benefits, and other Federal program benefits, have undertaken to protect taxpayers and beneficiaries of such programs from the erosion of purchasing power due to inflation;

Whereas Congress and the President intended the indexing of Federal tax brackets, Social Security benefits, and other Federal program benefits to accurately reflect changes in the cost of living; and

Whereas the overstatement of the cost of living increases the deficit and undermines the equitable administration of Federal benefits and tax policies: Now, therefore, be it

Resolved, That it is the sense of the Senate that all cost-of-living adjustments required by statute should accurately reflect the best available estimate of changes in the cost of living.

Mr. ROTH. Mr. President, today, my friend PAT MOYNIHAN and I are submitting a sense-of-the-Senate resolution regarding the accuracy of the Consumer Price Index. Last week the Finance Committee kicked off our first hearings of the 105th Congress with a very distinguished panel of experts in the field of economics and Dr. Alan Greenspan, Chairman of the Board of Governors of the Federal Reserve System.

Mr. President, probably the most significant issue that faces Congress this year is the accuracy of the Consumer Price Index, and I believe that Congress and the President need to seriously address the economic ramifications of an accurate CPI.

One of the roles in government is to protect American families from inflation. In doing so, it is important that we are able to precisely measure inflation.

I cannot emphasize too greatly—that is what these discussions are all about—the accurate measurement of inflation. If the index is too high, it overcompensates retirees and others and undertaxes many taxpayers. If it is too low, it undercompensates retirees and overtaxes the taxpayer. What we want in fairness to all is as accurate an index as possible.

Obviously, this is a very sensitive issue, affecting retirees and taxpayers directly as well as wage earners and others.

In the spring of 1995, the Senate Finance Committee appointed a blue ribbon commission, headed by Dr. Michael Boskin, to study the methodology used to compute our current measure of inflation, the CPI. The panel also included leading experts in the field of price indexes, they include:

Dr. Dale Jorgenson, Harvard University; Dr. Ellen Dulberger, IBM Personal Computer Company; Dr. Zvi Griliches, Harvard University; and Dr. Robert Gordon, Northwestern University.

In their interim report, released in September 1995, the Boskin Commission concluded that the upward bias using changes in the Consumer Price Index to estimate changes in the true cost of living is about 1 percentage point per year.

Dr. Boskin and the other four commission members have now completed their final report and have concluded that this critical government statistic is not as accurate as possible. Since this report suggests that the Consumer Price Index has an annual upward bias of about 1.1 percent, clearly this is a significant finding and should be taken seriously.

Dr. Boskin and his colleagues have also suggested to the Finance Committee that a new measure of the true cost of living may be needed.

Inaccurate government statistics—particularly one as important as the CPI—are unacceptable. Steps should be taken to change the procedures so that the measure of the CPI is as accurate as possible.

I want to stress that any action we take on this report must be broadly and deeply bipartisan.

We must also have the full cooperation of and leadership by the Clinton administration. I hope the President will not miss an opportunity to address this issue in his fiscal year 1998 budget he submits to the Congress this week. Clearly this reform will not be successful without the President's leadership.

Mr. MOYNIHAN. Mr. President, might I first take the opportunity to congratulate the chairman for this initiative. It is characteristic of his leadership of the Finance Committee, which is bipartisan whenever that is possible, which is factual, which seeks evidence and answers.

This sense-of-the-Senate resolution recognizes the mounting evidence that, contrary to the intent of the Congress and the President, Federal tax provisions, Social Security benefits, and other Federal program benefits are being overadjusted for inflation.

The resolution expresses the sense of the Senate that:

* * * all cost-of-living adjustments required by statute should accurately reflect the best available estimate of changes in the cost of living.

In its final report issued on December 4, 1996, the Advisory Commission to Study the Consumer Price Index—the Boskin Commission concluded that:

While the CPI is the best measure currently available it is not a true cost of living index. . ..

The Boskin Commission concluded that the CPI overstates the cost of living in the United States by 1.1 percentage points.

The Commission's findings are very much in line with the prevailing professional judgment of economists as to the size of the upward bias in the CPI. In October 1994, in a memorandum to the President entitled ''Big Choices'', then-OMB Director Alice Rivlin stated that the ''CPI may be overstated by 0.4 percent to 1.5 percent.'' And in testimony at a joint hearing of the Senate and House Budget Committees in January 1995—and reinforced in testimony last week before the Senate Committee on Finance—Alan Greenspan, Chairman of the Board of Governors of the Federal Reserve System, estimated the range of plausible values at 0.5 to 1.5 percentage points.

The standard objection to correcting the Consumer Price Index has been, to cite one such statement, ''The right way to adjust the CPI is to allow the experts at the BLS to continue doing their jobs and keep politics out of it.''

We now have the definitive response from Alan Greenspan, Chairman of the Board of Governors of the Federal Reserve System. In testimony last week before the Finance Committee, he reported that the Federal Reserve Board had made its own study of this issue and had come to roughly the same conclusions as those of the Boskin Commission. He recommended a two-track procedure. First, let the BLS improve the CPI by as much as can be done and as quickly as it can be done. And second, establish an independent national commission to correct for the remaining upward bias. He then said:

> There has been considerable objection that such a second track procedure would be a political fix. To the contrary, assuming zero for the remaining bias is the political fix. On this issue, we should let evidence, not politics, drive policy.

To say again, to do nothing in the face of overwhelming evidence would be a political decision. Wrong-headed and shortsighted, with large long-term implications

And to do nothing until we have a more precise estimate of the bias—as if estimating changes in the cost of living is equivalent to measuring atomic weights—recalls the wise admonition of Lord John Maynard Keynes who said:

> It is better to be approximately right than precisely wrong.

There is some history here.

It happens that this Senator's association with the statistical system in the executive branch began over three decades ago. I was Assistant Secretary of Labor for Policy and Planning in the administration of President John F. Kennedy. This was a new position in which I was nominally responsible for, inter alia, the Bureau of Labor Statistics. I say nominally out of respect for the independence of that venerable institution, which as I noted earlier long predated the Department of Labor itself. The then-Commissioner of the BLS, Ewan Clague, could not have been more friendly and supportive. And so were the statisticians, who undertook to teach me to the extent I was teachable. They even shared professional confidences. And so it was that I came to have some familiarity with the field.

Upon our arrival in Washington with the new administration in 1961, we had waiting for us a report on price indexes from a committee led by George J. Stigler, who later won a Nobel Prize in economics. The committee noted that:

> If a poll were taken of professional economists and statisticians, in all probability they would designate (and by a wide majority) the failure of the price indexes to take full account of quality changes as the most important defect in these indexes. And by almost as large a majority, they would believe that this failure introduces a systematic upward bias in the price indexes—that quality changes have on average been quality improvements.

Through indexation of Federal tax brackets, Social Security, and other Federal programs, Congress and the President have undertaken to protect taxpayers and beneficiaries from the erosion of purchasing power due to inflation.

Based on over 35 years of mounting evidence, it is clear that the current formulas for indexation overstate the true cost of living. Over 12 years the upward bias increases outlays and reduces revenues, for programs tied to the CPI, by a cumulative $1.07 trillion.

The actuaries of the Social Security system estimate that a 1.1 percentage point correction would eliminate about two-thirds of the long-run deficit in the Social Security Program. The trust fund exhaustion date would be extended by more than 20 years, from 2029 to 2052.

Somewhat more than one-half of the 1.1 percentage bias can be eliminated rather quickly if the BLS would develop a cost-of-living index [COLI] and factor into their calculations research on quality improvements. Members of the Boskin Commission think it can be done within a year. Over time, some of the remainder of the bias could be reduced by further research on measuring quality improvements. Any residual can be dealt with by an independent national commission, as suggested by the Boskin Commission and by Federal Reserve Chairman Greenspan.

The computational procedures that would be used by BLS for a new cost of living index [COLI] are now used by the Bureau of Economic Analysis [BEA] in the calculations of GDP and its components—consumption, investment, and so on. BEA uses a Personal Consumption Expenditures [PCE] deflator to estimate changes in real consumption. For the 12 months ended November 1996, the CPI increased by 3.3 percent. Yet over roughly the same period, the PCE deflator increased by only 2.5 percent. BEA's use, in the PCE deflator, of more up-to-date consumption patterns and of adjustments for quality, lowers the reported inflation rate by 0.8 of a percentage point relative to the CPI. And this is consistent with what you would get if BLS developed a COLI with adjustments for quality improvements; that is, it is close to the 1.1 percentage point estimate of the bias.

I hope we will have broad support for this resolution on both sides of the aisle, and that we will do the Republic some good today. Mr. President, thank you for your courtesy. I yield the floor.

Mr. ROTH. Mr. President, let me thank the Senator from New York for his continuing leadership in this matter. I would like to underscore two things that he said.

One is that all we seek to do is to make the measurement of inflation as accurate as possible. That is just good government.

Second, we are anxious to have the support of our colleagues on both sides of the aisle and we will be sending a letter to our colleagues, signed by the two of us, urging them to join us in this good government venture.

Mr. MOYNIHAN. Good government venture.

Mr. ROTH. I thank very much the distinguished Senator for his able leadership.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 2 p.m. on Wednesday, February 5, 1997, to receive testimony on the nomination of Federico F. Peña to be Secretary of Energy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, February 5, 1997, to conduct a hearing on the following nominee: Janet Louise Yellen, of California, to be Chairman, Council of Economic Advisers.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on February 5, 1997, at 10 a.m. on pending committee business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, February 5, 1997, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider S. 104, the Nuclear Waste Policy Act of 1997.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Finance be permitted to meet Wednesday, February 5, 1997, beginning at 9:30 a.m. in room SH–215, to conduct a markup to extend the airport and airway trust fund excise taxes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate to receive testimony from committee chairman and ranking members on their committee funding resolutions for 1997 and 1998 on Tuesday, February 4, Wednesday, February 5, and Thursday, February 6, all at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. HATCH. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, February 5, 1997, at 10 a.m. to hold an open hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. HATCH. Mr. President, I ask unanimous consent that the Subcommittee on Administrative Oversight and the courts of the Senate Committee on the Judiciary, be authorized to meet during a session of the Senate on Wednesday, February 5, 1997, at 2 p.m., in Senate Dirksen room 226, on ''conserving judicial resources: considering the appropriate allocation of judgeships in the United States Court of Appeals for the Fourth Circuit.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR, WETLANDS, PRIVATE PROPERTY, AND NUCLEAR SAFETY

Mr. HATCH. Mr. President, I ask unanimous consent that the Subcommittee on Clear Air, Wetlands, Private Property and Nuclear Safety, be granted permission to conduct a hearing Wednesday, February 5, at 9:30 a.m., hearing room SD–406, on ozone and particulate matter standards proposed by the Environmental Protection Agency.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

AIRPORT AND AIRWAY TRUST FUND

• Mr. GORTON. Mr. President, last Thursday, I joined my colleague from Arizona, the new Chairman of the Senate Commerce Committee—Senator MCCAIN, the ranking member of the full committee, Senator HOLLINGS, and the ranking member of the Aviation Subcommittee, Senator FORD, in sponsoring the Airport and Airway Trust Fund Taxes Short Term Reinstatement Act. This legislation will extend the existing system of aviation excise taxes through September 29, 1997, and give the Internal Revenue Service authority to transfer previously collected aviation excise taxes into the airport and airway trust fund.

The airport and airway trust fund is funded by a 10-percent passenger ticket tax; a 6.25-percent cargo waybill tax; a $6 per person international departure tax; and certain general aviation fuel taxes. In 1997, this fund is expected to provide 62 percent of the Federal Aviation Administration's [FAA] fiscal year 1997 budget. More specifically, the trust fund is expected to provide $5.3 billion of the FAA's $8.6 billion total fiscal year 1997 budget. Of this $5.3 billion, $3.6 billion will provide 100 percent of the resources necessary to fund the FAA's capital programs, while $1.7 billion will provide 34 percent of the fiscal year 1997 budget for FAA operations. But this fund, so critical to the operation and improvements of our aviation system, is no longer being funded.

When the authority to collect the aviation excise taxes lapsed on December 31, 1996, officials from both the General Accounting Office [GAO] and the FAA predicted that the $4.35 billion in uncommitted balances in the fund at that time would be available to fund the FAA's capital programs through June 30, 1997. By July 1, 1997, however, they predicted that the trust fund would become insolvent. Accordingly, if Congress did not reinstate the taxes, it was predicted that the Office of Management and Budget [OMB] would have to reduce the FAA's capital accounts, which are totally funded out of the trust fund —including both the facilities and equipment [F&E] account and Airport Improvement Program, to account for the $1 billion shortfall between the trust fund's fiscal year 1997 expected contribution of $5.3 billion and the actual contribution of $4.35 billion.

According to the FAA, this reduction in the facilities and equipment account could force the FAA to issue stop work orders on all major F&E contracts, which include upgrades of the current air traffic control system throughout the country. The Airport Improvement Program would suffer an even greater impact. Under the original projections, if the aviation taxes were not reinstated, funding for the Airport Improvement Program would have to be reduced by as much as $300 million in fiscal year 1997. Existing funding agreements under the AIP would be maintained, but no new, discretionary funding would be provided for high-priority safety and security projects, capacity projects, and important noise mitigation programs.

Quite simply, this is unacceptable. If delays in the implementation of safety and security initiatives, as well as construction of capacity enhancement projects, are caused by lack of funds, then we in Congress will be responsible for weakening the safest aviation system in the world.

From a Washington State perspective, fiscal year 1997 funding for noise mitigation is particularly important. Seattle-Tacoma International Airport has been a national leader in noise mitigation programs and was the first to implement a local housing insulation program to reduce the impact on houses near the airport. The current program, which is partially funded through the AIP's discretionary noise mitigation grants, is scheduled to run through the year 2003.

Under these original projections, it was clear that reinstating the taxes as quickly as possible was the appropriate action for Congress to take to ensure that the U.S. aviation system continues to be the best system in the world.

Last Wednesday afternoon, however, this situation became more dire when the Treasury Department announced that because of an accounting error, the airport and airway trust fund could be insolvent as early as March or April.

Let me explain the events, as I understand them, which led to accounting Error made at by the Treasury Department. Each airline deposits the ticket taxes it collects to the IRS every 2 weeks. Under the look-back provisions of the IRS safe harbor rule, however, an airline can base the amount of that payment on the amount of excise taxes it collected in a 2-week period from the second preceding quarter before the current quarter. In other words, in making a 2-week tax payment in the third quarter of the year, an airline can deposit the amount it collected in a 2-week period during the first quarter of that year. If the taxes it deposits are less than what the airline actually took in during the third quarter, the airline can make up that underpayment when it files its quarterly return. The quarterly return date is approximately 2 months after the close of the quarter.

The 10 percent ticket tax was in place during the fourth quarter of 1996. The airlines' semimonthly tax payments for that quarter, however, were based on the second quarter of 1996, during which time no excise taxes were collected. The airlines, in essence, did not remit any excise taxes during the fourth quarter of 1996, even though they were collecting these taxes from passengers at that time. The airlines will have to make up for these tax underpayments by the time they file their fourth quarter returns, which are due on February 28, 1997. These taxes, however, will not be deposited into the aviation trust fund, since the general-fund-to-trust-fund transfer authority expired along with the aviation excise taxes on December 31, 1996.

It appears that the Treasury Department did not account for the complex

accounting procedures, and assumed that the trust fund would be credited with $1.5 billion more than it can be unless Congress reinstates the authority for the IRS to transfer the fourth quarter excise taxes to the trust fund. The FAA now expects to run out of money for its capital programs, and possibly its operations, much sooner than originally anticipated.

Mr. President, with Wednesday's Treasury Department announcement that the trust fund could be insolvent by March, I believe it is clear that the Senate's first and overriding priority must be to immediately reinstate the excise tax and transfer authority. While our system continues to be the safest aviation system in the world, Congress owes it to the American people to consider this legislation as quickly as possible to ensure aviation safety, security, and capital investment are not jeopardized in any manner.●

TRIBUTE TO EZE BURTS

Mrs. BOXER. Mr. President, I rise today to pay tribute to Mr. Ezunial ''Eze'' Burts, a talented public servant from California, who is retiring this month as the executive director of the Port of Los Angeles after 12 years of outstanding leadership.

Eze Burts has spent his entire career in public service. Early in his career, he worked for the Fresno County Economic Opportunities Commission where he administered the county's youth employment program. Later he became a top aide to Los Angeles Mayor Tom Bradley, where he handled a number of duties, including serving as the mayor's liaison to the police and fire departments. He also helped plan security for the highly successful 1984 Olympic Games in Los Angeles, before assuming the helm of the port later that same year.

During Mr. Burts' tenure, the Port of Los Angeles has become one of the Nation's top trade centers, generating billions of dollars in revenue and creating thousands of jobs. During this period of amazing growth, the port's operating revenue has doubled and the total cargo volume has increased by more than one-third. In fact, the Los Angeles Customs District is the largest in the Nation, and the port has become a major gateway for our Nation's Pacific rim trade. Mr. President, to put into perspective Mr. Burts' responsibility over the years, the Port of Los Angeles accounts for more than 1 million jobs nationwide, including 1 out of every 27 jobs in southern California.

Mr. Burts has also been at the forefront of the Alameda corridor project, an enterprise which is very important to my State, and indeed to the entire country. When the Alameda corridor is completed, goods will be quickly shipped from the Ports of Los Angeles and Long Beach to rail yards in downtown Los Angeles, and from there to points throughout the country. Eze Burts has been a key supporter of the Alameda corridor since its inception.

Mr. President, I am pleased to announce that Mr. Burts will continue to be a leader in the southern California community, as he prepares to become the new president of the Los Angeles Chamber of Commerce. I wish Mr. Burts and his family well as he takes on this new challenge.

TRIBUTE TO DR. WILLIAM J. PERRY

● Mr. WARNER. Mr. President, I rise today to recognize and to pay respect to Dr. William Perry for his distinguished service as the 19th Secretary of Defense. From his confirmation by the U.S. Senate on March 5, 1993, until his retirement on January 24, 1997, Dr. Perry has successfully faced many challenges as he has advised the President and the Congress through the difficult and ever-changing post-cold war era. Clearly, he was the right man at the right time.

Bill Perry brought to the Office of the Secretary of Defense a deep intellect, sound judgment, and a patient but effective leadership style. It is no surprise to me, and I am sure to others that know Bill Perry, how quickly he endeared himself to our men and women in uniform. His genuine concern for our service members has been the hallmark of his tenure as Secretary of Defense. Indeed, his initiatives in the area of quality-of-life have truly made a difference, and will serve as a fitting legacy of his exemplary service.

I have known Bill Perry for many years. I have had the opportunity to work with him during his service in both the Government and the private sector. As he returns once again to the private sector, I look forward to continuing our relationship and I wish him and his family all the best.

Mr. President, I ask that the eloquent remarks that Dr. Perry gave during his farewell ceremony be printed in the RECORD.

The remarks follow:

FAREWELL ADDRESS BY WILLIAM J. PERRY, SECRETARY OF DEFENSE

I shall be telling this with a sigh.
Somewhere ages and ages hence.
Two roads diverged in a wood, and I—
I took the one less traveled by.
And that has made all the difference.
—*Robert Frost.*

Four years ago, America faced a choice; a choice between two roads that diverged. One road led to isolation and apathy, the other road, to engagement and action. This century has taught us that the road of isolation and apathy leads to instability and war.

President Clinton chose the road of engagement and action. He strove to bridge the Cold War chasms; to reduce its nuclear legacy; to reach out to former adversaries, to prevent the conditions for conflict, and to create the conditions for peace. And that, as Robert Frost has said, has made all the difference.

It has made all the difference in Europe, where, by establishing the Partnership for Peace we have replaced an Iron Curtain which divided the nations of Europe with a circle of security which brings them together.

It has made all the difference in our own hemisphere, where all nations, save one, have chosen democracy, and by establishing the Defense Ministerial of Americas we have forged new links of trust and cooperation.

It has made all the difference in the Asia Pacific, where by establishing a Framework Agreement we froze the North Korean nuclear program and prevented a nuclear arms race; and where, by strengthening the Security Agreement with Japan, we have ensured America's security presence—the oxygen that fuels the region's prosperity.

Choosing the right road has made all the difference around the world. By executing the Nunn-Lugar program, we have dismantled 4,000 nuclear weapons that once targeted America's cities. Today, the threat of nuclear holocaust no longer hangs like a dark cloud over the heads of our children.

Four years ago, the Department of Defense faced a choice. One road was well-traveled and easy to follow, but it would have allowed our forces to atrophy as we completed the post-Cold War draw down. The other road was less traveled by, twisting and bumpy with hard choices—hard choices to ensure that we had strong capable military forces ready to respond in a world of new dangers.

Twice before in this century when faced with that same choice, we chose the well-traveled road of neglect. And we paid the price—in Korea with Task Force Smith, and after Vietnam with a Hollow Army. This time we chose the road less-traveled by—the road of readiness. We established training as our highest priority. Training designed to make the scrimmage tougher than the game. We established the iron logic that quality of life for our forces meant quality people in our forces. We reformed our acquisition system to give our quality people the most effective technology. Technology that enables them to dominate the battlefield; to win quickly, decisively, and with minimum losses. And that has made all the difference.

It made all the difference wherever we sent our forces to prevent, deter, or defeat aggression. In Haiti, where we restored democracy. In the Arabian Gulf, where we contained a brutal dictator. In the Korean Peninsula, where we stood firm with an ally. In Bosnia, where we have stopped the killing and brought to a war-ravaged people the blessings of peace. The readiness road ensured the success of each of these missions. Readiness made all the difference.

Four years ago, I faced a personal choice between a well-traveled road to a quieter life, centered around family and friends; and a less-traveled road that led to turmoil, tension, and tough decisions. But it also led to an opportunity to serve our nation, to support the troops I cared for, and to achieve the dreams I cherished.

I thought long and hard upon that choice and took counsel from sage friends. I questioned my wisdom, my patience and my ability to endure. But the courage to meet the test came from the advice of a tough sergeant major: ''Take care of the troops,'' he said, ''and they will take care of you.''

I have followed that advice, and that, for me, has made all the difference.

It made all the difference every time I advised the President on when and how to use military force. It made all the difference when I negotiated with ministerial colleagues, when I met with Presidents and Kings. It made all the difference when I decided on force levels, mission goals and rules of engagement every time we put our troops in harm's way. It made all the difference when I met with soldiers, sailors, airmen and marines, in distant lands, on domestic bases, on training fields, ships at sea, in cargo

planes, or fighter jets. It made all the difference when I shared Thanksgiving meals with them in Haiti, in Macedonia, in Bosnia.

That advice—''Take care of the troops, and they will take care of you''—has made all the difference as I learned from my mistakes, as I took pride in my achievements.

Today I say farewell to the President who honored me by asking me to serve as Secretary. I say farewell to my colleagues in the administration who worked with me to achieve common goals. I say farewell to my friends in the media, and in the Congress, and to the wonderful friends I have made in the embassies.

And I say farewell to our military leaders who have served our country so brilliantly. They have prepared our forces for war, but they are dedicated to peace. Elie Wiesel has said, ''Peace is not God's gift to mankind. It is our gift to each other.'' And for the last four years peace is the gift we have given the American people.

But the hardest farewell to say is to the troops who have served me and whom I have served. Words cannot adequately describe my pride in you. So my farewell to you is a simple benediction:

May the Lord bless you and keep you.
May the Lord cause His face to shine upon you,
and give you peace.●

THE 4TH ANNIVERSARY OF THE FAMILY AND MEDICAL LEAVE ACT

Mr. SARBANES. Mr. President, I rise today to join my colleagues in recognition of the 4-year anniversary of the Family and Medical Leave Act. Approved by the Senate on January 29, 1993, this important legislation was the first bill of the 103d Congress signed into law by newly elected President Clinton.

Prior to the enactment of the family medical leave law, families already confronting the hardships caused by a seriously ill relative had an additional burden to bear: a fear of losing their jobs should they choose to stay home to care for a loved one. For workers striving to meet the competing demands of home and office, there was no consistent standard of protection.

The Family Medical Leave Act provides that basic standard of job security to more than 67 million American workers; guaranteeing employees up to 12 weeks of unpaid leave to care for a newborn child or newly adopted child or to care for an immediate family member with a serious health condition. In addition, the law enables workers to take medical leave when they themselves are unable to work because of a serious health condition—without fear of being fired or losing their health insurance.

After 4 years of successfully helping American families strike a balance between work and family, it is difficult to believe that it was necessary to struggle for many years and overcome two vetoes by President Bush in order to enact this fundamental protection for working Americans. Since its enactment, this law has enabled approximately 12 million men and women to take time off from work to meet the care-giving needs of their families.

While opponents of the Family Medical Leave Act raised concerns about the law's effect on business, their fears have been proven ungrounded by the congressionally charged Bipartisan Commission on Leave. The Commission on Leave, made up of business and labor leaders, representatives of women and families, and members of Congress, provided an initial assessment of the family medical leave law in April 1996. The Commission found that while the law has had a significant impact on employers' leave policies and practices, increasing the reasons for which employees can take leave, this impact has come with minimal administrative activities and almost no costs. In fact, a number of employers have reported a positive impact on business performance because of Family Medical Leave Act policies.

Mr. President, as a strong supporter and original cosponsor of this significant measure, I am especially pleased with the success of the family medical leave law. Because of this law, millions of Americans, who otherwise may have been forced to choose between the demands of home and workplace, have been able to meet both their personal and professional obligations. As fundamental as the Fair Labor Standards Act, the Social Security Act and the Occupational Safety and Health Act, this law reaffirms the Democratic commitment to ensuring a measure of job protection to all hard-working Americans.

TRIBUTE TO W. PROCTOR JONES

● Mr. REID. Mr. President, I rise today to pay tribute to a Senate institution, Proctor Jones. His hard work and exceptional service have left a lasting mark on the Senate, and he will be sorely missed.

I have known and worked with Proctor Jones since I began my service in the Senate. After having served with one of the giants of the Senate—Senator Richard Russell—Proctor Jones has gone on to become a giant in his own right. His vast knowledge of appropriations has made him an invaluable asset to the committee. Since he began in 1960, his only time away from the Senate came in 1966, when he left Senator Russell's staff to serve in the Marine Corps. Apart from this brief hiatus, Proctor has been a part of the day-to-day operations of the Senate, and it will not be the same without him.

A native of Twin City, GA, Proctor came to work as Senator Russell's right-hand-man immediately after graduation from the University of Georgia. As he rose through the ranks on the Hill, Proctor found time to further his education at the George Washington University. In essence, he never stopped being a student, particularly of the Senate and its appropriations process.

In 1971, when he joined the Committee on Appropriations, Proctor quickly became a part of the staff leadership. Under every Democratic chairman since 1973, he has been the staff director for the Subcommittee on Energy and Water Development and, under Chairmen McClellan and Stennis, Proctor was deputy staff director of the full committee. Serving under some of the most distinguished chairmen of this venerable committee—Senators Russell, Ellender, McClellan, Magnuson, Stennis, BYRD, and Hatfield—Proctor distinguished himself as a genius of compromise and an expert on the budget.

While the Senate has changed and evolved during Proctor's long tenure, he never lost his fervor for his job. Tireless is an adjective often used to describe public servants, but Proctor epitomizes this description. His seemingly endless supply of energy and love for the Senate made him a constant presence even at the latest of the late-night sessions. This veteran of the Senate has been intimately involved with the annual appropriations bills, as well as handling innumerable continuing resolutions, supplemental appropriations, and rescissions bills, and other measures relating to the appropriations process. Those of us who devote time to the task of appropriation know how grueling it can be. Through it all, Proctor Jones devoted himself completely, using his vast expertise in the service of his country.

In addition to his Senate work, Proctor is an active member of his church and community. He is also the proud father of two daughters, Heather and Lisa. It is my pleasure to speak today in tribute to Proctor Jones, and I wish him every happiness in his retirement.●

SENATE QUARTERLY MAIL COSTS

● Mr. WARNER. Mr. President, in accordance with section 318 of Public Law 101–520 as amended by Public Law 103–283, I am submitting the frank mail allocations made to each Senator from the appropriation for official mail expenses and a summary tabulation of Senate mass mail costs for the fourth quarter of fiscal year 1996 to be printed in the RECORD. The fourth quarter of fiscal year 1996 covers the period of July 1, 1996, through September 30, 1996. The official mail allocations are available for frank mail costs, as stipulated in Public Law 104–53, the Legislative Branch Appropriations act for fiscal year 1996.

The material follows:

SENATE QUARTERLY MASS MAIL VOLUMES AND COSTS FOR THE QUARTER ENDING 09/30/96

Senators	Total pieces	Pieces per capita	Total cost	Cost per capita	Fiscal year 1996 official mail allocation
Abraham	815	0.00009	$209.83	$0.00002	$160,875
Akaka	0	0.00000	0.00	0.00000	48.447
Ashcroft	0	0.00000	0.00	0.00000	109,629
Baucus	0	0.00000	0.00	0.00000	46,822
Bennett	0	0.00000	0.00	0.00000	56,493
Biden	0	0.00000	0.00	0.00000	44,754

SENATE QUARTERLY MASS MAIL VOLUMES AND COSTS FOR THE QUARTER ENDING 09/30/96—Continued

Senators	Total pieces	Pieces per capita	Total cost	Cost per capita	Fiscal year 1996 official mail allocation
Bingaman	0	0.00000	0.00	0.00000	56,404
Bond	0	0.00000	0.00	0.00000	109,629
Boxer	0	0.00000	0.00	0.00000	433,718
Bradley	0	0.00000	0.00	0.00000	139,706
Breaux	2,811	0.00066	1,989.59	0.00046	92,701
Brown	0	0.00000	0.00	0.00000	86,750
Bryan	73,120	0.05510	9,595.11	0.00723	56,208
Bumpes	0	0.00000	0.00	0.00000	69,809
Burns	0	0.00000	0.00	0.00000	46,822
Byrd	0	0.00000	0.00	0.00000	59,003
Campbell	0	0.00000	0.00	0.00000	86,750
Chafee	0	0.00000	0.00	0.00000	48,698
Coats	0	0.00000	0.00	0.00000	112,682
Cochran	0	0.00000	0.00	0.00000	69,473
Cohen	0	0.00000	0.00	0.00000	52,134
Conrad	0	0.00000	0.00	0.00000	43,403
Coverdell	0	0.00000	0.00	0.00000	131,465
Craig	23,560	0.02208	6,401.43	0.00600	49,706
D'Amato	282,800	0.01561	54,566.49	0.00301	262,927
Daschle	0	0.00000	0.00	0.00000	44,228
DeWine	20,700	0.00188	28,538.77	0.00259	186,314
Dodd	0	0.00000	0.00	0.00000	80,388
Domenici	0	0.00000	0.00	0.00000	56,404
Dorgan	0	0.00000	0.00	0.00000	43,403
Exon	0	0.00000	0.00	0.00000	57,167
Faircloth	0	0.00000	0.00	0.00000	134,344
Feingold	0	0.00000	0.00	0.00000	102,412
Feinstein	0	0.00000	0.00	0.00000	433,718
Ford	0	0.00000	0.00	0.00000	86,009
Frahm	0	0.00000	0.00	0.00000	70,459
Frist	0	0.00000	0.00	0.00000	106,658
Glenn	0	0.00000	0.00	0.00000	186,314
Gorton	147,150	0.02865	28,207.01	0.00549	109,059
Graham	0	0.00000	0.00	0.00000	259,426
Gramm	0	0.00000	0.00	0.00000	281,361
Grams	48,301	0.01078	12,793.51	0.00286	96,024
Grassley	282,700	0.10053	52,804.31	0.01878	73,403
Gregg	0	0.00000	0.00	0.00000	50,569
Harkin	0	0.00000	0.00	0.00000	73,403
Hatch	0	0.00000	0.00	0.00000	56,493
Hatfield	0	0.00000	0.00	0.00000	78,163
Heflin	0	0.00000	0.00	0.00000	89,144
Helms	0	0.00000	0.00	0.00000	134,344
Hollings	0	0.00000	0.00	0.00000	85,277
Hutchison	0	0.00000	0.00	0.00000	281,361
Inhofe	0	0.00000	0.00	0.00000	82,695
Inouye	0	0.00000	0.00	0.00000	48,447
Jeffords	22,250	0.03904	4,757.18	0.00835	42,858
Johnston	2,811	0.00066	1,984.85	0.00046	92,701
Kassebaum	0	0.00000	0.00	0.00000	70,459
Kempthorne	0	0.00000	0.00	0.00000	49,706
Kennedy	0	0.00000	0.00	0.00000	117,964
Kerrey	0	0.00000	0.00	0.00000	57,167
Kerry	0	0.00000	0.00	0.00000	117,964
Kohl	0	0.00000	0.00	0.00000	102,412
Kyl	0	0.00000	0.00	0.00000	93,047
Lautenberg	0	0.00000	0.00	0.00000	139,706
Leahy	5,911	0.01037	3,675.39	0.00645	42,858
Levin	0	0.00000	0.00	0.00000	160,875
Lieberman	0	0.00000	0.00	0.00000	80,388
Lott	0	0.00000	0.00	0.00000	69,473
Lugar	0	0.00000	0.00	0.00000	112,682
Mack	0	0.00000	0.00	0.00000	259,426
McCain	0	0.00000	0.00	0.00000	93,047
McConnell	284,000	0.07563	55,155.85	0.01469	86,009
Mikulski	0	0.00000	0.00	0.00000	101.272
Moseley-Braun	0	0.00000	0.00	0.00000	184,773
Moynihan	0	0.00000	0.00	0.00000	262,927
Murkowski	287,000	0.48893	55,636.53	0.09478	42,565
Murray	37,835	0.00737	9,404.97	0.00183	109,059
Nickles	0	0.00000	0.00	0.00000	82,695
Nunn	0	0.00000	0.00	0.00000	131,465
Pell	0	0.00000	0.00	0.00000	48,698
Pressler	0	0.00000	0.00	0.00000	44,228
Pryor	0	0.00000	0.00	0.00000	69,809
Reid	73,120	0.05510	9,593.56	0.00723	56,208
Robb	0	0.00000	0.00	0.00000	121,897
Rockefeller	131,000	0.07230	29,347.28	0.01620	59,003
Roth	0	0.00000	0.00	0.00000	44,754
Santorum	0	0.00000	0.00	0.00000	199,085
Sarbanes	0	0.00000	0.00	0.00000	101,272
Shelby	0	0.00000	0.00	0.00000	89,144
Simon	0	0.00000	0.00	0.00000	184,773
Simpson	0	0.00000	0.00	0.00000	41,633
Smith	0	0.00000	0.00	0.00000	50,569
Snowe	0	0.00000	0.00	0.00000	52,134
Specter	0	0.00000	0.00	0.00000	199,084
Stevens	0	0.00000	0.00	0.00000	42,565
Thomas	0	0.00000	0.00	0.00000	41,633
Thompson	0	0.00000	0.00	0.00000	106,658
Thurmond	0	0.00000	0.00	0.00000	85,277
Warner	0	0.00000	0.00	0.00000	121,897
Wellstone	0	0.00000	0.00	0.00000	96,024
Wyden	0	0.00000	0.00	0.00000	52,135•

AMY NICOLLE JOHNSON, AUGUST 20, 1978–DECEMBER 14, 1995

• Mr. WELLSTONE. Mr. President, I rise to pay tribute to the memory of a fine young person from Minnesota, Amy Nicolle Johnson.

Amy Johnson grew up at her family's home on Lake Sarah and attended the Rockford public schools from kindergarten through her senior year of high school. At age 17, Amy died in a car accident early one morning on her way to the school she loved.

An excellent student, talented athlete, and student leader, Amy was extensively involved in diverse activities throughout the year. A typical school year began for Amy with a class schedule that included band and choir in addition to the traditional academic subjects.

Her 6-year commitment to band was most demanding in the autumn with extra practices for the flag corps of the marching band and many evenings devoted to playing the trumpet with the pep band. She also played volley ball for 5 years, 3 of which were spent on the varsity team.

Gymnastics marked the beginning of the winter season for her. Competing on all four events for all of her 5 years and a varsity team member for 4, Amy's involvement in this sport exemplified the pride, perseverance, and commitment that she applied to every facet of her life.

She enjoyed singing with the choir and participated in choral duets and the stage—jazz—band for several years in district and State competitions. Her musical talent and enjoyment of the dramatic arts led Amy to participate in musicals and plays.

The spring brought Amy outdoors, where she played second base with the varsity softball team for 4 years. Even though the school year would come to an end each spring, the softball season continued into the summer. From the tee ball leagues in second grade to the State softball fast pitch tournament in 1995, Amy spent many hours of her summer vacation on the field.

The past two summers she began saving money for college working at Len Busch Roses and the Hennepin County Baker Park Reserve on Lake Independence.

Throughout all of the season's activities, Amy was a leader inside and outside of the classroom. She was an honors student and a member of the National Honor Society, as well as the secretary of her senior, junior, and freshman class. She was the cocaptain of the gymnastic and softball teams and was recognized in all three sports as an all-conference athlete. In her senior year she was chosen Homecoming Queen.

Most of Amy's friends and teachers will remember her shining smile that simply defined her presence. It is her family's hope that this remarkable young woman's spirit will be perpetuated through a scholarship that was established in her memory.

Amy valued respect, compassion, honesty, integrity, and responsibility. She made a sincere effort to live up to those values daily and she made a positive difference in the lives of all those she encountered.

Mr. President, it is an honor for me to pay tribute to the memory of this remarkable young woman, Amy Johnson, who touched the lives of so many during her brief life.•

TRIP REPORT—THE PEOPLE'S REPUBLIC OF CHINA, HONG KONG, TAIWAN, AND NEPAL

• Mrs. FEINSTEIN. Mr. President, from November 11 through November 26, 1996, I traveled to the People's Republic of China, Taiwan, Hong Kong, and Nepal for discussions with senior leaders in each of these places. I have today transmitted my report on this trip to the chairman and ranking minority member of the Committee on Foreign Relations. I hope my colleagues find it of interest.

I ask that the report be printed in the RECORD.

The report follows:

U.S. SENATE,
Washington, DC, February 5, 1997.

Hon. JESSE HELMS,
Chairman.

Hon. JOSEPH R. BIDEN, Jr.,
Ranking Minority Member, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR SENATOR HELMS and Senator BIDEN:

Attached please find a report on my travel to China, Hong Kong, Taiwan, and Nepal from November 11 through 26, 1996. During the China portion of the trip and parts of the Hong Kong and Taiwan portions, I joined Senators Daschle, Dorgan, Glenn, Kempthorne, and Leahy. Travel costs were at my personal expense.

In China, I discussed with the Chinese leadership the need to develop a long-term strategic framework for our relationship based on our many mutual interests, tensions in the triangular U.S.-China-Taiwan relationship, a variety of U.S.-China trade issues, nonproliferation and other security concerns, and human rights and legal development in China.

In Hong Kong, the itinerary included meetings with British, Chinese, and Hong Kong officials and members of the business community to assess the prospects for Hong Kong's reversion to Chinese rule in July 1997.

In meetings with the Taiwanese leadership in Taipei, I discussed Taiwan's role in the U.S.-China relationship and how to get dialogue across the Taiwan Strait back on track.

In Nepal, I examined the progress made by this fledgling democracy in consolidating its democratic institutions, and looked at ways the United States can be most effective in helping promote Nepal's economic development. I met with His Majesty King Birendra Bir Bikram Shah, Prime Minister Sher Bahadur Deuba, and Foreign Minister Prakash Chandra Lohani, as well as members of the various parties in the parliament.

I am grateful to Ambassador James Sasser and his staff in Beijing, Consul General Richard Boucher and his staff in Hong Kong, American Institute in Taiwan Director Darryl Johnson and his staff in Taipei, and Ambassador Sandy Vogelgesang and her staff in Kathmandu. Their cooperation and assistance helped make this trip as productive as it was. I would particularly like to thank Foreign Service Officers Darcy Zotter, Robert Forden, Michael Meserve, Gina Sullivan, Paul Daley, and Peter Bodde, and AIT staffer Andrew Wilson, for their assistance. I am also grateful to the staff of the Committee on Foreign Relations for their help.

I hope you find this report useful.

Sincerely,

DIANNE FEINSTEIN,
United States Senator.

SENATOR DIANNE FEINSTEIN: TRIP REPORT—THE PEOPLE'S REPUBLIC OF CHINA, HONG KONG, TAIWAN, AND NEPAL, NOVEMBER 11–26, 1996

Following my visit to China in August 1995, I was encouraged by Ambassador Liu Shuqing, President of the Chinese People's Institute for Foreign Affairs, to organize additional delegations of Senators to travel to China to meet with senior leaders and discuss a range of issues affecting the U.S.-China relationship. The first of these delegations, consisting of Senator Sam Nunn, Senator John Glenn, and myself traveled to China in January 1996.

From November 11–17, 1996, I joined Senator Tom Daschle's delegation traveling to Beijing, Hong Kong, and Taiwan. I subsequently returned to Hong Kong for additional meetings from November 17–20, and then traveled to Nepal from November 20–26. My husband, Mr. Richard C. Blum, and I traveled at personal expense. We were accompanied throughout by a member of my staff, Mr. Daniel Shapiro, whose expenses were underwritten by the Committee on Foreign Relations.

CHINA

The issues we discussed with the Chinese leadership included:

The prospects for a more stable and productive U.S-China relationship in the wake of Secretary of State Christopher's visit to China and the meeting between Presidents Clinton and Jiang in Manila;

The prospects for reduced tensions between Taiwan and China, and the role of Taiwan in the U.S.-China relationship;

The July 1997 reversion of Hong Kong to Chinese sovereignty, and the U.S. interests at stake in a stable transition for Hong Kong;

The lack of progress in resolving a number of outstanding trade disputes between the United States and China;

The human rights situation in China, with emphasis on Tibet and the status of leading dissidents who have been detained or imprisoned;

Regional security issues, including North Korea and South Asia, and the prospects for enhanced military-to-military dialogue and cooperation between the United States and China; and

The recent progress made on U.S. nonproliferation concerns, and the need for continued progress in this area.

On the evening of Thursday, November 14, I met with President Jiang Zemin privately at the Great Hall of the People. We were then joined by Senators Tom Daschle, Byron Dorgan, John Glenn, Dirk Kempthorne, and Patrick Leahy for a one hour meeting, followed by a two and a half hour dinner, also in the Great Hall of the People.

During the rest of our visit, we conducted meetings and working meals with:

Vice Chairman of the Central Military Committee and Minister of National Defense Chi Haotian;

Vice Minister of Foreign Affairs Li Zhaoxing; and

President of the Chinese People's Institute of Foreign Affairs Liu Shuqing.

Because I arrived before the Daschle delegation and remained in Beijing after their departure, I conducted separate meetings with:

Director of the Office of Hong Kong and Macao Affairs of the State Council Lu Ping;

Executive Director of the Association of Relations Across the Taiwan Straits Tang Shubei; and

Executive Vice Premier Zhu Rongji.

In addition to the above meetings, we received briefings from the staff of the United States Embassy in Beijing, including Ambassador James Sasser. We also conducted meetings with representatives of American companies doing business in China to learn about the current climate for U.S. firms in China and how it is affected by developments in the political and trade relationship between the United States and China.

Overview of the U.S.-China Relationship

Our discussions with Chinese leaders indicated a fair degree of optimism about prospects for an improved environment in the U.S.-China relationship in 1997, tempered by caution with respect to a number of issues of concern to China. The Chinese seem to view the reelection of President Clinton as an opportunity for the U.S.-China relationship to progress without being hampered by the vagaries of American politics to the degree it was in 1996. In November, they were optimistic about Secretary's Christopher's upcoming visit and the Jiang-Clinton meeting in Manila. They are also encouraged by the planned visit of Vice President Gore in early 1997 and the subsequent exchange of Presidential visits. The Chinese see these developments as important steps toward establishing the consistent high-level dialogue that the U.S.-China relationship needs to make progress on issues of common interest and areas of disagreement. In the words of President Jiang, ''the sky is clearer now.''

At the same time, there are several reasons to believe that progress in the relationship in 1997 will be incremental, rather than dramatic. First, the 15th Communist Party Congress, when Chinese leadership positions will be decided for the next five years is scheduled for September 1997. In the run-up to this Congress, many Chinese leaders will feel pressure to display their nationalist credentials, and this may take the form of challenging the United States, or at least demonstrating minimum flexibility, on any number of issues. Second, the transition of Hong Kong, which takes place on July 1, 1997, will be watched closely by the United States and the world. If it leads to confrontations between the Chinese authorities and Hong Kong democracy activists, or if U.S. interests are put at risk, it could be the source of considerable tension in U.S.-China relations. Finally, a significant number of bilateral issues can continue to plague efforts to normalize U.S.-China relations, including trade disputes, nonproliferation concerns, human rights, and, most importantly, Taiwan.

Taiwan

Taiwan remains the issue with the greatest potential to seriously disrupt and inflame efforts to stabilize the U.S.-China relationship. The Chinese blame Lee Teng-hui for the absence of cross-strait dialogue. They believe he is actively casting doubt on the one-China policy, and doing so because he believes he has U.S. and Japanese support. They insist that for an atmosphere conducive to dialogue to resume, Lee must take concrete actions: recognize the indivisibility of China's territory and sovereignty; and stop seeking to expand Taiwan's diplomatic presence, especially with countries who have relations with China and at the United Nations. They do not insist that Taiwan recognize the sovereignty of the PRC government.

China is eager to develop the so-called ''three links'' with Taiwan: direct air travel, shipping, and postal service. They believe Taiwan's reluctance to open them on China's terms (such as not flying a Taiwanese flag in Chinese ports) is a sign that Lee Teng-hui is trying to widen the divisions between the mainland and Taiwan. They also cite Lee's recent efforts to discourage and restrict Taiwanese investment in China. On the other hand, Hong Kong's reversion to Chinese rule may begin to initiate the three links, as Taiwan will continue to interact with Hong Kong much as it has in the past. There is some sense that if the Hong Kong transition goes smoothly, it could ease the way for eventual reunification between Taiwan and China on the ''one country, two systems'' model.

It is impossible to overstate the depth of Chinese feelings on Taiwan's role in the U.S.-China relationship. President Jiang told me clearly and directly, that the main thing he needs in order to pursue improved U.S.-China relations is for the Taiwan issue to remain quiet. If it is handled well, everything is possible. If it is not handled well, it could cause a shock to U.S.-China relations. Tang Shubei, Executive Director of the Association for Relations Across the Taiwan Straits, specifically mentioned two potential pitfalls: if Lee Teng-hui is granted a transit visa to the United States on his way to Panama in September, and uses the Panama Canal hand-over ceremony to meet with President Clinton; and if U.S. arms sales to Taiwan are not seen to be declining over time, and avoiding offensive weapons systems, such as landing craft. During my lengthy discussion with Tang Shubei, he gave a comprehensive and precise presentation of China's views on Taiwan, expressing a resolute firmness that I had not seen before.

Trade Issues

Perhaps in a manifestation of pre-Party Congress stiffening of views, the Chinese seemed particularly stubborn on a number of the trade issues affecting U.S.-China relations. I had a long discussion with Executive Vice Premier on the subject of TCK wheat. China refuses to import virtually any U.S. wheat at the moment, on the grounds that all U.S. wheat is potentially infected with TCK by the rail cars used to transport wheat around the United States. While the Chinese view on TCK is, according to U.S. specialists, not backed up by sound science, they maintain that China will not resume U.S. wheat imports unless Chinese inspectors are allowed to examine the wheat when it is loaded onto ships. This wheat dispute is responsible for a significant decline in U.S. agricultural exports to China.

China's position on its application to join the WTO has changed little in recent months. Beijing continues to believe that it should be admitted to the WTO as a developing country, and that it should try to make the necessary changes to its economy over time. There has been little or no response to the ''road-map'' provided by USTR to the Chinese in early 1996.

It seems clear to me that if there is not progress on these trade issues, and on the expanding U.S.-China trade imbalance, trade will become a major political problem in the relationship, and could lead us down the road toward a serious confrontation. While the Chinese seem to recognize this potential, they continue to insist that they can do nothing about the trade imbalance because it is caused primarily by foreign-owned ventures that export out of China, and by goods exported via Hong Kong. They say that neither category should be counted against Chinese export totals, resulting in a huge disparity between the trade figures cited by the two sides (the U.S. figure: $35 billion imbalance; China's figure: $8.6 billion).

Most importantly, the one area of flexibility I saw was in Zhu Rongji's willingness to set up a joint working group between U.S. and Chinese trade specialists, to come up with a common method of calculating the trade balance, especially after Hong Kong reverts to Chinese sovereignty. This working

group could offer a course of action that would be positive and move both sides toward a resolution of this impasse.

Hong Kong

China seems to genuinely want to see a smooth transition take place in Hong Kong, and they repeatedly voice their commitment to allowing the ''one country, two systems'' approach to take hold. They stress their intention to let the government of Hong Kong be the final arbiter of Hong Kong affairs. This standard, freely volunteered by Beijing, seems to be the appropriate way to judge how the transition goes.

The decision to appoint a provisional Legco and the method of appointment of the first chief executive have led to some concern over China's true intentions. Again, the measure by which to judge these events is the degree to which China allows the Hong Kong government to make decisions on such issues as allowing a commemoration of the June 4 incidents in Tiananmen Square, press freedoms, and so on. In addition, it will be important to observe whether China keeps its commitment to move the selection of future Hong Kong governments in the direction of universal elections over the next ten years.

In my meeting with Lu Ping, Director of the Office of Hong Kong and Macao Affairs for the State Council, who is overseeing the transition, I asked specifically if China would allow peaceful dissent, such as commemorations of the June 4 incidents, after July 1, 1997. Mr. Lu, who was made aware of the questions I would be asking prior to the meeting, was unequivocal in his response: such protests would certainly be permitted as long as they are consistent with Hong Kong law. The test will be whether China tries to imposes changes on Hong Kong law that would limit freedoms.

U.S. interests in Hong Kong, such as continued ship visits and the operation of the U.S. Consulate General do appear to be on the Chinese radar screen and resolvable through negotiations. (Later Chinese Ambassador to the United State Li Daoyu reported to me that military ship visits for R&R will be permitted to continue.)

Military and Security Issues

Interestingly, the greatest degree of cooperation appeared to be in the areas of the relationship relating to military cooperation and security issues. For example, while the Chinese are critical of U.S. arms sales to Taiwan as a proliferation matter, they do seem receptive to further dialogue about nuclear proliferation. In recent months, China has committed not to provide equipment to unsafeguarded nuclear facilities, and it has decided against selling nuclear reactors to Iran. Currently, China is considering the sale of a uranium enrichment facility to Iran, but the prospect of implementing the 1985 U.S.-China peaceful nuclear energy agreement is a strong incentive for them to cancel the Iran sale.

On North Korea, the Chinese believe Kim Jong-Il is in charge and that the food shortages are not as severe as have been stated in the West. China believes the United States' efforts to denuclearize the Korean Peninsula are useful, and they sound like they are willing to be supportive of the advancement of this process. On South Asia, there appears to be a slowly growing recognition that China's own security interests are at stake in preserving stability between India and Pakistan, and reducing the likelihood of a nuclear confrontation.

The one area of major concern to China is the revised U.S. security agreement with Japan. Defense Minister Chi Haotian and Vice Foreign Minister Li Zhaoxing both raised this issue, citing the history of Japanese aggression against China as the source of China's nervousness. They seemed to accept our assurances that the U.S. presence in Japan and throughout Asia is intended to reduce tensions, ensure stability, and make unlikely the military adventurism that China seems to fear from Japan. Their basic trust was evident in the Defense Minister's expressed desire to broaden and deepen military exchanges and dialogue—including ship visits—between the United States and China. Nevertheless, they are suspicious of Japanese intentions. In my view, this could become an area for serious concern if not handled carefully.

HUMAN RIGHTS

Our discussions on human rights did not bear a great deal of fruit. China continues to see U.S. criticism of its human rights record, and particularly the six-year-old effort to pass a resolution condemning China at the U.N. Human Rights Convention, as interference in its internal affairs. We raised the case of Nawang Choepel, a Tibetan who was arrested for recording Tibetan music under a Fulbright scholarship. However, we got little response, and subsequent to our visit, he was sentenced to 18 years in prison for spying, with the goal of splitting Tibet from China. His case is one of a number of indicators that China has significantly racheted up the pressure in Tibet, and that human rights abuses there have increased.

And yet, progress toward implementation of the rule of law continues, slowly but surely, including the preparation of a number of new laws limiting police powers and restricting the use of administrative detention. More progress like this remains the best long-term hope for significant improvement of the human rights situation in China.

During my meeting with President Jiang, I proposed to him a joint working group on human rights, whose members would be appointed by the two Presidents. The group would conduct research and fact-finding in order to chart the evolution of human rights in both China and the United States in the last 20 to 30 years. The group would also make recommendations on areas still in need of improvement, presenting their findings in reports to both Presidents. President Jiang said he would consider this proposal, which I believe could help break the deadlock we currently have with the Chinese over human rights and provide a methodology for discussion.

TAIWAN

The issues we discussed with Taiwanese leaders included: the prospects for a resumption of the Cross-Straits Dialogue with China; the U.S.-China relationship and its implications for Taiwan, including Taiwan's security; Taiwan's efforts to expand its international role, or its ''pragmatic diplomacy''; Taiwan's democratic progress; and lobbying efforts in Washington on behalf of Taiwan.

I joined with Senators Daschle, Dorgan, Glenn, and Leahy for meetings with:

President Lee Teng-hui; Vice President/Premier Lien Chan; and Foreign Minister John Chang, who also hosted the delegation for dinner.

Separately from Senator Daschle's delegation, I had several additional meetings, including: a visit with Dr. Koo Chen-fu, Chairman of the Straits Exchange Foundation, in his home; a private meeting with Foreign Minister John Chang; a breakfast with Chang King-yuh, Chairman of the Mainland Affairs Council, and Dr. Koo Chen-fu; a meeting with Chiling Tong, Director of the California Office of Trade and Investment; and a luncheon hosted by the American Chamber of Commerce in Taipei.

THE CROSS-STRAITS DIALOGUE

Taiwanese leaders feel that, with respect to prospects for restarting the Cross-Straits Dialogue, the ball is in China's court. They accuse China's leaders of claiming to place no conditions on resumption of a dialogue, while in fact demanding an important concession in advance: Taiwan's agreement to China's interpretation of the One China policy. The PRC's demand that Taiwan acknowledge that the sovereignty and territory of China are indivisible is interpreted by the Taiwanese leaders as denying the existence of the Republic of China on Taiwan.

According to Foreign Minister John Chang, the Taiwanese leadership would rather acknowledge the existence of One China, but say that it is currently divided, and that it has two governments—the People's Republic of China government in Beijing, and the Republic of China government in Taipei. Foreign Minister Chang says that Beijing's version of the One China policy would require Taiwan to accept the communist system of government, which the people of Taiwan would never accept. He said that such a move would actually increase pro-independence sentiment in Taiwan, which his government says it opposes.

But it is sometimes difficult to distinguish Minister Chang's description of Taiwan's version of the One China policy from a Two Chinas policy, which he says his government rejects. He speaks of two co-equal Chinese governments, the PRC and the ROC, each with its own sovereignty and conducting its own international affairs. Reunification is mentioned as a lofty, but currently unrealistic goal, and one that can never happen without the collapse of the PRC government in Beijing. In our meeting with President Lee, he suggested that One China is not the current reality, but rather a future goal. It is certainly possible that such a policy causes confusion in Beijing about Taiwan's true intentions.

The Taiwanese leadership blames the PRC for its breaking off the Cross-Straits Dialogue following the promising talks between Koo Chen-fu of Taiwan's Straits Exchange Foundation and Wang Daohan of China's Association for Relations Across the Taiwan Straits in May 1995. In so doing, Taiwanese leaders draw no explicit connection between Lee Teng-hui's visit to Cornell University and the Chinese decision. Nevertheless, the Taiwanese leadership does seem to have internalized the need to proceed cautiously and avoid provocative actions to which the Chinese leadership will feel forced to respond. President Lee maintains that he is eager to meet with President Jiang Zemin, but expects that any movement will be impossible before the 15th Communist Party Congress takes place in the fall of 1997.

At the same time, there are signs that President Lee is encouraging a loosening of ties with the mainland. Taiwanese interests have $30 billion worth of foreign investment in China, and two-way trade across the strait stands at $20 billion annually. In recent months, President Lee has admonished the business community ''not to put all its eggs in one basket'' and to diversify its markets for exports and investment. There is even talk of more formal restrictions on large investment projects in China. It is not clear whether this trend is a sign of a weakening of Lee Teng-hui's commitment to reunification, or an indication that he feels that the deepening of economic ties across the strait will decrease Taiwan's bargaining power over political issues. Either way, it is a source of concern to the business community and reunification advocates on both sides of the strait.

A similar question could be posed about Lee's reticence to agree to the three direct

links (air, shipping, and postal) that China is eager to establish. The shipping link is ostensibly stalled over which flag the ships will fly in which ports. But these questions will essentially become moot after the transition of Hong Kong to Chinese rule. At that point, Taiwanese ships sailing to Hong Kong will be conducting a direct link with China. There is some debate on this point within the Taiwanese leadership—Minister Chang denied that direct links would be established via Hong Kong, which Dr. Koo suggested that Hong Kong's transition could provide an opening to formalize such links. Whatever reluctance the Taiwanese leadership may have about establishing such links, there seems little doubt that they will need to do so eventually. Taiwan's business community strongly favors the links. But beyond that, considering China's increasingly important role in Asia's economy, the Taiwanese leadership's stated desire to develop Taiwan into an Asian-Pacific Regional Operations Center for business, finance, media, entertainment, and other sectors seems hopelessly unrealistic unless companies that base themselves in Taiwan can interact directly with China.

I was particularly impressed by my discussions with Dr. Koo Chen-fu. He appears to have a keen understanding of the constraints under which the Chinese leadership is operating, and is apparently thinking creatively about ways to break the impasse. In contrast to some of his colleagues, who seem content to restate Taiwan's position and explain why China is to blame for the talks not restarting, Dr. Koo takes a nuanced approach to the problem and is probing for solutions. Taiwan would benefit from his ability to influence their internal policy debates.

TAIWAN'S SECURITY

The Taiwanese leaders we met all expressed their extreme gratitude for the U.S. decision to deploy two aircraft carriers near the Taiwan Strait during the March 1996 Chinese missile tests and military exercises in the Strait. They also expressed appreciation for U.S. arms sales to Taiwan which, according to the Taiwan Relations Act, are supposed to ensure Taiwan's ability to defend itself. The United States, they said, has lived up to its commitments in the Taiwan Relations Act.

Premier Lien Chan and Foreign Minister John Chang, however, emphasized that China's purchase of Russian Su-27s and the presence of Russian military advisers in China underlined the need for Taiwan to begin to take delivery of the 150 F–16s from the United States in 1997. Taiwan has also purchased 70 Mirages from France. These two purchases, they feel, will combine to bolster Taiwan's air defense capabilities.

In addition, Taiwanese leaders clearly understand the impact of diplomatic events on their security. Therefore, Lee Teng-hui himself said plainly that he is very supportive of a healthy U.S.-China relationship, including regular dialogue at the highest levels. While Foreign Minister Chang said that he would not want the U.S.-China relationship to improve at the expense of Taiwan, there is clear recognition among Taiwanese leaders that there security is enhanced, rather than threatened by improved relations between the United States and China.

TAIWAN'S INTERNATIONAL EFFORTS

Although fully aware of Beijing's objections, Taiwanese leaders plan to continue their efforts to forge international ties through what they call ''pragmatic diplomacy.'' In an effort to expand Taiwan's ''breathing space,'' Lee Teng-hui will continue to conduct what he considers to be private visits abroad, and Taiwan will seek to maintain its diplomatic ties with those countries who recognize it and to gain entry into the United Nations. Taiwan is also placing a high priority on its application to the World Trade Organization, which it wants considered on its own merits, with no connection to China's application. Both of these pursuits could present serious problems should the United States once again become entangled.

In light of South Africa's decision to sever its ties with Taiwan and establish diplomatic relations with Beijing, Taiwanese officials are increasingly concerned that they may be slipping in their competition with Beijing for international recognition. Besides believing that Taiwan, as the world's 14th largest trading nation, is entitled to the aspects of a sovereign nation (such as diplomatic relations), they believe that surrendering this position would only increase sentiment for independence in Taiwan. Lee's ruling Kuomintang Party estimates that the pro-independence Democratic People's Party would win the next elections if Taiwanese voters perceived their government to be abandoning its sovereignty.

Lee and his advisers say they understand Beijing's sensitivities on this issue, but they claim to be surprised by China's reaction to Lee's visit to the United States. He does not see Taiwan's international efforts as posing any threat to China's view of the One China policy. Nevertheless, for the past year and a half, Lee has somewhat moderated his own personal role in Taiwan's international efforts. Whether he continues to eschew an overt challenge to China's concerns will help determine whether or not there is a repeat of the cross-straits crisis of 1995–96.

DEMOCRACY

Taiwan's leaders are justifiably proud of the progress of Taiwanese democracy in the March 1996 elections. Lee pointedly rejects the concept of ''Asian values'' championed by Singapore's Lee Kwan Yew and others, which suggests that Asian societies are not conducive to democracy. Lee Teng-hui and his colleagues say they have learned from this experience to be responsive to the electorate, and hence, they feel justified in their international efforts. But they also recognize the need to maintain stability: Lee estimates that Taiwan needs 30 years of stability to consolidate its democratic institutions. This realization could inject a note of caution into their relationship with China.

LOBBYING EFFORTS

During our discussion with Premier Lien Chan, he made an unsolicited assertion that the Taiwanese government does not spend any money on lobbying efforts in Washington. He said that some individuals and groups—and when prodded, agreed that such groups could include the ruling KMT Party—might lobby in Washington for causes that coincide with the policies of the Taiwanese government, such as Taiwan's efforts to gain entry into the United Nations. He asserted in no uncertain terms that any firm or individual that claims to be lobbying on behalf of the government of Taiwan is misrepresenting itself. However, he did concede that in the final analysis, the positions adopted by lobbying organizations (and whether or not they coincide with Taiwanese policies) are more important than the actual source of funding of that lobbying activity.

HONG KONG

The issues we discussed with Hong Kong leaders included the appointment of a new Chief Executive; the induction of a Provisional Legislative Council; the prospects for the maintenance of Hong Kong's freedoms and civil liberties after the transition to Chinese rule; Hong Kong's economic outlook after the transition; and what role the United States should play as the transition moves forward.

On the evening of Friday, November 15, I joined Senator Daschle's delegation for a dinner hosted by U.S. Consul General Richard Boucher at his home. In attendance were a cross-section of members of the Hong Kong community, representing a variety of political and other views, including Democratic Party leader Martin Lee and Preparatory Committee Member Nellie Fong. During the rest of our stay, I conducted meetings and working meals with Chief Executive-Designate Tung Chee-hwa (C.H. Tung); Members of the American Chamber of Commerce in Hong Kong (with Senator Daschle's delegation); Governor Chris Patten (with Senator Daschle's delegation); Members of the Better Hong Kong Foundation, including Henry Cheng, Edgar Cheng, and Leonie Kie; U.S. Consul General Richard Boucher; William Overholt, Managing Director of Banker's Trust and a leading Hong Kong watcher and author; Nellie Fong, Member of the Preparatory Committee and Executive Director of the Better Hong Kong Foundation.

I also attended the opening dinner of the World Economic Forum 1996 Europe/Asia Economic Summit, at which Chief Secretary Anson Chan was the keynote speaker. On Tuesday, November 19, I participated in a panel discussion on Hong Kong's future at a session of the World Economic Summit, at which C.H. Tung was the main speaker and I responded to his remarks.

SELECTION OF THE CHIEF EXECUTIVE

We arrived in Hong Kong the day that C.H. Tung won a majority of votes from the Preparatory Committee in the first round of voting for Chief Executive, catapulting him to victory in the final round of voting three weeks later. The general assessment of Mr. Tung is positive: he is considered to be intelligent, fair-minded, and concerned about the best interests of Hong Kong. Gov. Chris Patten, is highly complimentary of Mr. Tung's abilities. But there is obvious concern in some quarters —voiced by Gov. Patten, Martin Lee, and others—about the degree of independence from Beijing he will be able to demonstrate in his governance.

In his public statements, Mr. Tung has been attentive to the concerns expressed by various members of the Hong Kong community. He explains that he intends to consult widely and deeply among Hong Kong's citizenry, and that he intends to be protective of Hong Kong's interests when dealing with Beijing. At the same time, he makes clear that Hong Kong's relationship with China is about to become much closer, and that this change is not something to dread; indeed, it can bring significant mutual benefit.

My own view of Mr. Tung, whom I know reasonably well, is that he is unquestionably qualified for the post of Chief Executive, having shown impressive administrative skills as a shipping magnate, and having been a leading promoter of Hong Kong. I am hopeful that he will display the right instincts about how to maintain a significant degree of autonomy for Hong Kong while managing what will inevitably be a closer relationship with Beijing. His challenge will be to reassure the people of Hong Kong that he can and will stand up for Hong Kong's interests when challenged, and do so in such a way that the Beijing authorities will respect. His excellent reputation in both Hong Kong and Beijing is a crucial asset as he sets out to achieve this challenging balancing act.

The Provisional Legco

Beijing's decision to follow through on its decision to establish a provisional legislature (Legco) and abolish the existing Legco on July 1, 1997 is unfortunate. While the Provisional Legco grows out of China's (accurate) sense that the British changed the rules in Hong Kong after the signing of the

1984 Sino-British Joint Declaration, its ultimate impact will be difficult to judge until we know what comes after it.

Some hold out hope that China may reverse itself and decide not to disband the elected Legco after all, but as the Chinese say, ''the rice is cooked'' on that decision. Indeed, the Provisional Legco has already begun meeting. However, Beijing, and its supporters in Hong Kong, insist that the Provisional Legco will be replaced by a popularly elected Legco within one year of the handover.

If the Provisional Legco is replaced within a year by a genuinely elected body, and if it restrains itself during its tenure from dismantling many of the basic freedoms enjoyed in Hong Kong, the current battle over the Provisional Legco will in retrospect look excessive. But if the Provisional Legco enacts far-reaching changes in Hong Kong law, or if its tenure is arbitrarily extended, or if the elections for its successor are rigged to produce a pro-Beijing result, the Provisional Legco will have proved to be a harbinger of a serious deterioration of the autonomy of Hong Kong. Above all, neither the Provisional Legco nor its successors can be allowed to be forced to take orders from Beijing.

The appointment of the Provisional Legco poses a significant risk of confrontation during the days surrounding the transition. Martin Lee and other legislators from the Democratic Party and its allies have raised the possibility of refusing to vacate the Legco building on July 1. If they were removed by force, or a conflict erupted, it would cast a pall over the entire transition and set an ominous tone for what would follow. It is imperative that the Democratic Party and the authorities in Beijing engage in a dialogue now to find areas where they can agree to work together amid their broader disagreements, and to avoid a confrontation after July 1.

Overall Freedoms

The mood in Hong Kong is mixed. Few people that we talked to predicted a disaster after July 1, but among some observers, there was undeniable anxiety about certain aspects of the transition.

Among members of the Preparatory Committee, like Nellie Fong, there is considerable optimism. She argues that China will find it very much in its own interests to avoid imposing a harsh new order on Hong Kong. She predicts that after a few fairly minor adjustments, Hong Kong will emerge from the transition with its autonomy very much intact.

Others are less sure. Governor Patten described the anxiety of many at China's threatened revisions of the Hong Kong Bill of Rights; at China's unwillingness to apply international covenants on human rights to Hong Kong; and at the statements of Foreign Minister Qian Qichen that commemorations of the Tiananmen Square tragedy will not be allowed. At a time when virtually all leading dissidents in China are in prison, these indications have caused considerable nervousness in Hong Kong.

Economic Outlook

Notwithstanding the mixed views about Hong Kong's political future, there is significantly more unanimity about its economic future. With few exceptions, our interlocutors expect Hong Kong's flourishing economy to continue its solid performance after the transition.

As Governor Patten points out, Hong Kong continues to post solid economic growth figures of 6–8 percent year after year, while unemployment is at 2.5 percent and inflation is under 5 percent. There have been no tidal waves of emigration, and none are expected. Since 1992, the Hang Seng index has more than tripled in value.

Surveys conducted by the American Chamber of Commerce and others consistently show that business confidence remains well in excess of 90 percent. A negligible number of businesses have left Hong Kong, while new ones arrive every month. For many, the knowledge that Hong Kong will remain after the transition the gateway to the vast Chinese market that it has always been is all the encouragement they need. But there is also a fairly relaxed attitude about the approach to business that China will take. While there are concerns about attempts by the Chinese authorities to restrict the free flow of economic information or stifle the press, for the short term at least, Hong Kong's economic prospects appear very positive.

The U.S. Role

The United States has clear interests in the continuation of Hong Kong's prosperity and autonomy. We need to regularly make clear to the Chinese authorities that we would oppose any attempt to significantly roll back the freedoms enjoyed by the people of Hong Kong, whether through the repeal of the Bill of Rights, or a crackdown on free expression in the press. We should express these views forcefully but carefully. A combination of public statements and private communications with both Chinese and Hong Kong officials is most likely to be effective. At all times, we should highlight China's own commitments to allow Hong Kong to govern itself with a ''high degree of autonomy'' and use that as the standard by which to judge Chinese actions.

Besides our commitment to Hong Kong's autonomy, we must also be vigilant about protecting our economic and strategic interests in Hong Kong. But vigilant need not mean confrontational. Through dialogue and negotiations, we can remind China about our need to maintain a fully functioning Consulate General in Hong Kong; the importance of being able to base our regional law enforcement operations in Hong Kong; the significance of allowing continued ship visits; and the importance to U.S. businesses of Hong Kong continuing to allow business to be conducted on a level playing field, without corruption and with a free flow of information. If we are firm about these interests without causing a confrontation before it is necessary, we are likely to be successful in protecting them.

Nepal

The issues I discussed with Nepalese officials included: the stability of Nepal's government and its still fledgling democracy; prospects for Nepal's economic development and role of foreign aid in that development; Nepal's contribution to international problems such as peacekeeping, arms control, narcotics, terrorism, and refugees; regional issues, including Nepal's relationships with its key neighbors, India and China; and the need and prospects for the development of Nepal's hydropower industry.

I had the opportunity to meet with virtually all the leading figures in Nepal, including His Majesty King Birendra Bir Bikram Shah; Prime Minister Sher Bahadur Deuba; Foreign Minister Prakash Chandra Lohani; Members of the Nepali Congress Party, the ruling party in the parliament; Members of the United Marxist/Leninist, or Communist party, the largest party in the parliament; Members of the Federation of Nepali Chambers of Commerce and Industry; and Minister of Water Resources Pashupati Rana.

I met many additional leading Nepali citizens at dinners hosted by U.S. Ambassador Sandy Vogelgesang and our host, Mr. Prabhakar Rana, a leading industrialist. I also traveled extensively through the country, getting a sense of living conditions, and observing aid projects run by the U.S. government and others. In particular, I focused on projects financed by my husband's American Himalayan Foundation, including a Tibetan refugee center. At the conclusion of the trip, I had the opportunity to discuss with Ambassador Vogelgesang and the Prime Minister's wife, Ms. Arzu Deuba, plans for establishing a public-private partnership to fund a women-to-women nutrition program for Nepali pre-school children.

In addition, Dan Shapiro of my staff conducted separate meetings with the U.N. High Commission for Refugees representative in Nepal, Erkki Heinonen, and Anil Chitrakar of the International Union for the Conservation of Nature for a discussion of the environmental impact of new large hydropower dams. He also attended several sessions of a conference on export and investment opportunities for U.S. firms in the renewable energy sector in Nepal. The conference was sponsored in part by the U.S.-Nepal Chamber of Commerce.

Political Stability and Democracy

Nepal has only been a democracy since 1991, but already it has developed a lively political culture. Nepalis are engaged in the political process and conduct an active dialogue with their political leaders. In meetings with leaders of the two largest parties in the parliament, the Nepali Congress Party and the United Marxist-Leninist Party, it became clear that there is widespread support for maintaining the multiparty democracy that has been established.

There is a surprising degree of consensus across the political spectrum about what the nation's overall priorities and needs are. When asked to identify Nepal's priority economic sectors, both parties came back with an identical list—agriculture, hydro-power, and tourism. The Communists seem to be communist in name only—their economic agenda seems to differ little from that of the Congress party, calling for somewhat slower privatization of state-owned industries and placing greater emphasis on maintaining the social safety net. But the differences are of degree, rather than kind.

Unfortunately, near-consensus on national priorities has not translated into the kind of progress one would have hoped for, on account of particularly bitter political infighting. The Congress party suffers deep divisions based largely on personal rivalries, with former leader G.P. Koirala rumored to be planning a challenge to Prime Minister Sher Bahadur Deuba. Its struggles with its coalition partners has forced it to expand the government to include over 40 ministers just to remain in power.

The Communists, while more united internally, are waiting in the wings for a coalition crisis that they can exploit and possibly regain power. Former Prime Minister and party leader Manmohan Adhikary was quite open on this point. Last fall, the Communist party nearly brought the government down by threatening to oppose a key hydro-power treaty with India—even though it was negotiated when the Communist party was in power—before ultimately deciding to support it. While all sides often talk about consensus and cooperation, it is clear that their actions are often dictated by short-term political calculations.

If both groups were to put aside their political rivalries and emphasize the large degree of agreement in their positions, they would easily be able to work together on a common agenda for the benefit of Nepal. Unfortunately, that does not seem likely at the

present time. Corruption continues to plague the government as well. Nevertheless, Nepalis are rightfully proud of the democracy they have established and, apparently, consolidated.

Aid and Development

Nepal is one of the poorest countries in the world. Especially as one travels outside of Kathmandu, the poverty is visually evident and jarring. In part, the political stalemate caused by inter- and intra-party rivalries has stalled economic liberalization efforts that would begin to alleviate some of the economic difficulties. But Nepal's lack of natural resources, poor infrastructure, and high birth rate will all make raising the standard of living in Nepal extremely difficult.

Nepal does have the benefit of a well-educated and sophisticated private sector, as exemplified by our discussion with members of the Federation of Nepali Chambers of Commerce and Industry (FNCCI). They have actively promoted economic reform, working closely with the government on the privatization of public industries and on efforts to attract foreign investment, particularly in high-value products in Nepal's agricultural sector. In addition, FNCCI has worked hard to advance reform of the administration of Nepal's tax system, which they described as arbitrary and corrupt.

FNCCI has also been deeply involved in Nepal's economic diplomacy. Because of their expertise, FNCCI members participated in negotiations with India on trade and transit agreements, and a new air transport agreement. FNCCI has also reached out to its counterparts in China and in other South Asian countries through the SAARC Business Council.

U.S. assistance is making a significant difference in the lives of many Nepalis, although cuts are beginning to reduce its impact. In Fiscal Year 1997, the USAID program budget is $26 million. While that number is not expected to drop precipitously in the near future, USAID staff is being reduced, with the current 10 direct hires being reduced to 5 in 1998. The three main areas of USAID's program are promotion of high value-added agricultural production; empowerment of women; and health, population, and family planning programs. Family planning programs are particularly important because the standard of living in families that have spaced their pregnancies is significantly higher than those who have not.

Nepal's International Role

Nepal has emerged as responsible international citizen, making important contributions to a number of transnational problems. Despite pressure from its neighbor, India, Nepal stood by its support of arms control agreements generally when it supported the Comprehensive Test Ban Treaty at the United Nations in September. Nepal has also been very cooperative with U.S. anti-narcotics efforts. As a transit point for heroin from the Golden Triangle and Afghanistan, Nepal has worked with a DEA attache in New Delhi to set up a drug enforcement unit in the local police force. Trained by U.S. and British specialists, this unit has improved Nepal's customs procedures and has increased the number of drug seizures at the Kathmandu airport.

Nepal has been an enthusiastic participant in international peacekeeping missions, sending its troops to Haiti and Africa, among other destinations. U.S. diplomats also report that Nepal has been extremely cooperative in counterterrorism efforts. They attribute much of Nepal's cooperative attitude on these international problems to the consolidation of Nepali democracy. Another manifestation is that Nepal enjoys the best human rights record in South Asia.

Nepal has also handled two difficult refugee situations very sensitively—those from Bhutan and those from Tibet. There are currently 91,000 Bhutanese refugees living in camps administered by UNHCR in eastern Nepal, at a cost of $4.5 million a year. They first arrived in the early 1990s. After many years of stalemate, the Nepali and Bhutanese governments are hesitantly beginning talks—possibly with European mediation—on possibly resettling some of these refugees back to their homes in Bhutan. But for a solution to this problem to be reached, India will have to commit to helping facilitate it because these refugees would have to transit through India, and some may even choose to settle there.

Approximately 2,000 Tibetan refugees pass through Nepal each year as a way station on the way to Dharmsala, India. Nepal has set up transit centers for these refugees to help them make the journey, even though it causes sensitivity in China. Nepal prefers to do this quietly, precisely to avoid upsetting the Chinese, and the government does not permit anti-Chinese activity on Nepali soil. A U.S. earmark of $200,000 a year goes to assist this Tibetan refugee community through the Tibetan Welfare Organization. UNHCR also monitors the well-being of these refugees, and tries to keep track of any abuses. The week we were there, a group of refugees had been beaten up by some Nepali youths. UNHCR and the U.S. Embassy were urging the Nepali government to ensure that action was taken against the perpetrators.

Relations with India and China

Foreign Minister Lohani was pleased about the state of Nepali-Indian relations, especially since Indian Prime Minister Deve Gowda came to power. He cited recent breakthroughs in the area of trade, transit and border issues, and the generally less paternalistic attitude adopted by the Deve Gowda government toward India's smaller neighbors.

But probably the most important achievement is the Mahakali Treaty on water resources. The treaty establishes Nepal's right to be treated as India's equal on water resource issues. It also established the framework of for private sales of electric power from Nepal to India at competitive prices. With Nepal's major market being India, this framework agreement was absolutely essential for any large-scale private investments in electric power generation.

Despite Nepal's continued assistance to Tibetan refugees, Foreign Minister Lohani was pleased to report that his recent visit to China had gone very well, and relations with China are as good as they have been in recent memory. He cited the strong positions the Chinese had expressed on Taiwan and Tibet. Nepal is faced with a constant balancing act, situated as it is between two large and powerful neighbors who can exert strong pressures on Nepal if and when they choose. But by adopting essentially a ''good neighbor'' policy, Nepal is able to keep tensions in these two relationships to a minimum.

Hydro-Power

There is widespread agreement in Nepal that hydro-power is the nation's number one natural resource. With great volumes of water (225 billion cubic meters annually nationwide) flowing down steep slopes in four major river basins (Mahakali, Karnali, Gandaki, and Koshi), if the full potential of Nepal's hydro-power can be harnessed, it could have a dramatic impact on the nation's economy. The numbers are staggering: hydro-power projects in Nepal today generate 250 megawatts, while demand is under 300 megawatts. As Nepal develops, its demand will rise; projections are that demand will reach 1,640 MW by 2015. But if the over 60 feasible sites for hydro-power projects are developed, Nepal could produce on the order of 44,000 MW, a vast surplus that can be exported to Nepal's energy-hungry neighbors, India and China. Northern India is the brightest (and closest) potential market. Already its energy demand exceeds supply by some 9,000 MW, and that deficit is projected to rise to 20,800 MW by 2010.

The prospect of taking advantage of these conditions was made brighter by the conclusion of the Mahakali treaty with India last October. This treaty will allow the private sales of electric power from Nepal to India. Essentially, both countries would benefit from this arrangement—Nepal could export its primary product to a vast market in northern India that is desperately in need of increased electric power. Foreign Minister Lohani sounded an optimistic note, indicating that there could be substantial progress in construction of the dams in the next year, in hopes that they could come on line fairly soon thereafter. Clearly, American companies should be able to play a leading role in developing this vast resource.

Not surprisingly, politics were responsible for delays on other hydro-power projects. Prime Minister Deuba indicated that he supported signing a letter of intent with Enron for two hydro-electric projects on the Arun and Karnali rivers, now that India had indicated it had no objection to this arrangement, provided that Indian companies were also included in the consortium. However, the final decision rests with the Minister of Water Resources, Pashupati Rana, to whom the Prime Minister felt indebted for supporting his government in a no-confidence vote last spring.

Various American environmental organizations have raised objections to some of the large hydro-power projects that have been proposed, both because of the change in the river's flow and because of the damage done by the construction of a road to facilitate construction of the dam. But Nepali environmentalists tend to take a different view. Their concern is that Nepal's vast forests are being destroyed as most Nepalis rely on wood as their main source of energy. For them, this is the real environmental disaster, and the successful development of hydro-power, which could supply most regions of the country with electricity, would help preserve the forests. For Nepali environmentalists, the focus is on seeing the hydro-power projects done right, so as not to squander this vast resource, while mitigating the environmental impact of the dams as much as possible.

UNANIMOUS-CONSENT AGREEMENT—NOMINATION OF RODNEY SLATER

Mr. DOMENICI. Madam President, as in executive session, I ask unanimous consent that the majority leader, after consultation with the Democratic leader, may proceed to executive session to consider the nomination of Rodney Slater to be Secretary of Transportation. Further, I ask unanimous consent that it be considered under the following limitations: that there be 30 minutes for debate on the nomination, equally divided between the chairman and ranking member of the Commerce Committee, and immediately following the expiration or yielding back of time the Senate proceed to vote on the confirmation of the nomination. I finally ask unanimous consent that following

that vote, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISCHARGE AND REFERRAL OF MEASURE—S. 203

Mr. DOMENICI. Madam President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of S. 203, and that the bill then be referred to the Government Affairs Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, FEBRUARY 6, 1997

Mr. DOMENICI. Madam President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 11 a.m., Thursday, February 6. I further ask unanimous consent that immediately following the prayer, the routine requests through the morning hour be granted and the Senate then proceed to a period of morning business until the hour of 12 noon with Senators to speak for up to 5 minutes each, except for the following: Senator ROTH, 15 minutes; Senator STEVENS, 10 minutes; Senator DORGAN, 15 minutes; Senator HUTCHISON, 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Madam President, I further ask unanimous consent that at 12 noon on Thursday the Senate resume consideration of Senate Joint Resolution 1, the constitutional amendment requiring a balanced budget.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Madam President, I further ask unanimous consent that the Senate stand in recess from 3 p.m. to 4 p.m. on Thursday.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DOMENICI. Madam President, for the information of all Senators, following morning business tomorrow the Senate will resume consideration of the balanced budget constitutional amendment. The leader wishes to remind Senators that amendments will be in order to Senate Joint Resolution 1 during Thursday's session. Therefore, rollcall votes are expected.

Also the majority leader understands that the nomination of Rodney Slater to be Secretary of Transportation was reported today, and another nomination is possible for tomorrow. Therefore, a vote or votes could occur with respect to nominations during Thursday's session of the Senate.

ORDER FOR ADJOURNMENT

Mr. DOMENICI. Madam President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order following the remarks of Senator DASCHLE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Madam President, I understand the Senator is on his way. I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas [Mrs. HUTCHISON] is recognized.

MILITARY VOTING RIGHTS ACT OF 1997

Mrs. HUTCHISON. Madam President, today I introduced legislation, along with Senator PHIL GRAMM, called the Military Voting Rights Act of 1997. The bill that was introduced today makes absolutely clear in the law what is already law, because there is nothing against it in the law, and that is that our military personnel have the right to vote at their home base in Federal, State, and local elections.

The law does not say anything against that, but because it does not, there has been a challenge in my home State of Texas to 800 military votes that were, of course, in State and local elections, which are allowed by Texas law.

It is very clear that a person who serves in our military should have the right to vote and the right to citizenship in the State and the localities that he or she chooses to have as their home base. Yet, that right is being challenged. Some 800 military absentee ballots, 150 of which were from overseas, were challenged saying that these people who are serving our country and who are putting their lives on the line to protect our right to vote nevertheless should not have the full voting rights. In fact, the plaintiff sent questionnaires that were in the form of depositions to all of these 800 people who voted, and one woman in Bosnia got a questionnaire to be filled out to determine if she has the right to vote in the State and local elections. We are trying to put a stop to that. We are trying to say very clearly in the Military Voting Rights Act of 1997 that no person will ever be able to be challenged for their full citizenship rights because they have chosen to serve our country, which job, by its very nature, requires moving around the country and outside of the country wherever they are required to go to fulfill the job.

I want to commend our State representative in Texas, Jerry Madden, who is just as incensed as all of us are, for taking the initiative. He is working on a bill now to make it easier for the military personnel in our State to vote because he, like I, appreciates the fact that these people who have been at a base in Texas have chosen to call Texas home, and he wants to make sure that they can vote in the very easiest way. Perhaps, in fact, we might learn from some of the things that he is doing. He wants to be able to let them have access to Internet voting. He wants to give them some extra leeway in time to vote so that their ballots will have time to get to the State of their residence from a place like Bosnia, or perhaps in Saudi Arabia, or anywhere else in the world where they might be deployed.

I think that it is very important that the sense of the Senate be known here. In fact, 58 Members of the Senate signed a letter to the Attorney General, Janet Reno, asking her to intervene in this case to make sure that our military rights are being protected. All of us who signed that letter are very concerned about the ramifications of this bill. We are concerned that if these people are able to prevail in this case, to say that the military does not have the right to have full citizenship in a State to be able to vote in a State or local election, that perhaps other rights might be challenged. If a person can't have the full rights of the State in which he or she resides and calls home base, then what other laws might not apply? Marriage laws? Could you not get a divorce if you were in the military and you don't have the right to belong in a State? How far are you going to take this?

The fact is there is no question on the merits that the people who are choosing to serve our country and whose job, by its nature, requires that they move every 2 years, or even more frequently, that they should be able to join the home State of their choosing. Frankly, I am proud when the military personnel who serve on Texas bases love our State enough to want to call it home, and we want them to return because we know that the people who lay their lives on the line to make sure that the United States is free are the kind of citizens we want in our State. We want them to know they are welcome. We want them to know they are welcome anywhere else they choose to call home because we appreciate what they do for our country.

So I am pleased to be a cosponsor of this bill. I know that we will have a number of cosponsors, and I think we will pass this bill quite easily, because, as I said, 58 Members are incensed enough to ask the Attorney General to intervene. In fact, I hope the Attorney General will do her duty to represent the Federal employees that are needing help right now so that their rights will be protected—not only the 800 who are being challenged, but all of those that might be affected if this case is allowed to prevail.

We cannot sit back and let one of our military personnel be robbed of their right of citizenship, especially as they are the ones who are standing there to make sure that every American who is registered to vote has that right to do it free and clear.

I stood here on the first day of our session and talked about the wonderful people of Serbia who were standing in the streets for days on end so that their vote would be counted. And because those people peacefully demonstrated, they eventually prevailed. Those elections that were held, for which their vote had not been counted, have been declared effective, and the local elections are being declared victorious for those who stood in the streets for their right to make their vote counted. How could we as a country, who stood with those wonderful people silently protesting so that their vote would be counted, as the greatest nation on Earth, the democracy that is the beacon for the world, say that our military personnel are going to be second class citizens because, yes, they can vote in Federal elections but, no, they can't have the full rights in the State they choose to call home?

This is a major Federal issue. I hope that it is one that we can dispatch very promptly and say clearly in the law there is no question, and there isn't a question because there is no law against this anyway but we want to set it in the positive. Our military personnel will have the full right to vote in the State in which they choose to call home when they are based there, and forevermore. And I hope they will choose to call Texas home, and I hope they will return to Texas because those are just the kinds of citizens that we want.

So I appreciate very much that we have this bill, that we have so many sponsors for it, and that we have so many that are interested in this issue. We will not let this issue die. We will protect the rights of our military, and we will make sure that they know how much they are appreciated.

Thank you. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HAGEL). Without objection, it is so ordered.

THE LIFE OF PAMELA HARRIMAN

Mr. DASCHLE. Mr. President, it is with sadness that I note the passing of a unique public servant, our Ambassador to France, Pamela Harriman. Perhaps President Clinton said it best this morning: Pamela Harriman represented the best of America's immigrant tradition. She was someone who enjoyed the opportunities this country offered but gave back so much more in return.

Pamela Harriman's legacy will be remembered both in this Capitol Building and in capitals across the world. As a private citizen in the 1970's and 1980's, Pamela Harriman plunged into the rough-and-tumble of American politics.

The early 1980's were a difficult time for the people in my party. An incumbent Democratic President had lost the White House and Democrats had lost control of the Senate. But Pamela Harriman helped breathe life into an ailing Democratic Party when she formed ''Democrats for the '80s,'' helping to bring my party's communications operations into the modern age when she gave crucial support for the Harriman Center at the Democratic National Committee Building.

She also was a host to numerous functions at her elegant Georgetown home, asking nothing but a passionate commitment to public service and Democratic values from those she assisted.

As most of our colleagues know, politics in Washington can be a contact sport. Pamela Harriman played the game well. She played with great dignity, elegance, and style. She did not become involved in politics for personal enrichment or to gain social position; she already had both. She chose to share the fruits of her hard work and good fortune with a generation of Americans who were eager to serve their country in Washington.

Hers will be a lasting legacy for all Americans who believe in the nobility of public service and think that politics today does not have to be mean, petty, or destructive.

Late in her life, Pamela Harriman brought her tremendous skills and ability to the world stage when President Clinton asked her to be Ambassador to France. Some critics suggested she did not have the experience to handle such a sensitive post. She proved them wrong. She began her assignment in Paris in 1993 with the respect of President Clinton and those who knew her well in the United States. She quickly earned the respect of the people of France and other European countries.

Her keen understanding of Washington ways and the experiences of her early life in Europe allowed her to skillfully navigate disputes over trade, CIA activities, Bosnia, the Middle East, and NATO. Her diplomatic acumen protected America's interests without alienating powerful and important allies all through the world.

The French Government's unique recognition of her contributions was all the more evident when they made her a commander of the Legion of Honor's Order of Arts and Letters, their country's highest cultural award. No doubt she will be missed in France and across Europe almost as much as she will be missed in America, her adopted home.

So this is a sad day for me and many others in this country and across the world whose lives were touched by a very special woman. I am confident that the examples she so graciously established will live on with us and future generations of public servants. For that we should be joyful.

Thank you, Ambassador Pamela Harriman.

I yield the floor.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 11 a.m. Thursday, February 6, 1997.

Thereupon, the Senate, at 7:13 p.m., adjourned until Thursday, February 6, 1997, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate February 5, 1997:

STATE JUSTICE INSTITUTE

SOPHIA H. HALL, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2000. (REAPPOINTMENT)

DEPARTMENT OF JUSTICE

LYLE WEIR SWENSON, OF SOUTH DAKOTA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF SOUTH DAKOTA FOR THE TERM OF 4 YEARS VICE ROBERT DALE ECOFFEY, RESIGNED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

MARSHA MASON, OF NEW MEXICO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2002, VICE LOUISE M. MCCLURE, TERM EXPIRED.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

THEODORE FRANCIS VERHEGGEN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING AUGUST 30, 2002, VICE ARLENE HOLEN, TERM EXPIRE.

IN THE COAST GUARD

THE FOLLOWING INDIVIDUAL FOR APPOINTMENT AS A PERMANENT REGULAR COMMISSIONED OFFICER IN THE U.S. COAST GUARD IN THE GRADE OF LIEUTENANT:

BRENDA K. WOLTER

THE FOLLOWING CADETS OF THE U.S. COAST GUARD ACADEMY FOR PROMOTION TO THE GRADE OF ENSIGN:

KELLEY ELIZABETH ABOOD
Frances Ann Tirad Bacayo
Zachary Justin Bagdon
Hilary Ann Baine
Matthew Patrick Barker
Ian Adam Bastek
Michael William Batchelder
Joshua David Bauman
Jennifer Lydia Becher
Sean Cornell Bennett
Tracy Oesterheld Berg
Heather Lin Bloomquist
Kenneth Jeffrey Boda
Scott Gerald Borgerson
David Leonard Bradley IV
Jacqueline Marie Brunette
Craig Donald Burch
Mechelle Elizabeth Burdick
Jeffrey Christopher Bustria
Belinda I. Cachuela
Michael Joseph Capelli
Willie Lee Carmichael
Scott Stephen Casad
William Bartley Cassels
Robert Carlton Compher
Chad William Cooper
Derek Lane Cromwell
Cornelius Edward Cummings
James Dart
Michael S. Degon
Steven Andrew Deveau
John Thomas Dewey
John Richard Dittmar
Tiffany Pamela Drumm
Jerome Edward Dubay
Damon Christian Edwards
Jeffrey Eldridge
Rahshaan Engrum
Theodore Joseph Erdman
Joann Feigofsky
Sarah Kathleen Felger
Christine Fern
Kevin Bertram Ferrie
Elaine Liza Marie Fitzgerald
Taina Haydee Fonseca
Nicolas Todd Forst
John Peter Fox
Michael Edwin Frawley
Glen James Galman
John Withner Garr
Morgan B. Geiger
David Lee Gibson
Michael J. Goldschmidt
David Vincent Gomez
Michael David Good
Hans Christian Govertsen
Matthew Aaron Green
Timothy Aaron Greten
Charles Michael Guerrero
Tim A. Gunter
Robert Edward Hart
Erin Marlene Healey
Wayne Michael Helge
Jonathan Nils Hellberg

SCOTT CHARLES HERMAN
SHANNON MARIE HEYE
WESLEY KARL HOUT
JOEL ALEXANDER HUGGINS
CHRISTOPHER JAMES HULSER
DAVID FREDERICK HUNTER
THEA IACOMINO
SAMUEL JOHNSON II
DANIEL CHRISTOPHER JONES
JAMES JARROD JONES
ERIC JAMES KAMPERT
KERRY GEORGIA KARWAN
SEAN R. KATZ
MICHAEL ANDREW KEANE
PETER JOSEPH KEEL
JARED ETHAN KING
BRADLEY JAMES KLIMEK
MICHAEL STEPHEN KRAUSE
DAMIAN JOSEPH KUCZMA
CHARLES FREDERICK KUEBLER
TALISHA LAWRENCE
CHRISTIAN ANTHONY LEE
BRIAN JOSEPH LEFEBVRE
DAVID WESLEY LEONE
JOHN B. LINDAHL
LEXIA MONIQUE LITTLEJOHN
ORLANDO CARLOS LOVELL
KEVIN PAUL LYNN
IAN MITCHELL MACGREGOR
KEVIN CHRISTOPHER MAHONEY
BRIAN WADE MAIER
EDZEL DELA CRUZ MANGAHAS
ERIC D. MARTENSON
JENNIFER JOY MARTIN
ERIC DAVID MASSON
JOHN FRANCIS MCCARTHY
CHRISTOPHER ALLEN MCMUNN
CAMILLA BETH MESSING
ANDREW DAVID MEVERDEN
TIMOTHY GEORGE MEYERS
FAY JUYOUN MILLER
PETER JAMES MITCHELL
PETER MICHAEL MOREHOUSE
COREY RICHARD MORRISON
ANNE MARIE MORRISSEY
JUSTIN THOMAS MOYER
KENNETH TYSON NAGIE, JR.
KENNETH ERIC NELSON
ALLISON GENEVIEVE NEMEC
PIERINA MARIE NOCETI
FRANCIS J. O'CONNELL
DAVID JOSEPH OBERMEIER
SEAN JAMES O'BRIEN
JASON WILLIAM OLGUIN
TIFFANY RENAE OLSON
REBECCA ELLEN ORE
TIMOTHY ALEXANDER PASEK
TANA MARIE PAYNE
SCOTT WILLIAM PEABODY
LUKE ANDREW PERCIAK
ARTURO SALDANA PEREZ
RICHARD GRAHAM PERKINS
JUSTIN DAVID PETERS
HARPER LEE PHILLIPS
SCOTT SATOSHI PHY
FRANK ALLEN PIERCE
CHRISTOPHER MICHAEL PISARES
KRYSIA VICTORIA POHL
STEVEN EDWARD RAMASSINI
JOSHUA TAYLOR RAMEY
JAIME STALIN RAMOS
TRAVIS JEREMY RASMUSSEN
GREGORY CHARLES RAU
RODRIGO GUNTHER ROJAS
DUSTIN MAIN ROMEY
MATTHEW A. RUDICK
DAVID JAMES SCHELL
CLINT BRIAN SCHLEGEL
DIANA LANE SHARP
DAVID MATTHEW SHERRY
ANNA WON-MIN SLAVEN
AMY LEIGH SLOAN
SHAD SAMMUAL SOLDANO
GABRIEL W. SOLOMON
JAMES WILLIAM SPITLER
JOHN MICHAEL STONE
RAYMOND L. SWETLAND
ROMUALDUS MATTHIAS TEN-BERGE, JR.
BRUCE A. THIBAULT
CRAIG STUART TOOMEY
CHRISTOPHER ANDREW TRIBOLET
CLINTON ALBERT TROCCHIO
MICHAEL ANTHONY TURDO
BRYAN JAMES ULLMER
CHRIS MARK UPHAM
JAMES ALLEN VALENTINE
EVA JAYOUNG VANCAMP
NATHAN JOHN VEIRS
GREG EDWARD VERSAW
CARLITO RODRIQUEZ VICENCIO
KEVIN DAVID WALLACE
STEPHEN MATTHEW WARD
TYSON SCOTT WEINERT
TAMARA NICHOLE WILCOX
NATHANIEL REMINGTON WILLIAMS
NICHOLAS LAURENCE WONG
ANDREW JAMES WRIGHT

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. STEVEN R. POLK, 0000.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be brigadier general

COL. THOMAS P. WITTMAN, 0000.

IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be brigadier general

COL. JACK A. DAVIS, 0000.
COL. FRANCIS E. QUINLAN, 0000.

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, UNITED STATES CODE, SECTIONS 624 AND 628:

To be lieutenant colonel

JAMES J. WALTER, 0000.

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE U.S. ARMY AND FOR REGULAR APPOINTMENT IN THE MEDICAL CORPS OR DENTAL CORPS (IDENTIFIED BY AN ASTERISK(*)) UNDER TITLE 10, UNITED STATES CODE, SECTIONS 624, 531 AND 3283:

To be colonel

ROBERT T. ANDERSON, 0000
ROBERT A. ARCIERO, 0000
JOHN V. BARSON, 0000
DAVID L. BATY, 0000
JOHN M. BAUMAN, 0000
GREGORY N. BENDER, 0000
WILLIAM S. BESSER, 0000
HERMAN M. BLANTON, 0000
LARRY D. BLOOM, 0000
MICHAEL P. BRAZAITIS, 0000
LAWRENCE P. BURGESS, 0000
RONALD C. BUTLER, 0000
*DEAN E. CALCAGNI, 0000
WILLIAM E. CALDWELL, 0000
ROBERT S. CARTER, JR., 0000
RUSSEL K. CATTERLIN, JR., 0000
BENJAMIN CHACKO, 0000
CHRISTOPHER P. CHENEY, 0000
DARRELL W. CHILDERS, 0000
JOHN H. CHILES, 0000
MARK S. CLOTH, 0000
RICHARD L. COHEN, 0000
CASS W. CONAWAY, 0000
RICHARD M. CONRAN, 0000
MARK A. CROWE, 0000
BRUCE W. CUSHMAN, 0000
JON C. DAILEY, 0000
HARRY Q. DAVIS III, 0000
LARY W. DEEDS, 0000
ROBERT F. DEFRAITES, 0000
GREGORY J. DENNIS, 0000
MONTE S. DIRKS, 0000
JOEY C. DOBBINS, 0000
CECIL R. DORSETT, JR., 0000
JAMES F. DUNN, JR., 0000
ALAN W. EDMUNDSON, 0000
WALTER E. EGERTON III, 0000
RICHARD L. EMERT, 0000
TED D. EPPERLY, 0000
KEITH H. FOSTER, 0000
MARTIN W. FRITZ, 0000
DONALD A. GAGLIANO, 0000
LAWRENCE K. GREEN, 0000
FRANCIS M. GRESS, 0000
*GLENN C. GRIFFITHS, 0000
ROLAND B. GUSTAFSON, 0000
RICHARD J. HAGNER, 0000
ALAN W. HALLIDAY, 0000
STEPHEN M. HANNON, 0000
THOMAS G. HARDAWAY II, 0000
DENNIS L. HAYDEN, 0000
HOWARD S. HEIMAN, 0000
CHARLES S. HORN, 0000
THOMAS G. HORNING, 0000
RODERICK F. HUME, JR., 0000
PIERCE B. IRBY III, 0000
DUANE J. JEFFERS, 0000
BHUSHAN S. JOSHI, 0000
KEVIN N. KEENAN, 0000
PATRICK W. KELLEY, 0000
KELLY R. KOFFORD, 0000
MAURICE KRASHIN, 0000
CARL M. KRUGER, 0000
THOMAS J. LEAS, 0000
HOMER J. LEMAR, JR., 0000
ALAN E. LENTZ, 0000
*LESTER F. LIBOW, 0000
PATRICIA LILLISHEARNE, 0000
EDWARD J. LISECKI, 0000
*MILAGROS LOPEZ, 0000
ALBERTO LUGO, 0000
DAVID L. MANESS, 0000
ALICE M. MASCETTE, 0000
*MARIA A. MAYORGA, 0000
HAROLD A. MCADOO, 0000
MARY A. MCAFEE, 0000
JOHN T. MCCANN, 0000
JUDITH MCCOLLUM, 0000
PETER R. MCNALLY, 0000
EDWARD E. MITCHELL, 0000
HASMUKH A. MITHANI, 0000
DONALD A. MOORE, 0000
MALCOLM B. MUNK, 0000
*JANET A. NEUTZE, 0000
*JAMES M. NOEL, JR., 0000
MICHAEL V. NOVIA, 0000
MARY A. OHARA, 0000
DEBORAH J. OMORI, 0000
DANIEL P. OTCHY, 0000
CRAIG E. PEARCE, 0000
*JERRY L. PLUSS, 0000
*MARK E. POTTER, 0000
*SWARNALATHA PRASANNA, 0000
JOHN C. QUERNA, 0000
DEBORAH B. RAYBUCK, 0000
KENNETH M. RICHARDS, 0000
PHILIP L. ROGERS, 0000
MARK ROGOW, 0000
STEVEN E. SCHELLER, 0000
JIMMIE C. SCHMIDT, 0000
DAVID L. SCHNECK, 0000
STEVEN R. SEVEDGE, 0000
GEORGE D. SHANKS, 0000
*JOSEPH I. SMITH, 0000
*MILTON T. SMITH, 0000
WILEY A. SMITH, 0000
SAMUEL W. SNELSON, 0000
FREDERICK SOBEL, 0000
VIMAL K. SODHI, 0000
ROYCE K. SOLANO, 0000
JAMES L. SPINELLI, 0000
LUKE M. STAPLETON, 0000
HENRY P. STIKES, 0000
*CURTIS D. STOLDT, 0000
JOHN P. STORZ, 0000
DANIEL M. THEBERGE, 0000
ANTHONY R. TRUXAL, 0000
AMY M. TSUCHIDA, 0000
WILLIAM P. TYHAN, 0000
DALE S. VINCENT, 0000
JUDY M. VINCENT, 0000
CHARLES R. WEBER, 0000
*VICTOR W. WEEDN, 0000
*INDIRA WESLEY, 0000
WARREN L. WHITLOCK, 0000
PAUL E. WHITTAKER, 0000
HERBERT L. WILLIAMS II, 0000
WILLIAM R. WILSON, 0000
*WILLIAM G. WORTHAM, 0000
ROBERT J. WYGONSKI, 0000

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS, FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE U.S. NAVY UNDER TITLE 10, UNITED STATES CODE, SECTION 5721:

To be lieutenant commander

CAL D. ASTRIN, 0000
GEORGE M. BAIN, 0000
MARK B. BENJAMIN, 0000
ROBERT P. BENJAMIN, 0000
BOBBY C. BOLT, 0000
CHRIS J. BUSHNELL, 0000
DANIEL G. CHRISTOFFERSON, 0000
BRYAN L. CLARK, 0000
PATRICK R. DECK, 0000
JOSEPH A. DELEON, 0000
JAMES F. DOODY, 0000
JAMES J. DUKE, 0000
DAVID C. FOSTER, 0000
KENNETH L. FRACK, 0000
WILLIAM D. FRENCH, 0000
PIERRE A. FULLER, 0000
WILLIAM E. GOSSETT, 0000
MICHAEL S. HARRINGTON, 0000
DAVID A. HONABACH, 0000
HARRY L. GANTEAUME, 0000
LANE D. HOWARD, 0000
DANIEL P. HOWE, 0000
ROBERT E. HUDSON, 0000
JAMES F. HUGHES, 0000
RHETT R. JAEHN, 0000
PAUL J. JARRETT, 0000
VERNON P. KEMPER, 0000
JOEL D. KENNEDY, 0000
KENT F. KESTER, 0000
CHRISTOPHER J. KOCZUR, 0000
MARK W. LACY, 0000
DAVID T. LEMLY, 0000
RANDALL L. LOVELL, 0000
ALAN M. LYTLE, 0000
MICHAEL P. MAZZONE, 0000
DAVID S. MCBEE, 0000
DENNIS J. MCKELVEY, 0000
RODNEY A. MILLS, 0000
JAMES M. L. MORGAN, 0000
GREGORY B. NOE, 0000
GEORGE P. NORMAN, 0000
ROBERT E. NOVOTNY, 0000
STEPHEN E. PALMER, 0000
VERNON J. PARKS, JR., 0000
BENJAMIN J. PEARSON, 0000
WILLIAM S. PENDERGRASS, 0000
THOMAS M. PERRON, 0000
JAMES T. PIERCE, 0000
RICKS W. POLK, 0000
DAVID A. ROBERTS, 0000
THOMAS P. SHAW, 0000
MATTHEW T. SMURR, 0000
DAVID R. SNOW, 0000
PAUL D. SPEAKER, 0000
ORLANDO A. SUAREZ, 0000
CHARLES R. WEBB, 0000
ROBERT WEBBER, JR., 0000
STEVEN D. WEBER, 0000
ARTHUR D. WHITTAKER, JR., 0000

WITHDRAWAL

Executive message transmitted by the President to the Senate on February 5, 1997, withdrawing from further Senate consideration the following nomination:

STATE JUSTICE INSTITUTE

SOPHIA H. HALL, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2002, (REAPPOINTMENT), WHICH WAS SENT TO THE SENATE ON JANUARY 9, 1997.

EXTENSIONS OF REMARKS

THE WOMEN'S HEALTH AND CANCER RIGHTS ACT OF 1997

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Ms. MOLINARI. Mr. Speaker, I would like today to introduce the Women's Health and Cancer Rights Act of 1997. This unprecedented legislation is not only critical for breast cancer patients, but also for all cancer patients.

Last year in the U.S., 182,000 women were diagnosed with breast cancer and 85,000 breast cancer patients received a mastectomy as part of their treatment—7,500 of which were performed in New York State. A similar survey found that 43 percent of the respondents had been denied coverage of followup reconstructive symmetry procedures and nearly 20 percent had been denied insurance coverage for revisions of an initial breast reconstructive surgery. These numbers are far too high and this denial of coverage must end.

Currently, many insurance companies are the sole decision makers in how long a breast cancer patient should stay in the hospital, without taking into account her individual needs or circumstance. In addition, these companies are frequently reluctant to pay for the initial breast reconstruction, as well as followup procedures because they deem reconstruction cosmetic. Ironically, insurance companies do not deny reconstructive surgery for an ear that is lost due to cancer. Insurance companies are simply not being sensitive to the needs of breast cancer patients, and this bill seeks to ensure a breast cancer patient's access to an appropriate hospital stay as well as reconstructive surgery.

There are few procedures which are of such a sensitive nature as mastectomies. Under the Women's Health and Cancer Rights Act, the patient in consultation with her physician, determines when it is medically appropriate to be discharged following a mastectomy. Rather than leaving the decision to insurance companies or even to Congress, this crucial decision is made by those personally involved. So if a woman is prepared mentally and physically to be discharged soon after the procedure, she may do so with her doctor's permission. This is also true in the case when a woman is not quite ready after several days. Patients should never be denied the opportunity to be covered by insurance in this frightening situation.

The Women's Health and Cancer Rights Act also ensures access to all stages of reconstructive surgery. Surgeons across the country have confirmed that the problems with reimbursement have grown worse in recent years as insurance companies become more cost-conscious. Women have been denied coverage for reconstructive surgery even in States where coverage for breast reconstruction was mandatory.

Finally, the Women's Health and Cancer Rights Act ensures that individuals diagnosed with any type of cancer have access to a second opinion, including one that may be outside of their health plan network. It is vital that an individual facing a potentially life-threatening disease, such as cancer, have the opportunity to consult a second physician and not the anxiety of whether or not it will be covered by their insurance.

Unfortunately, almost all of us have had a family member or known someone who has been hit by breast cancer—and frankly all women live with that fear. This bill is attempting to provide some sense of security that hospitals and medical providers are able to do the right thing. We will be able to claim success if we can minimize the pain, confusion, and trauma following a breast cancer diagnosis—and the Women's Health and Cancer Rights Act aims to do just that.

THE CITY CLUB OF SAN DIEGO: TWO REMARKABLE DECADES

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. FILNER. Mr. Speaker, I rise today in recognition of the 20th anniversary of the City Club of San Diego.

Over the past 20 years, the City Club has become an integral part of San Diego—providing a public forum for nearly 500 programs presented in the highest public interest. These accomplishments have earned it the distinction as one of America's great public forums.

The President and Vice President of the United States have appeared before the City Club. On six occasions, the Governor of California has spoken. The list of speakers presented represents a remarkable variety of individuals and opinions, from Jerry Falwell to Gloria Steinem, from Maureen Reagan to Tom Hayden, from Tom Wolfe to Anthony Lewis. Local, State, and national elected officials, journalists, ambassadors, judges, authors, bank officers, media broadcasters, professors, business and sports figures, and others have presented their ideas in the forum of the City Club. The speakers represent rich and varied professions, philosophies, and political views. Senator JOE BIDEN returns for his 7th appearance as the featured guest of the 20th anniversary celebration on February 8, 1997.

In addition to the forums, the City Club has offered other special events: a national conference on immigration; another on press, libel, and American freedom; and a third on the state of our language. One of the City Club's most ambitious undertakings was a four-part series on leadership in San Diego, focusing on government, justice, finance, and the media.

City Club events have been covered on C–SPAN, the local PBS radio station, and cable television systems. A debate between Republican candidates for the U.S. Senate was carried statewide on cable TV.

The City Club has held fundraisers for other nonprofit organizations, including Habitat for Humanity, the National Conference of Christians and Jews, the San Diego Public Library, the United Negro College Fund, and the National Jewish Hospital. These efforts are notable, for it is highly unusual for one nonprofit organization to undertake fundraising for other similar groups.

A lighter side of the City Club includes holiday parties, whale watching trips, theater evenings, a trip to the Nation's Capital, and Aspen ski trips—featuring programs with outstanding speakers as well as time on the slopes.

George Mitrovich, the president of the City Club and prime mover behind its success, has stated: ''The ability of any democracy to survive, even in the United States, depends in no small degree upon the wisdom of its people—a wisdom that public forums help instill.''

This is the mission of the City Club: to present an arena where the best ideas might prevail. On the joyous occasion of its 20th anniversary, I am honored to publicly recognize and honor the accomplishments of the City Club of San Diego.

''ENNIS COSBY KNEW WORTH OF A HELPING HAND''—A COLUMN BY ROBERT SCHEER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. KUCINICH. Mr. Speaker, research studies indicate that learning disabilities affect about 15 percent of the American population. One of the most common learning differences is dyslexia, which makes it difficult for persons to read and understand the written word. Our Nation recently suffered the tragic loss of Ennis Cosby, a young man with dyslexia who was committed to using his influence and education to start a school for children with dyslexia. Robert Scheer, renowned author and contributing editor for the Los Angeles Times, has written a sensitive essay about how dyslexia affects even the most successful persons in our society. I commend this column to my colleagues.

ENNIS COSBY KNEW WORTH OF A HELPING HAND

(By Robert Scheer)

Properly credentialed and steady at my post in the press section at the president's inauguration, within shouting distance of the man himself, a witness to history surrounded by the most successful of my peers, I am, as so often before on such occasions, filled with fear. This time it makes me think of Ennis William Cosby.

Fear, not of the violence that took his life but rather the more mundane persistent and personal terror shared by all dyslexics over having to perform in conventional ways when your brain does not track quite that way. In my case today, it's the pressure to file properly spelled, cogently organized, grammatically correct copy, on deadline.

Small potatoes to some, a horror to others. I'm not complaining, mind you. I made my claim to be heard, and the fact that you are able to read this means that with the aid of great teachers, computerized spelling checks and my wife, sons Christopher and Peter and friend Cara, all of whom are on line to protect me from the more egregious errors of syntax, I will be heard. But the fear never fully disappears.

It is a fear that young Cosby would have well understood, having devoted his life to working with kids with learning disabilities. It is a terror of failure, known keenly by those who, despite their ability and best efforts, flunked seventh grade. What we have in common, along with millions of others including my marvelous son Josh—who thrilled me by admonishing a smug Santa Monica school district special ed administrator to call it a ''learning difference,'' not ''disability'' or ''handicap''—is a conundrum of difficulties loosely labeled dyslexia. What we have in common is the fact that we learn differently than most folks because letters or numbers get scrambled, or we have small motor problems or we become confused under time pressure or are flustered in our efforts to conceptualize in ways that lend themselves to standardized tests. What we also have in common is the potential to excel.

In my time, in the public schools of the Bronx, no one knew of such complexity in the learning process. I was simply pronounced dumb and slow because I couldn't learn cursive writing or spell worth a damn and so was tracked to oblivion until a friendly science teacher discovered that I was good at physics and some other subjects if given half a chance. Since then, a great deal of progress has been made in recognizing and treating dyslexia, but even one from so privileged a background as Cosby went undiagnosed until college years. As he poignantly wrote, ''The happiest day of my life occurred when I found out I was dyslexic . . . the worst feeling to me is confusion.''

I have been thinking of young Cosby almost constantly since the news of his being gunned down off the San Diego Freeway not far from my home. The smiling optimism of his file photo burns into my brain and anger fills me that this young man's optimism spilled out wasted on the indifferent concrete of that freeway offramp. It's the same freeway my son Josh takes to a school called Landmark, where he has opportunities that could save the lives of so many others now tracked to state prisons and other societal markers of educational failure.

It was Ennis Cosby's dream to create a school for kids with dyslexia. ''He wanted to make sure that kids who might not have the opportunity to have the help that he had would get it,'' his professor recalled. ''So he did all he could to help poor kids.'' As I write help, it comes out hepl, and the reason I remain a bleeding heart liberal is that I think we all benefit when the cry for ''hepl'' is understood.

These are the thoughts that went through my frayed mind listening to the inauguration speech of William Jefferson Clinton, a guy who also came up the hard way but who was blessed with the saving grace of testing well. Clinton knows he benefited from the level playing field, and he will not compromise government's obligation to keep it level. But where he has failed is in reaching out to those who need a helping hand, as Jesse Jackson might put it, to be pulled from the quicksand of failure to the high ground of opportunity.

Those of us with dyslexia, and that ranges from Albert Einstein to Cher, have known that a helping hand spells the difference between pain and performance. Bob Dole, who pushed through the Americans With Disabilities Act, which has helped dyslexics enormously, knows that. If I had any moment of regret at the inauguration, it came with the sense that Clinton does not know what it means to flunk the seventh grade.

Ennis Cosby did. But despite that, he got a master's, was going for a doctorate and planning to start a school for dyslexic kids, making him—to use his father's words—my hero, too.

INTRODUCTION OF LEGISLATION TO END SUBSIDIES FOR THE TENNESSEE VALLEY AUTHORITY

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. FRANKS of New Jersey. Mr. Speaker, today I rise to introduce with my colleague, Representative MARTY MEEHAN, a bill entitled the Tennessee Valley Authority First Step Reform Act.

Two weeks ago, Tennessee Valley Authority Chairman Craven Crowell asked Congress to eliminate its $106 million annual appropriation, so that the TVA can concentrate on its electricity business in preparation for upcoming energy deregulation. As a Federal agency since 1933, the Tennessee Valley Authority has provided the Tennessee Valley with flood protection, agricultural and industrial development, and electric power. Thanks to TVA's efforts, the economy of the Tennessee Valley has been greatly enhanced. However, as the TVA makes the transition to becoming an independent power producer, I congratulate the TVA for their recent initiative to eliminate its $106 million appropriation. This legislation would codify that request by ending all appropriations for the TVA after fiscal year 1998.

Second, this bill would order the Office of Management and Budget to provide an independent audit of the rest of the Federal subsidies enjoyed by the TVA, as well as a plan to completely wean the TVA off taxpayer subsidies.

Today, I am distributing to every Member of Congress a report that describes the TVA's direct and indirect government subsidies. These include over $1.2 billion in Federal and State tax exemptions, reduced borrowing costs, and exemptions from many Federal regulations that all other utility companies must obey. These subsidies allow TVA to provide cheap power to a select region subsidized at the expense of the taxpayers in the rest of the United States. This practice should not be allowed to continue.

As we move toward deregulation of the electric utility industry, these subsidies will give TVA an unfair advantage over the utility companies that pay taxes and are required to abide by State and Federal regulations. It is time we leveled the playing field. This legislation is the first step in making these reforms.

I urge my colleagues to cosponsor this legislation.

FLORIDA'S HEALTHY KIDS PROGRAM: A MODEL FOR THE NATION?

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. STARK. Mr. Speaker, it is America's shame that 10 million children—mostly the children of working parents—do not have health insurance. Health insurance equals access to health care. Lack of access to health care equals increased deaths and diminished lives.

We must find a way to insure these children.

Florida has developed a program run through the schools that provides a comprehensive set of benefits for children for about $50 per month. The Robert Wood Johnson Foundation is giving $3 million in grants to seven other States to see if they can replicate Florida's success.

Following is material from the RWJ Foundation's ''Call for Proposals'' which describes the Florida program. I think that the Federal Government might look to this State example as a way it could quickly and efficiently reach most of the 10 million uninsured. If we used President Clinton's $500 tax credit idea with a program of school-based health insurance, we could obtain low cost but comprehensive insurance for millions of children without new bureaucracies or hassles.

I urge everyone to think how we could combine the Florida idea with Federal tax legislation to make new money available to end the national disgrace of 10 million uninsured children.

PURPOSE

Healthy Kids is a program designed to help states develop a comprehensive, affordable health insurance product for uninsured children. The program, initiated in 1988, provides grant funds to replicate a successful model in Florida that helps families that do not qualify for government aid—but that cannot afford private health insurance—buy health insurance for their children. Florida Healthy Kids is a subsidized insurance product sold through schools. School districts are used as a grouping mechanism to lower the cost of insurance for children, similar to the role employers play in providing group coverage to their employees.

Up to $3 million has been made available for the Healthy Kids replication program. Under this three-year competitive program, approximately seven states will be awarded grants. These include planning grants for states to develop their programs and implementation grants for those ready to proceed.

BACKGROUND

One child out of every seven in America does not have health insurance, according to a 1996 study by the Employee Benefits Research Institute. The number of uninsured children is increasing and current trends in private health care coverage and welfare reform threaten to accelerate the rate of increase.

The majority of Americans get their health insurance coverage from group insurance plans provided through their employers. Historically, covering a worker generally meant covering his or her children as well, but rising health care costs have begun to change that. Recent years have seen a drop in employer-provided dependent coverage

(from 61 percent of children in 1988 to 54 percent in 1993). Additionally, many lower-wage workers cannot afford the higher costs of family coverage.

Expansions in state Medicaid programs were able to cover many children who otherwise would have been uninsured. But rising health care costs and recent changes in federal welfare rules have many experts predicting that further expansions will not be possible. The result of these two trends is that children are 40 percent more likely to be uninsured than adults. For children with medical problems, lack of insurance doubles their chance of not getting care.

Very few insurance companies offer policies only for children, but a model program, Florida Healthy Kids, has demonstrated that a children's insurance product has a place in the market. The feasibility of a children's school enrollment-based health insurance program was first explored in a 1988 University of Florida study and in a subsequent pilot program, jointly funded by the State of Florida and The Robert Wood Johnson Foundation. The program designed a children's insurance product and used school districts to group children into purchasing pools to make the product affordable. The product was sold to families who did not qualify for government aid, but could not afford private health insurance for their children.

Moving the insurance contract from the employer to the school district also enhanced the portability of coverage, especially for families with a child with a pre-existing condition.

A recent evaluation of the program found a 70 percent decrease in emergency room visits per enrollee. In 1995, enrollees had more than 110,000 primary care visits, more than 9,500 children were immunized and 719 children received eyeglasses. Teachers also reported improved attendance in school.

The Florida Healthy Kids model has two goals: create a comprehensive insurance product for school children and facilitate the provision of preventive care for children. The Florida program has the following components:

Eligibility: All children enrolled in school grades K–12 are eligible to participate in the program. Pre-school age siblings may also join.

Benefits: The benefits package emphasizes prevention and is designed specifically for children's medical needs. It features inpatient and outpatient care, including dental, vision, and mental health. There are no preexisting condition limitations and no medical underwriting. Co-payments are required for some services, such as emergency rooms, eyeglasses, office visits, and prescriptions. In each school district, insurance companies bid to participate in the program. To participate, companies must demonstrate that they have an adequate and accessible network of providers.

Role of the schools: Schools serve as the central institution within communities, fostering relationships between the local project, community leaders, and area business groups. Schools also verify student enrollment, distribute marketing materials and applications, provide parent outreach, enhance health education opportunities, and provide interpreters and translators for program activities and materials.

Financing: Premiums are covered by a combination of state and local/community funds, as well as family contributions based on a sliding scale. In Florida, the state contributes 25 percent, local/community funds comprise 40 percent, and families contribute approximately 35 percent of the premium. The state's initial contribution is higher, allowing communities to implement the program with minimal start-up contributions (approximately five percent). The state portion declines over time as the local match and program enrollment increases.

Administration: In Florida, the Healthy Kids Corporation facilitates the efforts of all the parties in each site. This state-funded, 501(c)(3) corporate entity, manages the contractual arrangements for billing and administration of the product, and manages the bidding process with insurers at each site. A private third party administrator (TPA) helps with initial eligibility determinations, and handles the enrollment functions by processing applications and collecting monthly premiums paid by the families. In addition, the TPA verifies continuing eligibility by checking monthly to see that program participants are not receiving any services through the state Medicaid program.

IN RECOGNITION OF JIM RATHBONE

HON. FRANK RIGGS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. RIGGS. Mr. Speaker, I rise today to recognize Jim Rathbone.

For over 44 years Jim worked for the U.S. Department of Agriculture in California. For the last 25 years, he has been the Program Director of Rural Housing Service based in Woodland, CA. In this job he has been responsible for the 502 Mutual Self-Help Home Ownership Program for California.

Jim was born and raised in Sonoma County and has a close tie to the north coast. Many of my constituents who have built their houses through the self-help housing effort in California have benefited from his work and labor. Hundreds of lower income families have become homeowners in California thanks to his efforts in making this program work. For many, realizing their dream of home ownership has changed their lives forever.

Jim did not overlook the importance of his position or isolate himself from the daily issues of his work. He has always been available and accessible to those with whom he worked in the rural communities throughout California. He was always responsive to individual situations—willing to listen and constantly trying to make the program work for families who do the work.

His dedication and committed service is best exemplified by his work ethic. I am told that you could find Jim's car outside his office from sunup past sundown, often working well into the evening.

Those of us concerned about the availability of affordable housing and home ownership for working families owe an enormous debt of gratitude to this man. He has surely helped a large number of families to participate in the self-help program and become homeowners. Jim's life-long work clearly demonstrates the importance of public service to our society. It also is a statement of how one person's work can make such a positive impact on so many others.

Thank you, Jim, for a lifetime of devoted service to the north coast and rural Californians.

TRIBUTE TO RICHARD E. VATTER AND LORETTA SMITH VISION AWARD RECIPIENTS

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. MORAN of Virginia. Mr. Speaker, I rise today to recognize the charitable efforts of Mr. Richard E. Vatter, American Legion children and youth chairman and Loretta Smith, American Legion Auxiliary children and youth chairwoman. Mr. Vatter and Ms. Smith have been awarded the highest honor in the VISION [Volunteers In Service: Investing in Our Nation] program. Mr. Vatter and Ms. Smith are members of the American Legion. This organization was founded in 1919 with the mission to serve veterans and their families, the community, and the nation. In working to fulfill this goal Legion members donate a variety of resources to blood drives, Boys State, youth and adult athletic teams, educational scholarships, needy children, and veteran facilities.

Mr. Vatter and Ms. Smith are members of the American Legion Post 176 which has a 42-year history of good works in the Springfield community. Mr. Vatter and Ms. Smith were recognized for their work with the Spinoza buddy bear project. This project provides children who have chronic, life endangering, organ, mental, and emotional illnesses with a teddy bear that speaks. Mr. Vatter and Ms. Smith worked with the community and were able to procure 30 bears. This exceeded the expectations of the project and brought diverse elements of the Springfield community together to work toward this noteworthy goal.

Congratulations, Mr. Vatter and Ms. Smith. It is my hope that your good works inspire others to focus time and energy on those less fortunate. Best of luck in the future to both of you and may American Legion Post 176 enjoy a long and active life in the Eighth District of Virginia.

INTRODUCTION OF THE AMERICAN POLITICAL REFORM ACT

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. FARR of California. Mr. Speaker, today I introduce the American Political Reform Act and am joined in that introduction by nearly 50 of our colleagues from around the nation.

Last night the President challenged Congress to pass campaign finance legislation and we are here to tell you today that we are committed to doing so.

This bill meets the basic principles of true reform:

First, fairness. This bill does not favor one party over the other or one candidate over another.

Second, reduce the influence of special interests. This bill includes PAC limits, limits on large donors and eliminates soft money.

Third, level playing field. This bill makes campaigns competitive by enacting spending limits, giving all candidates a similar footing for financing their races.

Fourth, access to the system by nontraditional candidates. This bill makes it possible for minorities and women to run.

We meet these principles through reasonable and fair changes in the law.

First and foremost, we cap spending.

There will be no sanity in politics until we bring spending under control and a spending cap is the first weapon in the arsenal of campaign finance reform.

Second, we reform the role of PAC money in the system. We reduce the individual PAC contribution and cap aggregate contribution levels.

Third, we reform the role of wealthy donors, including the ability for candidates to use their own money in their campaigns.

Fourth, we reform the role of soft money, essentially eliminating it, but allowing for grassroots operations at the State level among candidates of the same party.

Finally, we try to put the brakes on the massive expenditures of money in the political realm that are now unregulated, undisclosed and outside the law—independent expenditures.

We do this by requiring new levels of disclosure and by expanding the definition of express advocacy.

The legislation we introduce today is reasonable, achievable, and supported by the White House and the Democratic leadership.

It is the only legislation in the last Congress to get bipartisan votes.

If it could last year, it can again this year. My colleagues and I look forward to moving this legislation forward and meeting the President's challenge of presenting him with campaign finance reform by July 4.

HONORING THE OFFICERS AND CREW OF THE COAST GUARD'S CLEVELAND-BASED TUG ''NEAH BAY''

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. KUCINICH. Mr. Speaker, members of the U.S. Coast Guard perform extremely valuable services for the American people, keeping our shorelines secure and safe from environmental damage. My district is proud to be associated with the Ninth Coast Guard District, the guardians of the Great Lakes. I commend to your attention a recent incident that demonstrates the tremendous contribution made by the officers and crew of Coast Guard units in that region.

On January 23, 1997, as windy and bitter cold weather swept across Lake Erie, the Coast Guard's Cleveland-based icebreaking tug *Neah Bay* was escorting a tanker vessel and a tug/barge combination, the *Donald C. Hannah*, from Toledo to Cleveland, OH. A cable connecting the *Donald C. Hannah* to the barge broke while the ships were passing through a heavy ice field. While the *Donald C. Hannah* stopped to make repairs, the tug and her barge became trapped. The tug and barge were at the mercy of high winds and powerful ice, in danger of running aground at a nearby island within 1 hour. The situation presented an extreme environmental threat because the barge contained more than 1 million gallons of heavy aromatic residual fuel oil.

The officers and the crew of the *Neah Bay* took quick action, declaring a search and rescue [SAR] emergency and assuming the role of on-scene-commander. The *Neah Bay* contacted other organizations, including Coast Guard Group Detroit and Air Station Detroit, MI, which dispatched helicopters that provided key information to help the ships. Because of the potential for a major oilspill, the Marine Safety Office of Toledo, OH, was brought in to review contingency plans and prepare for an oil spill. Working in a cooperative effort with the joint United States/Canadian response planning team, action was taken to protect the area, a major spawning ground for aquatic life on Lake Erie.

The *Neah Bay* broke an escape route in the ice and was able to keep the barge off the rocks long enough for the *Donald C. Hannah* to repair the broken cable. After 5 tense hours, the ship was broken free of the ice by the *Neah Bay*. The *Donald C. Hannah* and the oil-carrying barge were safely escorted to their destination by the *Neah Bay* and a sister ship, the *Bristol Bay*, who had been diverted from other escort duties.

Mr. Speaker, this is a story of bravery, cooperation between Government agencies under extreme circumstances, and a job well done. My district is proud to be the home berth of the *Neah Bay*. I take this opportunity to honor the officers and crew of the USCGC *Neah Bay*: Commanding officer, LCDR Frederick J. Sommer; executive officer, LTJG Richard J. Wester; CWO2 Charles Philpot; BMC Jeffrey P. Mallory; EMC Daryl W. Covington; MK1 Timothy J. Clancey; QM1 Jon R. Frederick; FS2 Michael S. Beaver; BM3 Dean M. Grass; EM3 Timothy P. Ostrander; EM3 Ariel Vazquez; MK3 Jefferson D. Clark; SN Kristopher R. Demetros; SN Duke A. Walker; SA Anthony J. Clark; SA Jeremy L. Farmer; FN Jason E. Henderson; and FA Daniel S. Manor.

KIRK JOHNSON HONORED AS EMPLOYEE OF THE MONTH

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to congratulate and recognize Mr. Kirk Johnson who was recently honored as Employee of the Month at Integrated Tax System.

Mr. Johnson, who trains employees on tax codes, was commended by ITS for his excellent teaching skills, professionalism, and extensive knowledge. His trainees have praised him by saying, ''The trainer created a relaxed atmosphere conducive to the exchange of information'' and ''The instructor was very educational and professional.''

In addition to teaching, Mr. Johnson is the creator of the ITS Bulletin, which has proved to be very popular among ITS users around the State, and a quick reference card for ITS that is still in heavy demand.

Congratulations, Kirk, for your outstanding accomplishments in your profession and the recognition of that by ITS through the Employee of the Month Award. I am very proud of you, son.

INTRODUCTION OF A RESOLUTION TO REUNITE FAMILIES SEPARATED BY THE HOLOCAUST

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. FRANKS of New Jersey. Mr. Speaker, last summer I had the honor of being involved in a remarkable reunion between two siblings who were both Holocaust survivors, but who had been separated for over 60 years. Solomon and Rivka Bromberg were separated during the Holocaust, and neither had heard from the other since.

However, thanks to the resourceful work of younger relatives and Israel's Jewish Agency, these two Holocaust survivors were finally reunited in Israel in August after so many years. Solomon Bromberg's oldest son Michael had worked with the Jewish Agency to contact Sharon Feingold, the granddaughter of Rivka Bromberg Feingold. They then orchestrated a phone call between Solomon and Rivka and a formal reunion in person.

I became involved with this emotional saga only when the family began its search, which is still ongoing, for a third sibling, Abraham Bromberg, believed to be in the United States. Nevertheless, I had been very moved by the emotional reunion of Solomon and Rivka.

Today there are thousands of Holocaust survivors in Russia, Eastern Europe, the United States, Israel, and other nations who were separated from their families during the Holocaust and who may not know the fates of their relatives.

For this reason I introduced a concurrent resolution in the last Congress to urge the Secretary of State, foreign nations, especially Israel, Russia, Poland, and other Eastern European nations, and organizations such as the Red Cross and Israel's Jewish Agency, to coordinate efforts to help reunite family members separated as a result of the Holocaust. Today, I am introducing this resolution.

If my colleagues could have seen the emotional reunion of the Brombergs, they would agree with me that these thousands of families deserve help in finding their own long lost relatives. With some additional effort by the State Department and the cooperation of other agencies and foreign governments, there can be thousands more happy reunions. Therefore, I urge my colleagues to support this legislation.

NEW JERSEY'S 11TH DISTRICT—PRIME RECRUITING GROUND FOR ACADEMIES

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. FRELINGHUYSEN. Mr. Speaker, every year, more high school seniors from the 11th Congressional District trade in varsity jackets for Navy peacoats, Air Force flight suits, and Army brass buckles than any other district in the country. But this is nothing new: Our area has repeatedly sent an above-average proportion of its sons and daughters to the Nation's military academies for decades.

This shouldn't come as a surprise. The educational excellence of our area is well known and has long been a magnet for families looking for the best environment in which to raise their children. Our graduates are skilled not only in mathematics, science, and social studies, but also have solid backgrounds in sports, debate teams, and other extracurricular activities. This diverse upbringing makes military academy recruiters sit up and take note—indeed, many recruiters know our towns and schools by name.

Since the 1830's, Members of Congress have enjoyed meeting, talking with, and nominating these superb young people to our military academies. But how did this process evolve?

In 1843, when West Point was the sole academy, Congress ratified the nominating process and became directly involved in the makeup of our military's leadership. This was not an act of an imperial Congress bent on controlling every aspect of the Government. Rather, the procedure still used today was, and is, one further check and balance in our democracy. It was originally designed to weaken and divide political coloration in the officer corps, provide geographical balance to our armed services, and to make the officer corps more resilient to unfettered nepotism that handicapped European armies.

In 1854, Representative Geritt Smith of New York added a new component to the academy nomination process—the academy review board. This was the first time a Member of Congress appointed prominent citizens from his district to screen applicants and assist with the serious duty of nominating candidates for academy admission. Today, I am honored to continue this wise tradition in my service to the 11th Congressional District.

The Academy Review Board is composed of nine local citizens who have shown exemplary service to New Jersey, to their communities, and to the continued excellence of education in our area—many are veterans. Though from diverse backgrounds and professions, they all share a common dedication to seeing that the best qualified and motivated graduates attend our academies. And, as is true for most volunteer panels, their service goes largely unnoticed.

I would like to take a moment to recognize these men and women and to thank them publicly for participating in this important panel. Being on this board requires hard work and an objective mind. Members have the responsibility of interviewing upward of 50 outstanding high school seniors every year in the academy review process.

The nomination process follows a general timetable. High school seniors mail personal information directly to the Military Academy, the Naval Academy, the Air Force Academy, and the Merchant Marine Academy once they become interested in attending. Information includes academic achievement, college entry test scores, and other activities. At this time, they also inform their Representative of their desire to be nominated.

The academies then assess the applicants, rank them based on the data supplied, and return the files to my office with their notations. In mid-December, our Academy Review Board interviews all of the applicants over the course of 2 days. They assess a student's qualifications and analyze character, desire to serve, and other talents that may be hidden on paper.

Last year, the board interviewed 32 applicants. Nominations included 10 to the Naval Academy, 17 to the Military Academy, 4 to the Air Force Academy, and 1 to the Merchant Marine Academy—the Coast Guard Academy does not use the congressional nomination process. The Board then forwards their recommendations to the academies by January 31, where recruiters review files and notify applicants and my office of their final decisions on admission.

It is both reassuring and rewarding to know that many of our military officers hail from our hometowns or close by. When we consider the role of these officers in peace or war, we can rest easier knowing that the best and brightest are in command. Wherever they are sent, be that Bosnia, Somalia, Haiti, or Vietnam, many of these officers have academy training.

And while a few people may question the motivations and ambitions of some young people, the academy review process shows that the large majority of our graduates are just as highly motivated as the generation before them. They still seek guidance from loving parents, dedicated teachers and schools, and from trusted clergy and rabbis. Indeed, every time I visit a school, speak at a college, or meet a young academy nominee, I am constantly reminded that we as a nation are blessed with fine young men and women.

Their willingness and desire to serve their country is perhaps the most persuasive evidence of all.

ACADEMY NOMINEES FOR 1996—11TH CONGRESSIONAL DISTRICT, NEW JERSEY

Name	Hometown	High School	Academy
Evren Asral	Rockaway	Morris Hills	Military.
Brian Bergen	W. Caldwell	James Caldwell	Military.
Benjamin Blake	Chatham	Chatham	Naval.
Garrett Brougham.	Randolph	Randolph	Military.
Ryan Carr	Succasunna	Roxbury	Naval.
Matthew DelPreore.	Succasunna	Roxbury	Military.
Charles Emering, Jr.	Butler	Butler	Air Force.
Katherine Falato	Basking Ridge	Ridge	Military.
Geoffrey Frick	Lincoln Park	DePaul	Naval.
Kyle Grzymko	Andover	Lenape Valley Regional.	Military.
Michael Henke	Parsippany	Parsippany	Military.
Morgan Hock	Morristown	Madison	Military.
Janet Howson	Madison	Morris Catholic	Military.
Roger Knight IV	Pompton Plains	Valley Forge Military.	Military.
Charles Larsen	Hopatcong	Hopatcong	Military.
Adam Lusardi	Rockaway	Morris Hills	Military.
Newman Merton	Budd Lake	St. John's Mil	Military.
Christopher Moen	Pompton Plains	DePaul	Air Force.
Edmund Mooney	Kinnelon	Kinnelon	Naval.
Patrick Nelson	Hackettstown	Bridgeton Acad	Naval.
Todd Osborne	Morris Plains	Morristown	Naval.
Mary Paczkowski	Long Valley	West Morris Central.	Naval.
Daniel Powell	Califon	West Morris Central.	Naval.
Nicholas Rafanello.	Whippany	Morris Catholic	Military.
Thomas Rogers	Rockaway	Morris Knolls	Air Force.
James Schiess	Flanders	Mt. Olive	Air Force.
Thomas Tanis	Oak Ridge	Jefferson	Military.
Andrew Telschow	Succasunna	Roxbury	Merchant Marine.
Scott Trageser	Sparta	Sparta	Naval.
Christopher Wilkens.	Stanhope	Hopatcong	Military.
Jacob Williams	Basking Ridge	Delbarton School	Naval.
James Zhou	Livingston	Livingston	Military.

TED NUGENT: TALENTED, COMMITTED, PRINCIPLED

HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. BARCIA. Mr. Speaker, the power of talent, coupled with impeccable standards of decency, energized by commitment to principle, emblazoned by actions to put feelings into fact, is the best way I can summarize the career of a man who has brought millions to their feet with a piercing beat that just won't let you stand still. That man is Ted Nugent.

Over his career, many have known him for the 28 albums he has produced, with over 30 million of them sold worldwide. His concerts—and he has had nearly 1,000 since 1990—continue to set sales records. His professional success has enabled him to do what he cares most about—provide support for young people through his involvement in the Drug Abuse Resistance Education [DARE], program and the Ted Nugent Kamp for Kids, where boys and girls learn about proper respect for wildlife, conservation, and hunting, as well as respect for one another. He also has consistently promoted his alcohol and drug-free lifestyle as a model for all young people, and has recently donated his time and talents to a statewide safety campaign, urging drivers to ''buckle up and live.''

Ted has pursued his devotion for the right of people to hunt through his award winning Ted Nugent Spirit of the Wild PBS video series, his never-ending media interviews on the subject, and his writings in Adventure Outdoors magazine.

For all of his efforts, Ted Nugent has received recognition that he truly deserves. He has received numerous commendations from State police, sheriff departments, the FBI, and other police agencies. In fact, he has been a Michigan County sheriff deputy since 1988. He has been named Man of the Year by the Michigan Recreation and Parks Association. He is a member of the Hundgun Hunters Hall of Fame. He has been inducted into the Native-American Strongheart Society by the Lakota Sioux, Northern Cheyenne, and Arapaho Tribes. He has served as the keynote speaker at numerous events including the Governor's Symposium on North American Hunting Heritage in Wisconsin, and the Native-American Fish & Wildlife Society National Conference in Anchorage, AK. He has served on numerous organizations within Michigan, such as the Michigan Year of the Family Council, the Hunting and Fishing Heritage Task Force, and the Michigan State Parks Foundation, and has been named Archery Commissioner for the Great Lakes State.

Mr. Speaker, if anyone ever asks you what Ted Nugent wants, tell them he wants kids to grow up strong. He's wants hunting and conservation to be recognized for the reasonable and responsible activities that they are. He wants people to keep their constitutional rights. He wants to preserve a way of life that is the best in the world. I urge all of our colleagues to join me in thanking Ted Nugent for all that he does to make America a better place.

TRIBUTE TO DAVID A. LATHERS

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. LEVIN. Mr. Speaker, I rise today to recognize David A. Lathers, a dedicated teacher, principal, and community activist on the occasion of his retirement after 45 years of service to the Utica community schools. Since the fall of 1973, and the opening of Henry Ford II High School in Sterling Heights, David Lathers has served as principal.

During his 24 year stewardship of Henry Ford II High School, David Lathers has been an advocate of strong professional standards and high student expectations. His efforts and encouragement have resulted in a number of academic success stories and innovative pilot programs at Ford II. The Far Eastern Institute, a Japanese language, history, and culture course was developed, piloted and resulted in a sister school program with Japan. The first commercial food program and commercial art programs in the district were developed at Ford II. In 1985, Henry Ford II High School was awarded the State Exemplary School Award, the first school in Macomb County to receive this award. And more recently, in 1996, the Ford II marching band was selected to perform in the Rose Bowl Parade.

His commitment to the community has been equally impressive. David Lathers was instrumental in organizing a Kiwanis Club in Sterling Heights, establishing KEY Clubs at Ford II and Eisenhower High Schools and serving as a board member and vice-president of the West Macomb Y.M.C.A.

In 1993, colleagues from the Michigan Association of Secondary School Principals recognized David's tremendous contributions by naming him the outstanding principal of the year.

And so, Mr. Speaker, while we reflect on the passing of an era for Henry Ford II High, we commend David Lathers for his lifetime commitment to the community, school district, and thousands of students upon whose lives he has made an impact. I extend my sincerest wishes for a healthful, rewarding, and productive retirement.

THE PTA: A CENTURY OF SERVICE TO OUR CHILDREN

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. FILNER. Mr. Speaker and colleagues, I rise today to recognize one of the most time-honored and revered organizations in our Nation today. February 17, 1997 will mark the 100th birthday of the Parents and Teachers Association, known more widely as the PTA.

Formed on February 17, 1897, PTA was initially known as the National Congress of Mothers. Credit for the initial concept of this world-renowned organization has been ascribed to Alice McLellan Birney, a mother of three children whose husband practiced law in Washington, DC. Joining Ms. Birney in this historic undertaking was Phoebe Apperson Hearst, widow of the late U.S. Senator George Hearst. Ms. Hearst always reminded her audiences that ''there could be no lasting improvement in human welfare other than through education.''

Another name synonymous with the early formation of the PTA is that of Selena Sloan Butler. Ms. Butler founded the National Congress of Colored Parents and Teachers in Atlanta, GA, in 1926. The National Congress of Colored Parents and Teachers merged with the National Congress of Parents and Teachers in 1970 and formed what is now our present day PTA. The enormous contribution of Ms. Butler is equally notable this month as we also celebrate Black History Month across our Nation. Mr. Speaker, today we honor an organization that supports and speaks on behalf of our children.

PTA assists parents in developing the skills they need to raise and protect our children. It encourages parent and public involvement in the public schools of this Nation.

On February 17, 1997, PTA chapters across this land will celebrate Founders Day, which honors the legacy of PTA.

I therefore ask my colleagues on both sides of the aisle, to rise and salute the PTA, the leading child advocacy organization in our Nation.

COMMENDING THOSE WHO VOLUNTEERED FOR MASSNET DAY

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. KENNEDY of Massachusetts. Mr. Speaker, I rise today to commend the 4,000 volunteers (including labor union members and trademen) and over 100 businesses who donated their time and energy to wire the schools in my district and across Massachusetts to the internet.

On October 26, 1996 the first in a series of MassNet Days was held. I am proud to say that it was an enormous success involving over 400 schools in Massachusetts.

MassNetworks was initiated because, despite a wealth of high-tech companies, Massachusetts ranked 49th among the 50 states in networked classrooms and 45th in modem lines installed.

MassNetworks has a component of which I am especially proud. Teacher training and development has been recognized as being as important as the wiring or hardware. Educating teachers, improving their skills, and showing them how to utilize the internet as part of the curriculum is vital to the success of putting all of our schools on the information highway.

Imagine a history class in Watertown that is able to take a tour of the battlefields of the Civil War, or a science class in Boston seeing photographs of Jupiter. This can help make learning come alive.

The future of our country rests on the shoulders of our youth. If they are well educated and able to continue to learn throughout their lives, then the United States will continue to be the world leader.

Again, I want to thank all the people in Massachusetts who donated time, energy, and materials to make our schools a better place for our kids.

Mr. Speaker, I also want to thank the gentlelady from Texas for organizing this special order and for all her hard work on behalf of the children of our Nation.

HONORING DAVID A. FORD

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. ENGEL. Mr. Speaker, I speak today of David Ford, a man I am happy to call a friend and a confidant—a man I am proud to know. He has served his community faithfully and well and it is with no little sorrow that I note his retirement as leader of the Democratic Party of Mount Vernon.

When he came to Mount Vernon the Democratic Party was virtually nonexistent. He is leaving us with a vibrant and dominant party that has elected the first African-American mayor of a New York State city and the first African-American assemblyman from Westchester County. I went to Mount Vernon in 1992 when it was made part of my congressional district and I have never been sorry. It is rare to find someone who can be such a good friend and still give such wonderful advice.

David is married to the former Eula Gadson and they have four children and four grandchildren. For the past two decades he has served as commissioner of Mount Vernon's board of water supply, a position which does not begin to tell the breadth of his involvement in his city and community. Among his honors are being named YMCA Man of the Year and a life member of the Mount Vernon NAACP. His abilities have attracted people from throughout Westchester County and the State seeking his guidance and counsel.

David has made not only his city better but the time we live in. His wisdom and leadership have made us better than we would have been. Even with his retirement as leader of the Democratic Party, I look forward to sharing in that wisdom of many years to come.

IN RECOGNITION OF FRELINGHUYSEN TOWNSHIP ELEMENTARY SCHOOL

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mrs. ROUKEMA. Mr. Speaker, I rise to congratulate Frelinghuysen Township Elementary School in Warren County, NJ, for its innovative and creative techniques of teaching young people about our Nation's history and culture.

On January 25, students at Frelinghuysen Elementary staged an inaugural ball with the theme ''Presidents Past and Present.'' This formal evening of music, dance, and food included fifth- and sixth-grade students dressed as each of our 42 Presidents and their wives. The students presented mini-museums and speeches depicting the lives of the Presidents they portrayed. Period-appropriate dance music ranged from the Minuet for Presidents Washington and Jefferson to the Macarena for President Clinton. Approximately 250 parents, teachers, veterans, students, and VIP's attended.

This event was more than just a one-time affair. It was the culmination of the school's thematic enrichment program—an 80-minute weekly class for the fifth and sixth grades that uses hands-on techniques to make history and culture exciting and students eager to learn.

''The goal of our political enrichment theme this year is to not only provide a strong education in government and politics but to inspire the students to develop an interest and appreciation in our country,'' school officials said in the invitation to the inaugural ball. ''We are developing the educated voters of the future.''

The class is run by fifth-grade teacher Sue Hocking and sixth-grade teacher Patricia Meyers under the supervision of Chief School Administrator Eugene Cioffi. About two dozen parents were actively involved in this year's event, organized by volunteer parent coordinator Rene Jensen, mother of a sixth-grader.

The class began 3 years ago with World War II as its theme, prompted by the 50th anniversary of the end of the war. Students worked with the World War II Commemorative Society of the Department of Defense to put on a Flag Day celebration with local veterans and elected officials. They planted a victory garden, learned dances and music of the era, and ended the class with a USO dance.

Last year, medieval history was the theme as students studied knights and castles. A medieval fair complete with jousting and a banquet marked the end of the class. Students played human chess with children as chess pieces on the school gym floor, redone with huge black and white square to make a chess board. Mr. Cioffi was dubbed ''King Eugene III'' and his freedom ransomed when kidnaped by an opposing kingdom.

In preparation for this year's inaugural ball, students staged a mock election between President Clinton and former Senator Bob Dole. (Dole won 79–73.) In other preparation and research, local Lincoln expert Joseph Garrera organized a display to help students understand the Civil War President.

For the remainder of this year, the class will study archeology. The school's victory garden has been seeded with objects and will be the site of an archaeological dig in the spring.

The thematic enrichment class is not the only innovative program at Frelinghuysen Elementary.

In the Families Read Every Day program run by first-grade teacher Linda Banta, students take home a book each night to read with their parents, then receive scrip-like awards in class the next day that can be saved up to buy prizes from a classroom store.

At a Valentine's Day tea, fifth- and sixth-graders will be visited by senior citizens who will discuss their favorite Presidents in an interactive, intergenerational learning process.

The school has begun a Native American Cultural Center by building an authentic teepee in the schoolyard and teaching classes about native American culture inside. A second teepee and a bark lodge are planned for the future.

Frelinghuysen Elementary was one of several schools in Warren County that recently joined together to purchase ''Star Lab,'' an inflatable, portable planetarium that allows students to learn about astronomy at their own school from their own teachers.

A buddy program pairs kindergartners with fifth-graders as mentors and lunch partners.

All of this is even more impressive when you consider that Frelinghuysen is one of the smallest school systems in our State. With 171 students in kindergarten through sixth grade, it is a single-school school district. Beyond sixth grade, students go to North Warren Regional Middle School and North Warren Regional High School. Chief School Administrator Cioffi wears the dual hats of principal and superintendent, guiding a staff of 13 full-time and three part-time students, plus a nurse and librarian.

These accomplishments clearly show that adults who care—teachers and parents alike—count far more than money in delivering a quality education. These teachers and parents are the heroes, mentors, and role models who hold up the historic value of public education in America. They are an excellent example of a community working together to develop and educate our citizens of tomorrow. Citizen involvement has made America the leader in democracy around the world and their work will keep us in the forefront.

DALLAS AREA STUDENTS RECEIVE AWARDS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to congratulate students from my district for their outstanding accomplishments.

Ten students were awarded 4-year scholarships which range from $4,000 to $25,000 by Texas A&M University as part of its incoming class. The scholarship winners are Richard D. Weaver, Jr., of Carter High School; Julie A. Contreras of Irving High School; Tatiana Alexander of Kimball High School; Edward N. Brown, Jr., and Crystal D. Caldwell of South Oak Cliff High School; Paul L. Andres, John P. Broadnax, and Elizabeth A. Flotte of Talented and Gifted Magnet High School; Kaushawn P. Hicks of Townview Magnet Center; and Martha R. Wilson of Booker T. Washington High School for the Performing and Visual Arts.

In addition, Leaksha Dunn, a senior at James Madison High School in Dallas, took top honors in the Dallas County Historical Commission's Heritage Education Essay Contest for her treatise on ''James Thibodeaux, a Living Legend in South Dallas.'' Leaksha won $50 from the commission and $500 for the high school's history department.

The hard work and dedication of these students is admirable. Congratulations students, and good luck in all your pursuits.

PROVIDING PORTABILITY FOR MEDIGAP ENROLLEES

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mrs. JOHNSON of Connecticut. Mr. Speaker, in the last session of Congress, we passed important legislation giving Americans access to portable insurance coverage regardless of their health status. We did it by enacting the Health Insurance Portability and Accountability Act.

This new law, however, did not extend these same protections to our senior and disabled constituents who are on Medicare. No senior should be forced to live in fear that unexpected medical bills will deprive them of financial independence.

That is why I am introducing, along with 30 of my colleagues, a portability bill for the millions of senior citizens who supplement their Medicare coverage with private insurance. An estimated 10 million senior citizens, one-third of the total number of seniors on Medicare, rely on medigap coverage to meet important health needs. Medigap insurance typically pays for prescription drugs, skilled nursing care, and out-of-pocket deductibles. Without medigap, seniors can face tough choices between paying their medical bills and meeting daily critical needs. And that is a choice they should not be asked to make.

My legislation provides four important protections for seniors and the disabled. First, it will protect seniors with medigap insurance who move out of their plan's service area or whose plan goes out of business. This bill guarantees that those seniors will be able to purchase another plan with comparable coverage even if they have a history of severe illness. This means that seniors who relocate to other States can do so without the fear that they will not be able to secure comparable insurance coverage.

In addition, my bill provides Medicare beneficiaries who choose to enroll in a Medicare HMO the security that they will be able to return to their medigap plan if they are not satisfied. They can utilize this option anytime within the first year of their enrollment.

Third, my bill will help provide security for seniors who lose their employer-provided retiree health benefits. In this era of high bankruptcies and more and more companies withdrawing or reducing health coverage for retirees, this legislation will guarantee that retirees will always have access to insurance coverage beyond Medicare, even if they have had serious health problems.

Finally, this bill will extend to disabled Medicare beneficiaries equal access to all medigap plans. This is an important assurance considering the high medical bills that people with disabilities face.

We took significant steps last Congress with the Health Insurance Portability and Accountability Act. Let us not forget those who did not benefit from those vital safeguards. Let us protect the millions of senior citizens who rely on medigap policies.

INTRODUCTION OF LEGISLATION TO RELINK BLIND TO EARNINGS TEST

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mrs. KENNELLY of Connecticut. Mr. Speaker, I rise today to introduce legislation to restore fairness to the Social Security earnings test for blind individuals. Since 1977, the linking of the blind to senior citizens for the purposes of the earnings test has assisted in helping many blind individuals become self-

sufficient, and more productive members of society. This is no longer the case. That important link was broken in 1996. While senior citizens will be afforded greater opportunity to increase their earnings without losing their Social Security benefits, the blind, however, will not have that same chance.

Blindness is often associated with adverse social and economic consequences. It is often difficult for blind individuals to find sustained employment or for that matter employment at all. The blind want to work and take pride in doing so. Our action in 1977 provided a great deal of hope and incentive for the blind population in this country. Now is not the time to roll back two decades of success. I urge my colleagues to support this important legislation to restore fairness to the Social Security earnings test.

TRIBUTE TO MAX LYON AND KARL MUEGGLER

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Ms. HARMAN. Mr. Speaker, I rise today to mourn the loss of Max Lyon and Karl Mueggler, two constituents of mine who were both tragically killed in an avalanche during a skiing trip to Utah earlier this month.

Max and Karl will be missed by many, especially by their students at the Chadwick School in Palos Verdes. Max served as the school's outdoor education program director since 1990 and was nationally known for his work in teaching youngsters about nature. Karl was an outdoor education instructor since 1991 and worked with Max to keep Chadwick students in touch with our environment.

Max and Karl touched the life of every Chadwick student. Whether it was on one of their kayak trips to Baja California or on one of their rock-climbing adventures in Joshua Tree, Max and Karl taught Chadwick youngsters how important it is to preserve and protect our environment. Max and Karl understood that unless today's children take an active role in environmental protection, future generations will never be able to enjoy our country's outdoor heritage.

In the words of Nathan Reynolds, Chadwick's headmaster, ''Max and Karl taught so many of us to better love and appreciate the world. They affected us all. We are the better because they touched our lives.''

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in extending heartfelt condolences to the Lyon and Mueggler families.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF HON. FRANK TEJEDA, REPRESENTATIVE FROM THE STATE OF TEXAS

SPEECH OF

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 4, 1997

Ms. SANCHEZ. Mr. Chairman, I rise today to extend my deepest condolences to the family and loved ones of my colleague, Representative FRANK TEJEDA who passed away on January 30, 1997. Although I did not have the privilege of meeting Representative TEJEDA, I would like to join my colleagues in honoring this American hero.

Congressman TEJEDA leaves a legacy of dedication, hard work, and devotion to his community. He will remain a role model for the youth and Hispanics for many years to come. And as a freshman Member of Congress, I will miss his leadership, and his advice on how to better serve my constituency and the Nation.

He was a dedicated citizen, serving in the Marine Corps and defending our Nation during the Vietnam war. He was a dedicated educator, receiving degrees from St. Mary's University, Berkeley, Harvard, and Yale.

Congressman TEJEDA was also a dedicated public servant, serving 10 years in the Texas State Legislature and 4 years in Congress. I am very proud of his achievements and contributions to our country. His passing is a great loss for our community.

AN AMERICAN DREAM COME TRUE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. FRANK of Massachusetts. Mr. Speaker. One of the most important organizations I have had the privilege to work with is the American Dream Challenge, a committee of the Citizens Scholarship Foundation of Fall River, MA headed by Dr. Irving Fradkin, which has spread across the Nation and which helps young people go to college. I have been privileged to introduce Dr. Fradkin's work to various officials of the Federal Government, and I have been pleased—although not surprised—when they have responded very favorably when they learned about it. Dr. Fradkin has spent considerable time recently working with elementary schools and the results have been as a I expected, extremely gratifying. I ask here that I be allowed to share with my colleagues examples of the response the American Dream Challenge has received from faculty and students in the elementary schools. I think it is useful for people to read the pledge of the American Dream Challenge which children are asked to take, and the responses to this program from two 4th grade teachers from Fall River, and from students in the Fall River schools.

THE PLEDGE OF THE AMERICAN DREAM CHALLENGE

I am very pleased to accept this award, honor, and scholarship.

In accepting this award, I pledge to continue to do the best that I can in school and make the most of this valuable tool offered to me—my education.

I promise to respect my teachers and classmates, giving an effort to learn about and appreciate their religious and ethnic backgrounds.

I further pledge, in accepting this award, that I will not be involved in any way with the use of illegal drugs.

I will not resort to the use of weapons of any kind to resolve differences with others.

I will volunteer to perform service for my community whenever possible.

I will continue to do everything within my power to be a caring and responsible citizen of my school, my community, and my country—proud to be an American.

WM. J. WILEY SCHOOL,
Fall River, MA, January 13, 1997.

Dr. IRVING A. FRADKIN,
American Dream Challenge Awards Committee, Fall River, MA.

DEAR DR. FRADKIN AND MEMBERS: As we enter the new year, I'm extremely anxious to begin the fourth year of your scholarship program. I am most delighted that your American Dream Challenge has met with so much success. It was an excellent idea to initiate this program at such an early age; I believe that it makes a tremendous impact on the future successes of so many fourth grade students of the Fall River. Let me share with you just how your scholarships have affected the lives of three of my students.

Sharon was my first recipient; one could not find a brighter student. However, she was often consumed by a timidity that limited her abilities. When she learned that she was chosen as the winner, she acquired such pride and confidence that it is still with her today.

In 1995, Natalie was chosen as a finalist and she could not wait to hear the results of your essay contest. She, too, was a bright student and a most imaginative writer. However, she lacked a feeling of belonging because she had only come to America from Ireland one year earlier. When she discovered that she had been chosen as the '95 recipient, she beamed with pride! She was now truly an American with a future that could not be brighter. Her entire family attended the ceremony.

Finally, let me tell you about Meghan. She, too, was a bright girl. However, unlike Shannon and Natalie, she was not a good student. She lacked consistency, focus, and confidence, but I could see a light in her that many could not see. She loved to read and was full of imagination. I stressed with her the importance of this essay, and how it might affect her entire life. She wrote her essay with an intensity that I had not previously seen. When I read her composition, I could tell that she would be my next recipient. She changed that day, and actually started to reach her potential. She was eventually declared the winner, and her attitude changed toward learning.

In summary, I'd have to say that your program does definitely make a difference, and I'm proud to be part of it. One can only dream of the changes this can create in a child. It just might help that child rise above the pressures of drug abuse, sexual promiscuity, or even teenage pregnancy. Thank you for your interest in the youth of Fall River. You are making a positive impact on their lives with a difference that should surely affect the future of Fall River.

Very truly yours,

SUSAN LANYON,
4th Grade Teacher.

THE AMERICAN DREAM CHALLENGE: A BLUEPRINT

The American Dream Challenge Program Committee is a dynamic, dedicated group of individuals who are working for a common good and unified goals. Their exceptional talents, dedication, and commitment are certainly felt within our educational system and our community.

What a Herculean task this is! The American Dream Challenge Group Volunteers countless hours so that positive attitudes, ethics, and enthusiasm can regenerate in this depressed area and can begin with our youngest elementary students.

The concept of encouraging our students to do their very best, take charge of their lives, and stay in school is emphasized so magnificently by the Committee. The American

Dream Challenge Group awards scholarships to elementary school children who are urged to put forth their best effort and make a difference in their school, their neighborhood and eventually give to their community.

With the American Dream Challenge we can feel the necessity for our students to strive for decency, and get back to basics in their lives.

Today we need more programs like the American Dream Challenge with interested, concerned citizens volunteering with our youth and building better citizens and adults for tomorrow.

Thank you Dr. Fradkin and the American Dream Challenge Committee for including me and my students in a worthwhile endeavor.

Congratulations American Dream Challenge Committee and Dr. Irving Fradkin on a mammoth undertaking and a commendable start. The principal at C.V. Carroll School, Mr. Edward Campion, pledges his support for this program and encourages his staff to participate and pledge for future years.

BETSY COREY,
4th Grade Teacher.

WEAVING DREAMS—FOURTH-GRADERS TELL WHY TO STAY IN SCHOOL

Here's a sample of some of the essays written by Fall River fourth grade students who won American Dream Challenge scholarships in this year's program:

EDUCATION FOR ENVIRONMENT

My education can help me make a difference by helping other people. With different education, people can help in different ways: for an example, you can become a doctor, you can help people get well or become a policeman or woman to help your community be safe. These are just a few of the thousand things your education can help you do. You can help the earth by becoming a scientist and study the earth and the sea. By that you can help all the earth, which will help all the animals that will make the earth a better place to live. Or be president and make peace with other countries. The most important thing is to stay in schools. Some kids think it's cool to get out early, but it's not! There's always more to learn. Stay in school. It's cool!!—Michelle Prevost, Dominican Academy.

HELPING CHILDREN WILL MAKE A DIFFERENCE IN THEIR LIVES, OTHERS

In my life I want to help children who need somebody to talk to. I hope I can do this because I want to be known as someone who helps children. I want to prove to myself and others that I can make something of myself. I am very lucky to have a second chance in life, because I am adopted. I will use my education to help children who are not as fortunate as I am. I want to let them know there are people out there who care about them. I can do this with a good college education.

This is my dream. I want to become a children's psychologist or a counselor so I can make a difference in another child's life, and mine.—Anne Bryant, St. Jean Baptiste School.

MAKING FRIENDS WITH ONE ANOTHER

A good education will help me become a better person by making friends. In school we learn to care about one another. I can make friends easy but I have to see if they have a good attitude or bad one. I can just walk up and talk to a lonely friend, tell them a little idea about our country and they can tell a little about their country. I like to make friends. I made a lot of Cambodian friends and American ones too. Some of my friends make me mad and I just walk away, but they will come back and say sorry. Then we become friends again. I like to be friends and have the friendship last a long time. I can share with them, that's an easy thing to do. When I grow up I want to go to college. I hope I pass college so that I can be a nurse.—Rany Say, Laurel Lake School.

WINNING SPOT IN STATE HOUSE COULD HELP FIGHT AGAINST VIOLENCE

I think that if I have a good education, that maybe I could work in the state House and help to make up non-violent laws to help a lot of people in the United States. If I do make it to the state House as a representative, I would make strict laws about guns. I would allow them to be sold only to people with the proper license for them. I would not allow pocket knives to be sold to anyone under 20 years of age and they would have an identification card with them. With the help of a really good education and a good job, I would be able to help keep many citizens of the United States safe to walk the streets and safe in their homes because only responsible people would be carrying guns and knives. I would also make more laws such as having many more police officers on the street, and they would be checking for illegal weapons and making sure no one was carrying weapons without a proper reason or identification.

I would also make very strict laws about people who injure people with guns and knives. They would be put in jail for seven years and if they did it again, they would be in jail for double the time. If they killed someone, they would be in jail for the rest of their lives. So if I can get a good education and job in the state House, I could probably make many non-violent laws so that by the time I am 57 the United States will be so peaceful and safe and we might not need prisons or jails. Hopefully I can make a violent-free home for me and my family and friends.—Shauna Williams.

RESPONSE TO GEN. DENNIS J. REIMER'S SUGGESTION THAT SEX-SEGREGATED TRAINING RETURN TO THE MILITARY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as we enter the 21st century, it is unacceptable for men to use human nature and sexuality as an excuse for sexual crimes and gender discrimination.

We cannot regress two decades of advancement for women based on the inability of some who cannot control their sexuality. Harsh disciplinary procedures must be enacted in order to ensure that women have a fair and equal opportunity to serve this Nation.

The separation of the sexes is not a solution to the problem. Rather, General Reimer's suggestion is a slap in the face to men because it suggests that men operate solely on animal instinct.

Additionally, General Reimer's suggestion increases the problem because if men are rarely in an environment with women, they will never know how to interact with them. It is time for women to be treated as equal peers of men, and not as sexual objects.

HONORING JOHN C. DOULIN

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. GILMAN. Mr. Speaker, I am pleased to report to our colleagues that a most remarkable American is going to be honored later this week.

The Catholic War Veterans Post No. 386 in Orange County, NY, is paying tribute to John C. Doulin, their oldest living World War I veteran and one of the few remaining World War I veterans in Orange County.

Jack, who is now 97 years young, enlisted in the U.S. Army on April 8, 1918, and was soon thereafter shipped to France with Company ''D'', 1st Pioneer Infantry. He participated in the Aisne-Marne campaign, and the Oise-Aisne, and Meuse-Argonne offensives.

After the armistice, Jack returned to his hometown of Newburgh, NY, and joined the New York National Guard. In 1921, this unit was transformed into the 132d Ammunition Train. In April 1924, it was again ordered to reorganize into a 75mm-artillery regiment. This new unit was designated the 156th Field Artillery. John Doulin remained in service with these units until July 22, 1931.

When America entered the Second World War, Jack returned to service with the 56th Regiment of the New York Guard, with whom he served until peace in 1945.

In later years, Jack Doulin remained—as he has always been—an outstanding community leader, involved in many causes. As an active member of the Republican Committee, he continued the struggle which he fought on the bloody battlefields of France so many years earlier: the fight for democracy, for good government, and for a free, just society.

Jack had a special interest in getting young people involved in politics. During the 1960's, many of our young people became disenchanted with our system. Jack waged a one-man crusade to counter this dangerous trend. With his tales of his experiences in what he always sardonically called ''the war to end all wars,'' he painted a vivid portrait for our young people of just how much was sacrificed by so many so that we can all be free.

In the 1960's, John Doulin was appointed adult adviser to the Teenage Republicans in his hometown, and in this role displayed compassion, understanding and respect for our young people which unfortunately is often rare, and which was greatly appreciated by our young people who came to love him.

My press secretary, who received his start in politics listening to Jack Doulin's vivid discourses on what has made our Nation great and what responsibilities we all have to keep it great, has often told me that Jack was a major influence on many of his generation who remain activists to this day.

I urge my colleagues to join in congratulating John C. Doulin on the occasion of this long-overdue tribute, and in extending our best wishes to his daughter, Jeanne Doulin Leo, his son, John, Jr., and his grandchildren. It must be gratifying for them to realize that many of us admire the remarkable patriarch of their family.

INTRODUCTION OF WELDON RESOLUTION REAUTHORIZING A CITIZENS' COMMISSION ON CONGRESSIONAL ETHICS

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to reintroduce a resolution to reform ethics oversight in the House of Representatives.

This measure would establish a 14-member Commission on Congressional Ethics composed of private citizens, while eliminating most responsibilities of the House Committee on Standards of Official Conduct. The resolution would grant the Commission power to investigate Member and staff ethics violations, sit and hold hearings, subpoena as authorized by the House, and report and recommend actions to enforce ethics to Committee on Standards of Official Conduct. Not only will this remove Members' conflict of interest in policing their colleagues, but it will give people a hands on role in shaping all the administrative operations of the House. The best way to reform the People's House is to get more of the people involved.

The American people want change and are demanding reform. It is time for us to act. This measure is not a complete solution to the public confidence crises, nor the last word of reform in this body. But it is a positive step in the right direction.

The recent investigation of the Speaker by the House Ethics Committee demonstrated the conflict of interest and the difficulties that will arise when Members must police each other. I believe this resolution will enable the process to work more effectively.

During the 104th Congress we made great progress in the area of institutional reform. This legislation will enable us to continue that reform and to strengthen America's trust in their elected representatives. I will press for adoption of this proposal in the House. I look forward to the support of all Members in this body.

CELEBRATING 50 YEARS OF THE UNIVERSITY OF ST. THOMAS

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. BENTSEN. Mr. Speaker, I rise to honor the University of St. Thomas in Houston, TX, for 50 years of excellence. As an alumnus, I am proud of the many contributions the University of St. Thomas has made to education and to our community.

Fifty years ago, the University of St. Thomas became the first independent, coeducational Catholic Basilian college in the United States. Rev. Vincent J. Guinan presided over a freshman class of only 40 students and a faculty of 8. Since then, the university has grown over fortyfold, with an enrollment of 2,500 students and 200 faculty.

But the University of St. Thomas has not just grown in enrollment, it has grown in importance. It is recognized as one of the top regional universities in the country, offering a curriculum—from accounting and finance, to philosophy and theology—that attracts top students from around the country and around the world. The Cameron School of Business, opened in 1980, leads the way in teaching Houston's future business elite.

Over the past 50 years, the University of St. Thomas has flourished because of its commitment to not only education, but to the community. St. Thomas enriches Houston through a number of free lectures, exhibits, concerts, and seminars—all open to the public. Through these events, the University of St. Thomas has forged bonds to the community that can never be broken.

The University of St. Thomas has also led our community in architectural excellence. The main academic complex built in the 1960's is among the first works by world renowned architect Philip Johnson, who later designed much of the Houston skyline. It is only fitting that as St. Thomas achieves its half century mark that a new Johnson work, the Chapel of St. Basil, will close out the complex.

As a member of the class of 1982, I take great pride in commemorating 50 years of achievement at the University of St. Thomas. The people who have made St. Thomas what it is deserve our praise and our thanks.

The community's pride in the University of St. Thomas is reflected in the following editorial printed in the January 30 Houston Chronicle.

UST—FROM AN ACORN ON MONTROSE TO A SPLENDID UNIVERSITY

Since its humble founding 50 years ago, the University of St. Thomas has contributed much to the Houston community.

Nationally recognized as a top regional institution and one of the best buys in higher education, the University of St. Thomas has been the source of a fine education for thousands of students with its small classes and quality professors.

But it has been more than just a university of Houstonians. It also has given cultural and intellectual enrichment to the community through its numerous public lectures, concerts and exhibits.

Fifty years ago the Basilian Fathers, with the help and hard work of a group of dedicated laymen and laywomen, founded the university on Montrose Boulevard as an independent, coeducational Catholic institution of higher learning. The freshman class numbered 40. There were only eight faculty members. Today the University of St. Thomas has an enrollment of 2,500 students and 200 faculty. It offers 33 fields of study with a core curriculum in philosophy, theology, the humanities, social sciences, mathematics and science. The campus has grown to 22 acres, but the original building, the historic Link-Lee mansion, is still used.

A special dedicatory Mass on Friday marks the beginning of the university's 50th anniversary commemoration.

From a small acorn, a thriving university has grown, nourished through its commitment to instill a love for truth in its students.

Bricks and mortar do not make a university. People do. So as the University of St. Thomas begins commemorating its 50th anniversary, Houstonians should say well done to all the men and women who have made the university the splendid place and community asset that it is.

IN AN EFFORT TO SETTLE A PARTISAN SCORE, THE HOUSE SETS A DANGEROUS PRECEDENT

HON. SUE MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mrs. MYRICK. Mr. Speaker, I fear that the passage of the resolution reprimanding Speaker GINGRICH has opened a Pandora's Box that may ultimately threaten the very integrity of this noble institution. While I support the report of the Committee on Standards of Official Conduct and the reprimand, I feel that the monetary reimbursement is excessively severe and sets a dangerous precedent in the name of political expedience. It will mean that only the wealthy will be able to afford to serve in office.

There is a problem that should be of greater concern to all of my colleagues. The ethics process is in dire need of reform. We must all come together and create a swift, efficient, and fair new process. If we fail in this endeavor, the American people will slip even farther into the apathy that has gripped our political system for too long.

ENGLISH MUST BECOME OUR OFFICIAL LANGUAGE

HON. BOB STUMP

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. STUMP. Mr. Speaker, the notion that our Government should address all citizens in English and encourage all citizens to learn the language seems simple common sense. This is the primary reason that when the issue has been voted on in statewide referendums, it has not lost. California, Florida, Colorado, and my own State of Arizona have all chosen to make English their official State language. The bill I am introducing today, the Declaration of Official Language Act, follows State governments and localities in designating English as the official language of our Federal Government. It has the strong support of citizen organizations such as English First and the Veterans of Foreign Wars as evidenced by their letters of endorsement I have included for the RECORD.

Not only do many American people generally agree on the matter, but so do our Nation's immigrants and language minorities. The Latino National Political Survey data released on December 15, 1992, shows Hispanics, even recent immigrants, speak English and want their children to learn English. Hispanics agreed by more than 90 percent that U.S. residents should learn English to take full advantage of the services afforded to them. As these immigrants know, English is the language of opportunity in America.

Unfortunately, our Federal Government encourages official bilingualism. The practice of producing Government documents in multiple languages assumes that being given translations of official Government documents easily helps those who do not speak English. This logic goes against what bilingual individuals know all too well. Providing a word-for-word translation of anything between two languages is often impossible.

One area that this is most evident is in bilingual voting. The Voting Rights Act requires localities with populations over a certain proportion of the population to provide all materials in the language(s) of the affected populations, even if the language does not have a written form. This opens the door to fraud and misrepresentation of issues by interpreters. Inaccurate bilingual voting materials are a costly burden on State and local governments, and is neither effective nor a low cost method of ensuring anyone's right to vote.

Nothing in my legislation prevents a State, locality, political party, or individual from providing multilingual voting assistance. Localities will be free to adopt the approach that serves their constituencies best. Given that bilingual ballots have been both inaccurate and expensive, other approaches might be more helpful.

Multilingual Government services such as these are simply too costly in a nation in which more than 320 languages are spoken. It only makes sense to designate one common language for all official Government business. That is why I am introducing this important legislation.

It is time the Government came to the same conclusion as the rest of the American people: English should be our official language. English has enabled this Nation to be something unique in history, a true Nation of immigrants. English is the language of future opportunity for all our Nation's citizens. Official English is really just common sense.

NAZI SS MEMBERS IN THE UNITED STATES

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. ACKERMAN. Mr. Speaker, I rise today to bring a very serious and troubling affair to the attention of my colleagues. Several news reports, over the last couple of days, have uncovered an incredible story: The German Government is giving pensions to over 3,000 former members of the Nazi Waffen SS Corps, living in the United States. Not extraordinary in and of itself, because these men receive their pensions as a result of their military service during World War II, yet the question that begs answering is: How many of these individuals might be war criminals? The outrage in this matter, is that the German Government may never have bothered to check.

At this same time, there are many Holocaust survivors—Catholics, Jews, and others living in the United States and elsewhere in the world—who have received very little in the way of compensation, and even scores of surviving victims who do not receive anything from the German Government. After the horrors and suffering they were forced to endure during the war, how can we allow this additional measure of indignation?

Apparently, many of these former SS members were able to enter the United States, and eventually gain citizenship, by falsifying their identities and lying about their wartime activities. Many of them, however, have been living in the United States for years now, some boldly with the same names, the same identities, the same blood on their hands.

Mr. Speaker, there is no excuse for that, and it is simply unacceptable. Yesterday, I sent letters to German Chancellor Helmut Kohl, President Clinton, and Attorney General Janet Reno, asking that they obtain the names of these Nazi pensioners, and release them to the proper American Government agencies, in order to fully investigate the possibility of war criminals in our midst. There must be a full accounting. Yes, many of them are old, frail men, who have lived peacefully in their respective neighborhoods for decades. Did they show the same respect for the millions in Europe who also were old, frail, and living their lives peacefully? I think we all know the answer to that question.

Thanks to the hard work of the Justice Department's Office of Special Investigations, as well as some other prominent organizations, we are beginning to uncover a trail of Nazi war criminals among us. In fact, the OSI is finding and prosecuting Nazis at the rate of one per month. It is imperative therefore, that we have all the necessary information at our disposal, so that we can continue to bring these murderers to justice. They have eluded the authorities, and the moral outrage of their deeds, for over 50 years now, but we will no longer allow that to continue. I strongly urge my colleagues to join me in this endeavor, so that we may finally honor the memories of the Nazis' victims. Everyday, more and more Holocaust survivors leave this Earth, while their former tormentors continue to live on, having never been held accountable for the horrible deeds of the past. It's simply time to act now. Therefore, I call on the Government of Germany to work with us in addressing and resolving this issue once and for all—for the survivors, for the victims, and for the future. They need to do the right thing.

CURTIS W. MEADOWS, JR., RECEIVES JONSSON ETHICS AWARD

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to congratulate the first recipient of the J. Erik Jonsson Ethics Award, Mr. Curtis W. Meadows, Jr.

On October 22, 1996, Southern Methodist University's Cary M. Maguire Center for Ethics and Public Responsibility presented Mr. Meadows this award for his commitment to philanthropy and to serving the needs of the Dallas community. Mr. Meadows was president and director of Dallas' Meadows Foundation, one of the largest community foundations in the United States, for 18 years between 1978 and 1996. The Foundation, created by Mr. Meadows' uncle Algur H. Meadows nearly 50 years ago, has made over $300 million in charitable contributions to benefit health, education, arts and culture, civic and public affairs, and human services programs throughout Texas.

Mr. Meadows has served on the boards of the National Council of Foundations, the Conference of Southwest Foundations, the Dallas Bar Foundations and on the advisory boards of more than 40 nonprofit organizations including the Dallas Citizens Council, Habitat for Humanity, and the Suicide and Crisis Center. He has served on the building committees for the Dallas Museum of Art and the Museum of African-American Life and Culture, and has participated in the Mayors Task Force on Homelessness.

To be the first recipient of an award named for Mr. J. Erik Jonsson is a great honor indeed. Mr. Jonsson was a mayor of Dallas from 1964 to 1971, and under his leadership, a number of public buildings including the Dallas/Fort Worth International Airport, city hall, and the Dallas Public Library were constructed and improvements to the city's public schools were made. Both Mr. Jonsson and Mr. Meadows have demonstrated the public virtue that this Ethics Award represents. Congratulations, Mr. Meadows, and thank you for all that you have done for Texas.

HONORING SAM NUNN

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. LEWIS of Georgia. Mr. Speaker, today I am introducing legislation that would designate the Atlanta Federal Center as the Sam Nunn Federal Center, in honor of the former Senator from Georgia.

I believe we all recognize the tremendous accomplishments of Sam Nunn during his service in the U.S. Senate. Senator Nunn is one of the true statesmen of that body and is a source of pride to Georgia. Since my election to Congress in 1986, I have had many opportunities to work with Senator Nunn on several issues and often benefited from his experience and support during the time that we served together.

Since his election to the Senate in 1972, Senator Nunn has served the State of Georgia with honor and dedication. Senator Nunn worked to become the Senate's foremost expert on national security and international affairs. Senator Nunn served 8 years as the chairman of the Senate Armed Services Committee and retired as the ranking Democrat on both the Armed Service Committee and the Permanent Subcommittee on Investigations.

I have dedicated much time and effort in support of the Atlanta Federal Center. When Georgia Gov. Zell Miller approached me and asked my support for naming the Federal Center after Senator Nunn, I thought the dedication a fitting tribute to Senator Nunn. For these reasons, I will work to see that the Federal Center soon bears the name of our former Senator, Senator Sam Nunn.

GIVE FANS A CHANCE ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. BLUMENAUER. On Sunday, January 26, the Packers won the Superbowl. When they returned home to Green Bay, their fans stood in freezing temperatures for hours to catch a glimpse of their heroes.

The Packers aren't an ordinary football team. Their fans aren't ordinary fans. And their community isn't an ordinary community—because 1,915 residents of Green Bay and other ''Packer Backers'' own their football team. The Packers are a vital part of the glue that holds the Green Bay community together.

Together, these fans saved the team from bankruptcy. They have plowed profits from 175 consecutive sellouts directly back into the Packers. They cheered their team to 11 consecutive championships—and this year's Superbowl.

The Green Bay Packers are unique, because NFL rules prohibit any more public ownership of teams.

Other communities should be able to invest in their own livability—to define what the community wants of, and for, itself. Other communities should be able to own the local sports team.

That's why we should give fans a chance to own their teams by: Eliminating league rules against public ownership of teams; requiring teams to listen to their fans and the community before moving—a requirement which is found in existing league rules, but seems to receive little real attention; and tying the leagues' broadcast antitrust exemption to the requirements in this bill. This congressionally granted benefit allows teams to collaborate on the purchase of national broadcast time. The NFL earned $1.2 billion on broadcast rights last year.

This bill doesn't do anything new or radical: It will allow more ownership structures like the Packers, the Boston Celtics, and the Florida Panthers. It will ensure that the leagues follow their own rules when it comes to making decisions about team relocations, and it will ensure that the sports leagues do not squander the benefits they have gained under the sports broadcasting anti-trust exemption.

Community ownership strongly encourages fan loyalty, financial stability, and strong TV audiences at a time when fan loyalty is being tested by franchise moves. It is in the long-term, best interest of any professional league. More importantly, it is in the long-term interest of the communities who support them.

I urge my colleagues to give fans a chance by supporting this legislation.

SUMMARY: GIVE FANS A CHANCE ACT

Sec. 1: This Act is called the ''Give Fans a Chance Act''. Its purpose is to give communities the tools to invest in their own livability by allowing them to purchase their home sports team.

Sec. 2: Allow Public Ownership of Teams

Purpose: To allow more communities the opportunities Green Bay, WI, has to own their professional sports team. In addition, to help the leagues by stemming the tide of loyal fans who are no longer glued to their TV sets or stadium seats to watch their favorite teams. Football fan loyalty is being tested by franchise moves and a proliferation of sports on specialty cable channels. If those fans had a chance to own their own teams, they would invest more time and money into their future.

Description: No professional sports league (football, hockey, or basketball) may have a rule, policy, or agreement that forbids any public ownership of teams, either by the general public or by any governmental entity.

Penalty: If the League ignores this provision, it will lose its sports broadcast antitrust exemption. The antitrust exemption allows teams to collaborate to sell broadcast rights, thus increasing their value dramatically.

Expected Impact: The NFL is the only league that has specific rules forbidding public ownership of sports teams (NFL Ownership Policies para. 2). The NFL earned $1.2 billion as a result of the sport broadcast anti-trust exemption in the 1995–1996 season.

Sec 3: Relocation of Teams

Purpose: To require teams to consider the needs and interests of their communities in making relocation decisions.

Description: Requires a professional sports league, in considering whether to approve or disapprove the relocation of a member team, to take into consideration several criteria; Fan loyalty; the degree to which the team has engaged in good faith negotiations concerning terms and conditions under which the teams would continue to play its games in the home territory; the degree to which ownership of management of the team has contributed to a need to relocate; the extent to which the team benefits from public financing, either federal, state or local; the adequacy of the stadium in which the team played its home games in the previous season and the willingness of the community to make changes; the current financial standing of the team; whether there is another team in either the home community or the community to which the team will seek to locate; whether the community is opposed to the relocation; and whether there is a bona fide investor offering fair market value to purchase the team and keep it in the home community.

Expected Impact: All of the sports leagues will be expected to use these criteria in evaluating the movement of member teams. These criteria closely track current NFL policies under Section 4.3 of the Constitution and By-Laws (adopted in 1984). Case law since the adoption of these policies suggest that these criteria help bolster the NFL's ability to evaluate franchise moves without running afoul of antitrust law.

Sec. 4. Opportunities for Communities to Purchase Team

Purpose: To give communities a real opportunity to purchase their team.

Description: This section requires that a team proposing to relocate give the affected home territory 180 days notice of the proposed move. During the 180 days notice period, a local government, stadium, arena authority, person, or any combination may present a proposal to retain the team in the home territory. The local community may also develop a proposal to induce the team to stay without actually purchasing the team. As noted under section 3, both the team and the league are required to carefully consider any proposals, and, if an ownership bid is successful, the league may not oppose membership in the league based on the new ownership structure. The team owner must provide a written response to the offer, stating in detail any reasons why the offer was refused.

Penalty: If the team and/or the league refuse to abide by these provisions, they will lose the antitrust exemption under the Sports Broadcasting Act.

Expected Impact: All Sports Leagues will be required to give communities an opportunity to purchase a home team in the case of proposed relocations.

INTRODUCTION OF THE WOMEN'S HEALTH AND CANCER RIGHTS ACT OF 1997

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mrs. KELLY. Mr. Speaker, I rise today to introduce the Women's Health and Cancer Rights Act of 1997, comprehensive legislation that guarantees coverage for inpatient hospital care following a mastectomy, lumpectomy, or lymph node dissection—based on a doctor's judgment, requires coverage for breast reconstructive procedure, including symmetrical reconstruction, ensures a second opinion for any cancer diagnosis, and offers significant physical protections from inducement or retribution.

I want to first thank my colleagues in both the House and Senate that have worked so diligently on this legislation. Senators D'AMATO, SNOWE, and FEINSTEIN, as well as Representatives SUSAN MOLINARI and FRANK LOBIONDO, are all part of this effort to restore the ability of doctors to practice sound medicine and to restore compassion and dignity to the treatment of breast cancer patients.

So why introduce this bill? I'll tell you why. Tragically, some women who must undergo mastectomies, lumpectomies or lymph node dissections for the treatment of breast cancer are rushed through their recovery from these procedures on an outpatient basis at the insistence of their health plan or insurance company in order to cut cost. Other insurance companies cut cost by denying coverage for reconstructive surgery because they have deemed such procedures cosmetic. Ironically, they do not deny reconstructive surgery for an ear lost to cancer. We must understand that self-image is at stake at a time when optimism and inner strength can be the difference between life and death.

Furthermore, this bill requires coverage of second opinions when any cancer tests come back either negative or positive, giving all patients the benefit of a second opinion. This important provision will not only help ensure that false negatives are detected, but also give men and women greater peace of mind.

Now, to be clear, all insurance companies are not so insensitive as to not provide these benefits and, therefore, all will not be affected by this legislation. but we have a responsibility to protect the doctor-patient relationship, ensuring that the medical needs of patients are fully addressed.

Everyone has heard that one in nine women will be diagnosed with breast cancer at some point in their lifetime. Well, one of those women is my sister. So I know a little something about the horror that accompanies this disease and the personal anxiety of living with the disease.

My sister and her experiences have made me realize that we should have no greater priority than empowering those with breast cancer the right and ability to play an active role in the management of their treatment. It is our obligation as leaders to ensure them that their medical treatment is in the hands of physicians, not insurance companies. It is a profound injustice when health care forgets about the patient, yet with regard to mastectomy recovery and breast reconstruction following a mastectomy, that is just what has been done.

Let's put the reality of this disease in perspective. When a woman is told that she has breast cancer, the feeling that immediately follows the initial denial is lack of control. Our bill is a patient's bill aimed at providing patients, in consultation with their physicians, a greater degree of autonomy when deciding appropriate medical care and, therefore, taking back control of their lives.

More than 2½ million women in America today are living with breast cancer. These women are our sisters, mothers, daughters, wives, and friends. This dreadful disease now strikes over 180,000 women per year and that figure does not even include the additional 20

percent a year who have preinvasive cancers. Devastatingly to the families involved, it is estimated that more than 44,000 women will die of breast cancer this year.

But all the news is not grim. Overall breast cancer mortality declined 5 percent between 1989 and 1993 due to increased mammography screening and improved treatments such as mastectomies, lumpectomies, and lymph node dissections.

There is no doubt that we have the medical know-how to fight breast cancer. The question is do we have the commitment it takes.

As long as we send a woman home 12 hours after losing a part of herself with no compassion and no support, then the answer is no.

As long as breast reconstruction is deemed cosmetic, then the answer is no.

As long as false negatives are acceptable and we, therefore, abandon a patient unknowingly in need, then the answer is no.

As long as we fail to come to the defense of doctors who are persecuted for practicing sound medicine, then the answer is no.

Passage of the Women's Health and Cancer Rights Act would demonstrate what we are lacking—the commitment to fight breast cancer and stand up for those who are suffering.

In closing, I am pleased that President Clinton emphasized the importance of this legislation in his State of the Union Address last night. It is nice to have the administration behind this critical legislation.

TRIBUTE TO YVONNE MARIE TAYLOR

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. TOWNS. Mr. Speaker, I rise today to acknowledge the untimely death of Yvonne Marie Taylor, who passed from this life much too quickly. She was the late wife of LeBaron Taylor.

Yvonne Taylor was born May 1, 1943 in Detroit, MI to her loving parents, Charles and Eldora Ridley. She was reared in a strong Christian environment and her faith guided her every action. A graduate of Northwestern High School in Detroit, she subsequently attended Central State University.

After returning to her native Detroit, she met and married LeBaron Taylor. During their 29-year marriage she was a faithful and loyal spouse. Yvonne was the consummate mother, unceasingly dedicated to her two children, Eric and Tiffani.

Talent and a commitment to hard work were the hallmark of Yvonne who worked as the administrative director of the Black Entertainment and Sports Lawyers Association. Her community and civic affiliations included membership in the South Jersey Chapter of Links, Inc., and For Women Only.

A member of Bethel AME Church in Moorestown, NJ, Yvonne Taylor maintained strength and faith even during her most trying days. May the memory of her bright spirit sustain her family and friends.

KEEPING FOREIGN MONEY OUT OF AMERICAN CAMPAIGNS

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Ms. KAPTUR. Mr. Speaker, news stories about fundraising during the 1996 Presidential campaign focused increasing national attention on the overwhelming need for campaign finance reform, and particularly the role of foreign money in U.S. campaigns.

The problem indeed is money. During the 1996 election, candidates for all Federal offices spent approximately $1.6 billion. That's ''B,'' as in billion. The pressure to raise huge sums of money is so intense that some candidates from both parties, apparently have started looking abroad for new sources of campaign contributions.

Since 1990, no matter which party controlled Congress, I have sponsored legislation that would ban foreign contributions to candidates for Federal office. Today, I'm reintroducing the Ethics in Foreign Lobbying Act of 1997.

My bill has three major points:

First, only U.S. citizens could contribute to Federal campaigns.

Federal law already purports to prohibit direct or indirect contributions by foreign nationals in U.S. elections. In fact, section 441e of the Federal Election Campaign Act [FECA] states:

> It shall be unlawful for a foreign national directly or through any other person to make any contributions of money or any other thing of value, or to promise expressly or impliedly to make any such contribution, in connection with an election to any political office or in connection with any primary election, convention or caucus held to select candidates for any political office; or for any person to solicit, accept, or receive any such contribution from a foreign national.

This provision was enacted in response to longstanding congressional concern over foreign influence in American elections. Though this language appears to be locktight, many loopholes permit foreign influence on U.S. elections, many foreign entities are not covered by the statute, and there is a lack of enforcement of the law. Congress must strengthen and make sure the law is fully enforced.

Second, foreign-controlled companies would be prohibited from contributing to Federal elections through the PAC's of their U.S. subsidiaries.

My bill would prohibit contributions from PAC's sponsored by corporations that are more than 50-percent foreign owned, as well as contributions from PAC's sponsored by trade associations that derive 50 percent or more of their operating funds from foreign corporations.

Foreign citizens are already prohibited from contributing to U.S. political campaigns. Yet, every year foreign interests spend millions of dollars to influence the American political process. This money often comes in the form of political action committee contributions from foreign-controlled corporations or their trade associations. Just as foreign individuals are prohibited from contributing to U.S. campaigns, so should be PAC's that are controlled by foreign corporations and trade associations, for, in fact, under U.S. law, corporations are considered persons.

Due to a loophole in the FECA, American subsidiaries of foreign-owned companies may operate PAC's—the only restriction being that the PAC cannot solicit funds from foreign nationals or permit them to be involved in the policymaking decisions of the PAC. Consequently, many of the world's largest foreign multinational corporations and financial institutions contribute to U.S. campaigns through their U.S.-based subsidiaries. Through the creation of these foreign-sponsored PAC's, foreign companies can thus assert their influence on the U.S. election process—and on U.S. policy.

Consequently, administration of the FECA law has created a confusing system whereby it is illegal for individual foreign nationals to make political contributions, yet legal for foreign-controlled or foreign-owned corporations, subsidiaries, and trade associations to contribute, expend funds, and influence U.S. elections. The Federal Election Commission [FEC] through its advisory opinions has twice voted to exempt PAC's representing U.S. subsidiaries of foreign-owned or controlled corporations, as long as the PAC's are funded and operated by Americans. The FEC has asked Congress to enact legislation clarifying this issue, but Congress, to date, has refused to do so.

Third, contributors would be required to disclose the percentage of foreign ownership.

The data collection and clearinghouse responsibilities section of my bill is one of its most important aspects, because of the current difficulty in identifying the activities of foreign nationals and corporations. The FEC has no coherent system for tracking the millions of dollars spent by foreign interests and their PAC's on lobbying the U.S. Government. The current, disjointed data collection system provides a veil of secrecy over how and where foreign interests spend their money.

My bill would make this mysterious and inadequate process both more transparent and more accountable—without requiring new reporting. My bill would merely add an extra line to the statement of organization that is currently required by the FEC. PAC's controlled by corporations would be required to state the percentage that the corporations are foreign-owned, and PAC's sponsored by trade associations would be required to state the percentage of their operating fund that is derived from foreign-owned corporations. In addition, it would require that all data collected by Federal agencies on foreign campaign contributions and foreign agents, as well as any testimony before the Congress regarding the interests of a foreign principal, be sent to the FEC.

Most important, my bill would make the disclosure of related expenditures available and visible at a central source by creating a clearinghouse for data that is currently collected, but is scattered among various Government agencies, including the FEC and the Department of Justice.

In establishing a clearinghouse, we would create a greatly needed central point for collecting information. Most of the information is already available, but it is housed in a myriad of Federal agencies and offices. Bringing the information together under one roof will provide the Government, the Congress, and the public with improved access to the data. The timing requirement for reporting conforms with the quarterly reports required in the 1946 Foreign Lobbying Act. The reporting requirements

place the burden of reporting the percent of foreign ownership on the PAC's themselves, with penalties for noncompliance.

The United States is one of very few countries that allows foreign interests to contribute to its campaigns. Most of our major trading competitors—for example, China, Japan, South Korea, Thailand, Malaysia, and Mexico—all strictly forbid foreign campaign contributions. There is no reason why the United States should be any different.

In the interest of protecting our sovereignty and maintaining a political system that reflects the will of the American people, the United States since 1938 has attempted to restrain the ability of foreign governments, individuals, organizations, and corporate entities to influence our domestic political system. By amendment, first to the FARA and later to the Federal Election Campaign Act [FECA], the United States has sought to prevent campaign contributions and expenditures by foreign interests.

There is no reason to allow foreign money to influence our elections or permit foreign interests to buy access to our elected lawmakers and thereby put their imprint on public policy in this country.

Mr. Speaker, clearly the time for campaign finance reform has come. Our system needs to be fixed. We must eliminate foreign money from our political system once and for all and regain sovereignty in our election system, which is the cornerstone of our democracy.

This time Congress must act and must get it right.

NATIONAL MENTAL HEALTH IMPROVEMENT ACT OF 1997

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. STARK. Mr. Speaker, today I am introducing the National Mental Health Improvement Act of 1997. This bill will provide parity in insurance coverage of mental illness and improve mental health services available to Medicare beneficiaries. It represents an urgently needed change in coverage to end discrimination against those with mental illness and to reflect the contemporary methods of providing mental health care and preventing unnecessary hospitalizations.

My bill prohibits health plans from improving treatment limitations or financial requirements on coverage of mental illness, if similar limitations or requirements are not imposed on coverage of services for other health conditions. The bill also expands Medicare part A and part B mental health and substance abuse benefits to include a wider array of settings in which services may be delivered. It eliminates the current bias in the law toward delivering services in general hospitals by permitting services to be delivered in a variety of residential and community-based settings. Through use of residential and community-based services, costly inpatient hospitalizations can be avoided. Services can instead be delivered in settings which are most appropriate to an individual's needs.

In 1993, as a nation, we spent approximately $67 billion for the treatment of mental illness and another $21 billion for substance abuse disorders. Medicare expenditures in these areas for 1993 were estimated at $3.6 billion or 2.7 percent of Medicare's total spending. Over 80 percent of that cost was for inpatient hospitalization.

In addition to the direct medical costs associated with the treatment of mental illness, there are significant social costs resulting from these disorders. Treatable mental and addictive disorders exact enormous human, social, and economic costs—individual suffering, breakup of families, suicide, crime, violence, homelessness, impaired performance at work, and partial or total disability. It is estimated that mental and addictive disorders cost the economy well over $300 billion annually. This includes productivity losses of $150 billion, health care costs of $70 billion, and other costs, e.g. criminal justice, of $80 billion.

Two to three percent of the population experience severe mental illness disorders. Many more suffer from milder forms of mental illness. Roughly 1 out of 10 Americans suffer from alcoholism or alcohol abuse and 1 out of 30, from drug abuse. This population is very diverse. With appropriate treatment, the mental health problems of some people can be resolved. Others have chronic problems that can persist for decades. Indeed, there are those who battle mental illness their entire lives. Mental illness and substance abuse disorders come in many forms and include many different diagnoses as well as ranges in levels and duration of disability. Still, these disorders do not have full parity in coverage by insurance plans.

In the last congressional session, parity in the treatment of mental illness was a widely and hotly debated issue. The final version of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 included Title VII—Parity in the Application of Certain Limits to Mental Health Benefits. This represents a start in creating solutions to address a problem that has been ignored far too long. But it's not enough. The act essentially states that if a health insurance plan or coverage does not include an aggregate lifetime limit on substantially all medical and surgical benefits, the plan or coverage may not impose any aggregate annual or lifetime limit on mental health benefits. Additionally, in the act, ''mental health benefits'' refers to benefits with respect to mental health services, as defined under the terms of the plan or coverage, but does not include benefits with respect to treatment of substance abuse or chemical dependency.

Furthermore, the Act included exemptions in coverage requirements for small employers. If an employer has at least 2 but not more than 50 employees, they can be exempt from the new coverage requirement. Finally, if a group health plan experiences an increase in costs of at least 1 percent, they can be exempted in subsequent years. The inclusion of title VII into the VA—HUD bill is important because it represents a starting place. But now we must do more.

My bill today addresses two fundamental problems in both public, as well as private, health care coverage of mental illness today. First, despite the prevalence and cost of untreated mental illness, we still lack full parity for treatment. The availability of treatment, as well as the limits imposed, are now linked to coverage for all medical and surgical benefits. Whatever limitations exist for those benefits will also apply to mental health benefits.

Let's not forget the small employers either. If a company qualifies for the small employer exemption, the insurance companies will be able to set different, lower limits on the scope and duration of care for mental illness compared to other illness. This means that people suffering from depression may get less care and coverage than those suffering a heart attack. Yet, both illnesses are real.

Additionally, access problems to mental health benefits can result from these restrictions. In general, about 50 percent of all health plans limit mental illness coverage in some form. Approximately 88 percent limit hospitalization to 30 to 60 days. Outpatient benefits are limited by visit or dollar amounts in 85.5 percent of medium to large plans and 70 percent of small plans. About 80 percent of all plans limit inpatient care in some form and 99 percent of plans limit outpatient coverage.

Access to equitable mental health treatment is essential. It can be done at a reasonable price. The increased costs in insurance premiums in the private sector is in the range of 3.2 to 4.0 percent. It is estimated that about $2.50 per month is the cost of fully offsetting the premium increase by an increase in the deductible. Two dollars and fifty cents is a small price to pay for ending health care discrimination.

Second, the diagnoses and treatment of mental illness and substance abuse has changed dramatically since the Medicare benefit was designed. Treatment options are no longer limited to large public psychiatric hospitals. The great majority of people can be treated on an outpatient basis, recover quickly, and return to productive lives. Even those who once would have been banished to the back wards of large institutions can now live successfully in the community. But the Medicare benefit package of today does not reflect the many changes that have occurred in mental health care.

This bill would permit Medicare to pay for a number of intensive community-based services. In addition to outpatient psychotherapy and partial hospitalization that are already covered, beneficiaries would also have access to psychiatric rehabilitation, ambulatory detoxification, in-home services, day treatment for substance abuse, and day treatment for children under age 19. In these programs, people can remain in their own homes while receiving services. These programs provide the structure and assistance that people need to function on a daily basis and return to productive lives.

They do so at a cost that is much less than inpatient hospitalization. For example, the National Institute of Mental Health in 1993 estimated that the cost of inpatient treatment for schizophrenia can run as high as $700 per day, including medication. The average daily cost of partial hospitalization in a community mental health center is only about $90 per day. When community-based services are provided, inpatient hospitalizations will be less frequent and stays will be shorter. In many cases, hospitalizations will be prevented altogether.

This bill will also make case management available for those with severe mental illness or substance abuse disorders. People with severe disorders often need help managing many aspects of their lives. Case management assists people with severe disorders by

making referrals to appropriate providers and monitoring the services received to make sure they are coordinated and meeting the beneficiaries' needs. Case managers can also help beneficiaries in areas such as obtaining a job, housing, or legal assistance. When services are coordinated through a case manager, the chances of successful treatment are improved.

For those who cannot be treated while living in their own homes, this bill will make several residential treatment alternatives available. These alternatives include residential detoxification centers, crisis residential programs, therapeutic family or group treatment homes, and residential centers for substance abuse. Clinicians will no longer be limited to sending their patients to inpatient hospitals. Treatment can be provided in the specialized setting best suited to addressing the person's specific problem.

Right now in psychiatric hospitals, benefits may be paid for 190 days in a person's lifetime. This limit was originally established primarily in order to contain Federal costs. In fact, CBO estimates that under modern treatment methods, only about 1.6 percent of Medicare enrollees hospitalized for mental disorders or substance abuse used more than 190 days of service over a 5-year period.

Under the provisions of this bill, beneficiaries who need inpatient hospitalization can be admitted to the type of hospital that can best provide treatment for his or her needs. Inpatient hospitalization would be covered for up to 60 days per year. The average length of hospital stay for mental illness in 1995 for all populations was 11.5 days. Adolescents averaged 12.2 days; 14.6 for children; 16.6 days for older adolescents; 8.6 days for the aged and disabled; 9.9 days for adults. A stay of 30 days or fewer is found in 93.5 percent of the cases. The 60-day limit, therefore, would adequately cover inpatient hospitalization for the vast majority of Medicare beneficiaries, while still providing some modest cost containment. Restructuring the benefit in this manner will level the playing field for psychiatric and general hospitals.

The bill I am introducing today is an important step toward providing comprehensive coverage for mental health. Further leveling the health care coverage playing field to include mental illness and timely treatment in appropriate settings will lessen health care costs in the long run. These provisions will also lessen the social costs of crime, welfare, and lost productivity to society. This bill will assure that the mental health needs of all Americans are no longer ignored. I urge my colleagues to join me in support of this bill.

A summary of the bill follows:

TITLE I PROVISIONS

The bill prohibits health plans from imposing treatment limitations or financial requirements on coverage of mental illness if similar limitations or requirements are not imposed on coverage of services for other conditions.

The bill amends the tax code to impose a tax equal to 25 percent of the health plan's premiums if health plans do not comply. The tax applies only to those plans who are willfully negligent.

TITLE II PROVISIONS

The bill permits benefits to be paid for 60 days per year for inpatient hospital services furnished primarily for the diagnosis or treatment of mental illness or substance abuse. The benefit is the same in both psychiatric and general hospitals.

The following ''intensive residential services'' are covered for up to 120 days per year: residential detoxification centers; crisis residential or mental illness treatment programs; therapeutic family or group treatment home; and residential centers for substance abuse.

Additional days to complete treatment in an intensive residential setting may be used from inpatient hospital days, as long as 15 days are retained for inpatient hospitalization. The cost of providing the additional days of service, however, could not exceed the actuarial value of days of inpatient services.

A facility must be legally authorized under State law to provide intensive residential services or be accredited by an accreditation organization approved by the Secretary in consultation with the State.

A facility must meet other requirements the Secretary may impose to assure quality of services.

Services must be furnished in accordance with standards established by the Secretary for management of the services. Inpatient hospitalization and intensive residential services would be subject to the same deductibles and copayment as inpatient hospital services for physical disorders.

PART B PROVISIONS

Outpatient psychotherapy for children and the initial 5 outpatient visits for treatment of mental illness or substance abuse of an individual over age 18 have a 20% copayment. Subsequent therapy for adults would remain subject to the 50% copayment.

The following intensive community-based services are available for 90 days per year with a 20% copayment (except as noted below): partial hospitalization; psychiatric rehabilitation; day treatment for substance abuse; day treatment under age 19; in home services; case management; and ambulatory detoxification.

Case management would be available with no copayment and for unlimited duration for ''an adult with serious mental illness, a child with a serious emotional disturbance, or an adult or child with a serious substance abuse disorder (as determined in accordance with criteria established by the Secretary).''

Day treatment for children under age 19 would be available for up to 180 days per year.

Additional days of service to complete treatment can be used from intensive residential days. The cost of providing the additional days of service, however, could not exceed the actuarial value of days of intensive residential services.

A non-physician mental health or substance abuse professional is permitted to supervise the individualized plan of treatment to the extent permitted under State law. A physician remains responsible for the establishment and periodic review of the plan of treatment.

Any program furnishing these services (whether facility-based or freestanding) must be legally authorized under State law or accredited by an accreditation organization approved by the Secretary in consultation with the State. They must meet standards established by the Secretary for the management of such services.

SALUTE TO ORVENE S. CARPENTER

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. GALLEGLY. Mr. Speaker, I would like to salute Orvene S. Carpenter for many years of outstanding service to his community on the occasion of his retirement.

Orvene Carpenter began his public service over 50 years ago in the city of Port Hueneme when he was appointed postal clerk. He was later elected to the city council and served for 30 years, becoming the longest tenured councilmember in the history of the city of Port Hueneme. He was elected mayor in 1990.

I have had the great pleasure of working with Mr. Carpenter for many years. During that time he has been responsible for numerous accomplishments and outstanding progress in the city of Port Hueneme. He will be missed greatly in both the government and civic arenas in which he was so active.

His innumerable contributions will serve as a legacy to his years of dedication. I want to congratulate him and wish him the very best in his retirement.

INTRODUCTION OF LEGISLATION TO ALLOW PENALTY-FREE WITHDRAWALS FROM CERTAIN RETIREMENT PLANS DURING PERIODS OF UNEMPLOYMENT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. McDERMOTT. Mr. Speaker, today I am introducing legislation that would allow people to receive penalty-free withdrawals of funds from certain retirement plans during long periods of unemployment. I am pleased that Representatives CHARLES RANGEL, ROBERT MATSUI, JOHN LEWIS, RONALD DELLUMS, ESTEBAN TORRES, ELEANOR HOLMES NORTON, ROBERT RUSH, MAURICE HINCHEY, VIC FAZIO, ZOE LOFGREN, EVA CLAYTON, and CHARLES CANADY have joined me as original cosponsors of this legislation.

This legislation would allow penalty-free withdrawals from individual retirement accounts [IRA's] and qualified retirement plans—401(k) and 403(b))—if the taxpayer has received unemployment compensation for 12 weeks under State or Federal law. Under the legislation, the distribution of funds would have to be made within 1 year of the date of unemployment.

Under current law, when a taxpayer withdraws money from an IRA or a qualified retirement plan before age 59½, he or she is forced to pay an additional 10 percent tax on the amount withdrawn. This additional tax is intended to recapture at least a portion of the tax deferral benefits of these plans. This tax is in addition to regular income taxes the taxpayer must pay as the funds are included in the taxpayer's income. The early-withdrawal tax also serves as a deterrent against using the money in those accounts for nonretirement purposes.

The vetoed Balanced Budget Act of 1995 includes a provision which is the same as this legislation with respect to withdrawals from IRA's. This provision recognizes that when an individual or family is faced with long periods of unemployment, they may have no other choice but to draw upon these funds to meet their everyday living expenses. During this financially stressful time, an additional 10 percent tax for early withdrawal is unfair and only serves to make the family's financial situation

worse. This legislation would accomplish the goals of that provision by allowing penalty-free withdrawals during long periods of unemployment from IRA's as well as qualified retirement plan—401(k) and 403(b)—accounts.

Many small businesses offer participation in 401(k) plans, thus, this amendment would help unemployed people who at the time of separation from employment chose to leave their 401(k) funds with their former employer. Then, because of unanticipated long periods of unemployment, need access to those funds. Accordingly, many small businesses would benefit from this amendment. In addition, employees who are laid off from their former employment may need access to those funds in order to start up their own small business. State and local government employees who are displaced through downsizing, also may need access to the funds in their 403(b) plans for similar purposes.

The benefit this legislation would offer the long-term unemployed is the right thing to do in this period of economic uncertainty. You can plan for many things in your life financially, but the impact of long, unanticipated periods of unemployment can create financial havoc on any individual or family, including those that thought they had adequate savings to get them through such a situation. Long periods of unemployment are similar to major illnesses that can result in catastrophic medical expenses. Under current law, taxpayers are allowed penalty-free early withdrawals from qualified retirement plans to meet catastrophic medical expenses, therefore, it makes sense to extend this benefit in cases of long periods of unemployment.

Passage of this legislation would allow unemployed taxpayers a chance to get back on their feet without having to pay an unnecessary financial penalty when they can least afford it.

LEGISLATION TO CHANGE BUDGET SCOREKEEPING RULES

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to change the current budget scorekeeping rules as they relate to Federal real estate transactions. The bill is identical to legislation I introduced in the 103d and 104th Congresses. I originally introduced the bill in response to hearings I held during the 103d Congress, when I served as chairman of the Public Works and Transportation Subcommittee on Public Buildings and Grounds. The hearings focused on the way in which the Office of Management and Budget scores Federal real estate transactions. The hearings underscored previous findings by the General Accounting Office that the Federal Government is wasting hundreds of millions of dollars a year in unnecessary long-term leases. The waste is due primarily to the fact that current budget scorekeeping rules prevent the General Services Administration from pursuing a full range of financing options to meet the Federal Government's office space needs. These practices continue to this day.

My legislation has received strong bipartisan support in the past two Congresses. The bill changes Federal budget accounting rules to allow GSA to utilize a full range of financing mechanisms in meeting Federal office space needs. Under current Federal budget scorekeeping rules, which were established in the 1990 Budget Act, the entire cost of a Federal construction project or building purchase, must be scored in the first year of the project, rather than amortized over the actual construction period, or over the expected life of a purchased building. For leases, the rules require that only the annual rent costs be scored. The end result is that operating leases have become the most attractive vehicle for GSA, the Federal Government's real estate arm, to meet the housing needs of Federal agencies—even though in the long term it is the most costly.

Specifically, the bill amends the Public Buildings Act of 1959 to treat Federal real estate transactions in the same manner they wee treated prior to the implementation of the 1990 Budget Act. The bill would allow GSA to utilize alternative financing mechanisms, such as lease-purchases or time financing.

In 1975 GSA's leasing budget was $388 million. In 1996 GSA spent more than $2.5 billion on Federal leases. A December 1989 report issued by GAO analyzed 43 projects that GSA might have undertaken if capital financing were available to replace space that GSA would otherwise lease. GAO estimated that, over a 30-year period, constructing the 43 projects instead of leasing, would have saved taxpayers $12 billion.

Financing by lease purchase is inappropriately being compared by OMB to direct Federal construction, when the correct comparison should be with the cost of long-term leasing. My goal is to ensure that GSA has all the financing tools available to the private sector. Currently GSA does not have the ability to get the best possible deal for the taxpayer—because of the scoring rules. GAS should be able to, on a project by project basis, determine the most cost effective and efficient way to finance a particular Federal real estate transaction. My bill will give GSA this ability. In the long term, this legislation will save the taxpayer hundreds of millions of dollars. I urge my colleagues to support the bill.

THE BALANCED BUDGET AMENDMENT

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. PACKARD. Mr. Speaker, the balanced budget amendment is the only foolproof way to guarantee the deficit continues on a permanently downward path to zero. But more than that, a balanced budget amendment is good for America's families. It means reduced interest rates and a lower cost of living for all Americans. A home, a car, and a college education will become more affordable than ever. In my district, a family with the median-priced home would save about $3,600 each year, based on a 30-year mortgage. Families could keep an extra $2,200 on a student loan and $900 on an average-priced car loan. These extra dollars can be spent on your future and that of your children.

The balanced budget amendment will also safeguard Social Security and Medicare while protecting future generations from crushing debt. The President has said that balancing the budget is his top priority. However, by stating that a balanced budget amendment could lead to reductions in Social Security benefits, he has been using scare tactics to avoid committing to a balanced budget.

Mr. Speaker, I know that Clinton's assertion is not true. In fact, our skyrocketing debt is the real threat to Social Security. The further we go into debt, the harder it will be for the Federal Government to meet its Social Security commitment to today's and tomorrow's seniors. The best way to protect Social Security for future generations is by passing a balanced budget amendment. I find it unfortunate that the President has chosen to oppose our bipartisan effort to improve the American people's quality of life by standing in our way once again. American families can balance their budgets, State and local governments balance their budgets, and so must the Federal Government.

RESPONSIBLE REPEAL OF THE ETHANOL TAX

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. BENTSEN. Mr. Speaker, I rise to introduce legislation to eliminate the ethanol subsidy. This legislation is good fiscal policy, good agriculture policy, good environmental policy, and good energy policy, and I urge my colleagues to join me as cosponsors.

The ethanol subsidy was established to help address the Nation's energy needs during the oil crisis of the 1970's. Unfortunately it is a program that has proven to be woefully inadequate. According to the Treasury Department, the ethanol subsidy cost the American taxpayers over $5.3 billion from 1983–94. The ethanol tax subsidy costs the Federal highway trust fund $850 million each year—and the revenue drain is increasing. Ethanol receives a 54 cents per gallon Federal tax subsidy on some 1.6 billion gallons of ethanol produced per year—with an additional 10 cents per gallon for small producers and from 10 to 80 cents per gallon more from various States. But we have seen few benefits for this huge expense. In fact, a close examination of the ethanol subsidy shows that it not only has failed to live up to its billing, it has several negative consequences:

Ethanol yields significantly less energy than gasoline. Per gallon, ethanol yields about 76,000 Btu, while gasoline yields between 109,000 to 119,000 Btu. This means that ethanol provides only about two-thirds to three-quarters as much energy and mileage as conventional gasoline.

Ethanol tax subsidies harm beef and dairy industries. Ethanol production competes with traditional feed grain customers for corn, driving the price of feedstocks up for the cattle industry and raising consumer prices for meat and dairy products.

While ethanol does help reduce carbon monoxide emissions, it can increase ground level ozone, especially in hot summer weather. This is because ethanol makes gasoline evaporate more easily.

Corn-based ethanol has had dubious results as an alternative fuel additive, and it is now

time to let this program stand without taxpayer support.

Proponents of energy subsidies and mandates say that they are needed to improve the environment, enhance energy security, spur economic development, and replace dwindling supplies of oil. However, this subsidy has proven to be both expensive and ineffective.

Eliminating the ethanol subsidy is a positive beginning to balancing the budget and is a responsible choice for the taxpayers of this country. I urge my colleagues to cosponsor this legislation.

NATIONAL WOMEN AND GIRLS IN SPORTS DAY, FEBRUARY 6, 1997

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mrs. MORELLA. Mr. Speaker, I rise to pay tribute to the growing numbers of girls and women in sports whose achievements will be celebrated across the Nation on February 6, 1997, the 11th annual National Girls and Women in Sports Day [NGWSD]. In Washington, DC, there will be a 2-mile fitness walk on the Mall followed by a luncheon on Capitol Hill where athletes will be recognized by Members of Congress.

Track and field star Lillian Green-Chamberlain is among the athletes participating in the celebration in Washington, DC. Dr. Greene-Chamberlain holds a number of firsts. She was the first national champion in 800 meters, long before it became an Olympic event, and she was the first African-American to represent the United States in international middle distance running. She was the first and only woman and American to serve as the director of the Physical Education and Sports Program for the 161 member nations of the Paris-headquartered U.N. Educational, Scientific, and Cultural Organization [UNESCO]. In addition, Dr. Green-Chamberlain has been a leader in developing health, education, physical fitness, recreation, and sports programs nationally and internationally for more than 28 years. I am proud that this All-American woman is from Silver Spring, MD.

Also participating in the activities in Washington, DC is award-winning canoeist Jennifer Hearn. This outstanding athlete was the 1993 U.S. Olympic Festival Champion in whitewater slalom kayaking and the 1995 Olympic Festival slalom team champion. She placed fifth in the 1993 U.S. National Championships, and won a silver for the women's slalom kayak team event in the 1990 Pre-Worlds. In 1994 and 1995, she was sixth on the U.S. National Team, and has also finished among the top 30 in two World Cups. Again, I am proud to report that Jennifer Hearn is from Bethesda, MD.

The next time I hear someone say, ''You run or throw like a girl,'' I'm going to ask, ''Which girl?'' Maybe they mean the women's world record holder in the 440-yard dash in 1961, Lillian Greene-Chamberlain. Or do they mean the young woman, also from Silver Spring, who, during the 1996 Summer Olympics, helped the U.S. women win their first team gold in gymnastics, and won an individual bronze medal, Dominique Dawes? Perhaps they mean the young woman who is considered the best girl high school basketball player in the United States, senior guard-forward from Frederick, MD, Nikki Teasley.

On the 25th anniversary of title IX, we pause to reflect on what we have accomplished in the past, and the work that we must do for the future. There is no doubt in my mind that title IX has been successful in expanding opportunities for women in athletics. We have made great strides toward increasing the numbers of women and girls in competitive athletics at the high school and college levels. Before title IX, women represented only 2 percent of the Nation's college varsity athletes. Twenty-five years later, women represent 35 percent of college athletes nationwide. The door to athletic opportunities, however, has only partially opened for women. Title IX's goal of bringing equal opportunity in sports to women and girls has yet to be realized. At schools that belong to the National Collegiate Athletic Association [NCAA], women account for 53 percent of the college students, but only 36 percent of the college athletes.

I applaud the distinguished athletes who have gathered in Washington, DC, to celebrate National Women and Girls in Sports Day, for they all are long distance runners for equality and social justice that has afforded women and girls the benefits of competitive sports.

IN RECOGNITION OF NATIONAL GIRLS AND WOMEN IN SPORTS DAYS

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. MORAN. Mr. Speaker, I rise today in recognition of the 15 million girls and women who will be participating in the 11th Annual National Girls and Women in Sports Day. National Girls and Women in Sports Day will be celebrated throughout the United States on February 6, 1997.

Sponsored by Girls Inc., Girl Scouts of the USA, National Association of Girls & Women in Sports, Women's Sports Foundation, and YWCA of the USA, National Girls and Women in Sports Day celebrates the participation of women in sports and honors the memory of Olympic volleyball silver medalist Flo Hyman, who died suddenly during a match in Japan. In her honor, the Women's Sports Foundation honors a female athlete on National Girls and Women in Sports Day who exemplifies the commitment, integrity, and superior athletic ability of Flo Hyman. This year the award will go to legend Billie Jean King for her commitment to women's rights and her renown as an international tennis champion.

As a cosponsor of this congressionally established event, I would like to give special recognition to seven women who have helped to make this event possible, and who have made such a difference in the lives of young women all over the United States. They are: Regina Montoya, president, board of directors of Girls Inc.; Elinor J. Ferdon, national president, Girl Scouts of the USA; Dr. Sue Durrant, president, National Association for Girls & Women in Sports; Donna Lopiano, executive director, Women's Sports Foundation; Dr. Alpha Alexander, director, Health in Sports Advocacy YWCA of the USA; Dr. Prema Mathai-Davis, executive director, YWCA of the USA and Benita Fitzgerald Mosley, director, Women's Sports Foundation. Every day they make it possible for young women to improve their health, self esteem, leadership skills and academics.

As the 25th anniversary of the passage of title IX, this National Girls and Women in Sports Day marks a particularly significant event in the history of women in sports. Since title IX, the law prohibiting sex discrimination in federally-funded institutions, was enacted, women's participation in school athletic programs has greatly increased. This increase has benefitted young women. Young women who play sports are more likely to graduate from high school, and less likely to use drugs or have an unintended pregnancy. They reap multiple health benefits from athletic participation, including a 40–60 percent decrease in their risk of breast cancer. In addition, athletic participation helps improve self-esteem and discipline.

I ask my colleagues to join me in recognizing these women, and all women who participate in National Girls and Women in Sports Day.

NATIONAL GIRLS AND WOMEN IN SPORTS DAY

HON. ELEANOR HOLMES NORTON

OF DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Ms. NORTON. Mr. Speaker, tomorrow we will recognize the achievements of women and girls in an important area that has been traditionally dominated by men: sports. As part of the 11th Annual National Girls and Women in Sports Day, many women, athletes and members of Congress will be celebrating the athletic accomplishments of women.

As cochair of the Congressional Caucus for Women's Issues, I am proud to have the opportunity to spotlight women's activity in an area where they have often been overlooked. The majority of media coverage focusing on sports coverage goes to men's sports. While a recent study found that 94 percent of local television news sports coverage goes to men's sports, women's sports get 5 percent of the coverage.

Unfortunately, one of the results of this low level of media coverage is insufficient financial support of women's sports in universities across the United States. Less than 24 percent of college sport operating budgets and less than 18 percent of athletic recruiting dollars are allocated to women's sports. This is despite the fact that women are as athletic and as talented in sports as men, and that women and girls involved in sports have greater self-esteem and do better in school than those who do not participate in sports.

By participating in sports, women and girls learn how to work as a team and to strive to achieve a desired goal, skills vital to succeeding in any career. Many women also choose sports as a career, including returning to high school or universities to coach young athletes. Yet even here women are not equal to men. According to a recent survey of head coaches of Division I basketball teams, head coaches of women basketball teams average only 59

percent of the base salary of head coaches of men's basketball.

This disparity in women's pay in many fields is the reason I introduced the Fair Pay Act that would prohibit discrimination in the payment of wages on account of sex, race or national origin. While this law will help prevent discrimination in the pay of the women working in sports, it will not get them the recognition women athletes deserve. As an accomplished women's basketball coach has said in a recent interview, ''It is really frustrating to have a championship team and get two-inch stories in the paper while some average men's team gets pages written about them.'' This is slowly—too slowly—changing. It is my hope that tomorrow's events commemorating National Girls and Women in Sports Day will, by its own recognition, help women gain equality in sports.

IN HONOR OF NATIONAL GIRLS AND WOMEN IN SPORTS DAY

HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Mr. BASS. Mr. Speaker, I rise today to join my colleagues in commemorating February 6, 1997, as National Girls and Women in Sports Day.

Mr. Speaker, who can forget the thrill of seeing the U.S. women's Olympic gymnastics team win the gold medal in Atlanta last year? There is also much enthusiasm about the establishment of not one but two women's professional basketball leagues. What ties together these accomplishments are how they inspire young women across America to become involved in sports activities, to get in the game.

That's the motto behind the 1997 National Girls and Women in Sports Day. I'm proud to be an honorary cosponsor of this 11th annual event. A bipartisan group of Members of Congress and Senators support an early morning walk on the Washington Mall to highlight the achievements of women athletes and draw attention to the importance of sports and fitness activities for all girls and women.

National Girls and Women in Sports Day [NGWSD] is celebrated in New Hampshire and all across the country during the first Thursday of every February. It is organized by Girl Scouts of the USA, Girls Inc., the National Association for Girls and Women in Sport, the Women's Sports Foundation, and the YWCA of the USA.

The First NGWSD was organized to honor Flo Hyman, the Olympic volleyball champion who brought women's volleyball in the United States to the forefront in 1984. That's when she helped lead the American team to a silver medal at the Los Angeles Olympics. Flo Hyman died suddenly while playing volleyball in Japan in 1986. She was found to have had Marfan syndrome, a connective tissue disorder that led to a faulty aorta. Annually, the Women's Sports Foundation's Flo Hyman Award is presented to a female athlete who exemplifies dignity, spirit, and commitment to excellence in women's athletics.

Indeed, women's athletics are one of the most effective avenues available for women of the United States to develop self-discipline, initiative, confidence, and leadership skills. While in the past there has been little national recognition of the significance of women's athletic achievements, we are starting to see the opposite occur. Routinely, you will find larger crowds as women's college basketball games and the new women's professional basketball games will be carried on nationwide television. These occurrences can only serve to encourage young girls to become involved in sports at early age. This type of involvement in athletics, however, has less to do with recognition than with promoting lifelong habits of physical fitness.

I am very proud of the many fine women athletes at our schools in New Hampshire. We all read about their accomplishments in the newspapers every week. National Girls and Women in Sports Day serves to remind us that we should encourage athletic participation and competition for women of all ages, especially in the formative years. It is my hope that we see more girls and young women get in the game this year. After all, our children, girls and boys, need strong bodies as well as strong minds.

Mr. Speaker, I ask all of my colleagues to join me in supporting the 11th annual National Girls and Women in Sports Day.

RECOGNITION OF NATIONAL GIRLS AND WOMEN IN SPORTS DAY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 1997

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in recognition of the 11th Annual National Girls and Women in Sports Day, Thursday, February 6, 1997. This day has been set aside to show the Nation's commitment to promoting the physical well-being and mental health of women and girls through physical activity.

National Girls and Women in Sports Day is instrumental in encouraging females of all ages to participate in sports. Regular exercise increases physical condition by lowering levels of blood sugar, cholesterol, and blood pressure. In addition, sports has been shown to help women feel greater confidence, self esteem and pride.

As the celebration of Black History month begins, it is my hope that this day will open the eyes of many African-American women who are twice as likely to be overweight as white women and 20 percent less likely to exercise regularly. Compared to white Americans, African-Americans under the age of 64 are 10 percent more likely to get heart disease, 30 percent more likely to have diabetes, and over 50 percent more likely to suffer from hypertension.

Mr. Speaker, I would like for my participation in today's events to serve as a model of the dedication to physical fitness that should be exhibited by other women, particularly African-American women. Finally, I would like to applaud the organizations whose combined efforts made this day possible: Girl Scouts, Girls Inc., the National Association for Girls and Women in Sport, the Women Sports Foundation, and the YWCA.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 6, 1997, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 7

9:30 a.m.
Joint Economic
To hold hearings to examine the employment-unemployment situation for January and the Consumer Price Index (CPI).
1334 Longworth Building

10:00 a.m.
Budget
To hold hearings on the President's proposed budget for fiscal year 1998.
SD–608

FEBRUARY 10

2:00 p.m.
Budget
To resume hearings on the President's proposed budget for fiscal year 1998.
SD–608

Joint Economic
To hold hearings on the 1997 Economic Report of the President.
2359 Rayburn Building

FEBRUARY 11

9:00 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on proposals to reform the Commodity Exchange Act.
SR–332

9:30 a.m.
Labor and Human Resources
To hold oversight hearings on the implementation of the Health Insurance Portability and Accountability Act (P.L. 104–191).
SD–430

Rules and Administration
Business meeting, to mark up proposed legislation authorizing biennial expenditures by standing, select, and special committees of the Senate, and to consider other pending legislative and administrative business.
SR–301

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of the Veterans of Foreign Wars.
345 Cannon Building

10 a.m.
Finance
To hold hearings on the final report of the Advisory Commission to Study the Consumer Price Index.
SD–215

FEBRUARY 12

9:30 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD–366

Environment and Public Works
To hold hearings on the ozone and particulate matter standards proposed by the Environmental Protection Agency.
SD–406

Governmental Affairs
International Security, Proliferation and Federal Services Subcommittee
To hold hearings on the future of nuclear deterrence.
SD–342

Labor and Human Resources
To hold hearings on the implementation of the Teamwork for Employees and Managers Act (TEAM).
SD–430

Small Business
To hold hearings on the President's budget request for fiscal year 1998 for the Small Business Administration.
SR–428A

10:00 a.m.
Finance
To hold hearings on the Administration's budget and revenue proposals for fiscal year 1998.
SD–215

FEBRUARY 13

9:00 a.m.
Agriculture, Nutrition, and Forestry
To resume hearings on proposals to reform the Commodity Exchange Act.
SR–332

9:30 a.m.
Labor and Human Resources
Employment and Training Subcommittee
To resume hearings to examine proposals to reform the Fair Labor Standards Act, focusing on S. 4, to provide to private sector employees the same opportunities for time-and-a-half compensatory time off, biweekly work programs, and flexible credit hour programs as Federal employees currently enjoy to help balance the demands and needs of work and family, to clarify the provisions relating to exemptions of certain professionals from the minimum wage and overtime requirements of the Fair Labor Standards Act of 1938.
SD–430

Small Business
To hold hearings on the nomination of Aida Alvarez, of New York, to be Administrator of the Small Business Administration.
SR–428A

10:00 a.m.
Finance
To hold hearings on the Administration's budget for fiscal year 1998, focusing on Medicare, Medicaid and welfare proposals.
SD–215

Foreign Relations
To hold hearings on the nomination of Pete Peterson, of Florida, to be Ambassador to the Socialist Republic of Vietnam.
SD–419

2:00 p.m.
Environment and Public Works
Transportation and Infrastructure Subcommittee
To hold hearings on the implementation of the Intermodal Surface Transportation Efficiency Act and transportation trends, infrastructure funding requirements, and transportation's impact on the economy.
SD–406

FEBRUARY 25

9:00 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the impact of estate taxes on farmers.
SR–332

FEBRUARY 26

9:00 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the impact of capital gains taxes on farmers.
SR–332

9:30 a.m.
Environment and Public Works
Transportation and Infrastructure Subcommittee
To resume hearings on proposed legislation authorizing funds for programs of the Intermodal Surface Transportation Efficiency Act.
SD–406

Labor and Human Resources
Business meeting, to consider pending calendar business.
SD–430

FEBRUARY 27

9:30 a.m.
Labor and Human Resources
To hold hearings on proposed legislation authorizing funds for programs of the Higher Education Act.
SD–430

10:00 a.m.
Armed Services
To hold hearings concerning the Department of Defense actions pertaining to Persian Gulf illnesses.
SD–106

MARCH 5

9:00 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the Department of Agriculture's business plan and reorganization management proposals.
SR–332

MARCH 6

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of the Paralyzed Veterans of America, the Jewish War Veterans, the Retired Officers Association, the Association of the U.S. Army, the Non-Commissioned Officers Association, the Military Order of the Purple Heart, and the Blinded Veterans Association.
345 Cannon Building

MARCH 11

9:00 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings on proposed legislation authorizing funds for agricultural research.
SR–332

MARCH 13

9:00 a.m.
Agriculture, Nutrition, and Forestry
To resume hearings on proposed legislation authorizing funds for agricultural research.
SR–332

MARCH 18

9:00 a.m.
Agriculture, Nutrition, and Forestry
To resume hearings on proposed legislation authorizing funds for agricultural research.
SR–332

MARCH 19

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of the Disabled American Veterans.
345 Cannon Building

MARCH 20

9:00 a.m.
Agriculture, Nutrition, and Forestry
To resume hearings on proposed legislation authorizing funds for agricultural research.
SR–332

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs on the legislative recommendations of AMVETS, the American Ex-Prisoners of War, the Veterans of World War I, and the Vietnam Veterans of America.
345 Cannon Building

CANCELLATIONS

FEBRUARY 6

2:30 p.m.
Select on Intelligence
Closed business meeting, on intelligence matters.
SH–219

Daily Digest

HIGHLIGHTS

The House passed H.R. 499, to designate the ''Frank M. Tejeda Post Office Building'' in San Antonio, Texas.

Senate

Chamber Action

Routine Proceedings, pages S981–S1047

Measures Introduced: Eighteen bills and two resolutions were introduced, as follows: S. 263–280, S. Res. 50, and S. Con. Res. 5. **Pages S1017–18**

Measures Reported: Reports were made as follows:

S. 279, to amend the Internal Revenue Code of 1986 to reinstate the Airport and Airway Trust Fund excise taxes. (S. Rept. No. 105–4) **Page S1017**

Balanced Budget Constitutional Amendment: Senate began consideration of S.J. Res. 1, proposing an amendment to the Constitution of the United States to require a balanced budget. **Pages S994–S1015**

Senate will continue consideration of the resolution on Thursday, February 6, 1997.

Nomination—Agreement: A unanimous-consent time-agreement was reached providing for the consideration of the nomination of Rodney E. Slater, of Arkansas, to be Secretary of Transportation. **Pages S1044–45**

Nominations Received: Senate received the following nominations: Sophia H. Hall, of Illinois, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2000.

Lyle Weir Swenson, of South Dakota, to be United States Marshal for the District of South Dakota for the term of four years.

Marsha Mason, of New Mexico, to be a Member of the National Council on the Arts for a term expiring September 3, 2002.

Theodore Francis Verheggen, of the District of Columbia, to be a Member of the Federal Safety and Health Review Commission for a term expiring August 30, 2002.

2 Air Force nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

Routine lists in the Air Force, Army, Navy, and Coast Guard. **Pages S1046–47**

Nomination Withdrawn: Senate received notification of the withdrawal of the following nomination:

Sophia H. Hall, of Illinois, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2002. **Page S1047**

Measures Referred: **Page S1016**

Communications: **Pages S1016–17**

Executive Reports of Committees: **Page S1017**

Statements on Introduced Bills: **Pages S1018–27**

Additional Cosponsors: **Page S1027**

Authority for Committees: **Pages S1035–36**

Additional Statements: **Pages S1036–44**

Adjournment: Senate convened at 11 a.m., and adjourned at 7:13 p.m., until 11 a.m., on Thursday, February 6, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1045.)

Committee Meetings

(Committees not listed did not meet)

BREAST CANCER SCREENING

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education and Related Agencies held hearings to examine the recommendation of the National Institutes of Health Consensus Development Conference on Breast Cancer Screening in Women Ages 40–49, receiving testimony from Richard D. Klausner, Director, National Cancer Institute, and Susan J. Blumenthal, Deputy Assistant Secretary for Health/Assistant Surgeon General, both of the Department of Health and Human Services; David G. Hoel, Medical University

of South Carolina, Charleston; Marilyn Leitch, University of Texas Southwestern Medical School, on behalf of the American Cancer Society, and Susan Braun and Diana Rowden, both of the Susan G. Komen Breast Cancer Foundation, all of Dallas, Texas; Frances M. Visco, National Breast Cancer Coalition, Philadelphia, Pennsylvania; and Barbara Monsees, Washington University School of Medicine, St. Louis, Missouri.

Hearings were recessed subject to call.

NOMINATION

Committee on Armed Services: Committee concluded hearings on the nomination of Federico Peña, of Colorado, to be Secretary of Energy, after the nominee testified and answered questions in his own behalf.

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nomination of Janet L. Yellen, of California, to be a Member of the Council of Economic Advisers, after the nominee, who was introduced by Senator Boxer, testified and answered questions in her own behalf.

EDUCATION REFORM AND ECONOMIC GROWTH

Committee on the Budget: Committee held hearings on the President's budget request for education for fiscal year 1998 and to examine the Federal role in educational reform, receiving testimony from Marshall S. Smith, Under Secretary of Education; Eric A. Hanushek, University of Rochester, Rochester, New York; and Caroline Minter Hoxby, Harvard University, Westborough, Massachusetts.

Committee will meet again on Friday, February 7.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the nomination of Rodney E. Slater, of Arkansas, to be Secretary of Transportation.

Also, committee announced the following subcommittee assignments:

Subcommittee on Aviation: Senators Gorton (Chairman), Stevens, Burns, Lott, Hutchison, Ashcroft, Frist, Snowe, Brownback, Ford, Hollings, Inouye, Bryan, Rockefeller, Breaux, Dorgan, and Wyden.

Subcommittee on Communications: Senators Burns (Chairman), Stevens, Gorton, Lott, Ashcroft, Hutchison, Abraham, Frist, Brownback, Hollings, Inouye, Ford, Kerry, Breaux, Rockefeller, Dorgan, and Wyden.

Subcommittee on Consumer Affairs, Foreign Commerce and Tourism: Senators Ashcroft (Chairman), Gorton, Abraham, Burns, Brownback, Breaux, Ford, and Bryan.

Subcommittee on Manufacturing and Competitiveness: Senators Abraham (Chairman), Snowe, Ashcroft, Frist, Brownback, Bryan, Hollings, Dorgan, and Rockefeller.

Subcommittee on Oceans and Fisheries: Senators Snowe (Chairman), Stevens, Gorton, Hutchison, Kerry, Inouye, and Breaux.

Subcommittee on Science, Technology, and Space: Senators Frist (Chairman), Burns, Hutchison, Stevens, Abraham, Rockefeller, Kerry, Bryan, and Dorgan.

Subcommittee on Surface Transportation and Merchant Marine: Senators Hutchison (Chairman), Stevens, Burns, Snowe, Frist, Abraham, Ashcroft, Inouye, Breaux, Dorgan, Bryan, and Wyden.

NUCLEAR WASTE POLICY ACT

Committee on Energy and Natural Resources: Committee concluded hearings on S. 104, to reform United States policy with regard to the management and disposal of spent nuclear fuel and high-level radioactive waste, after receiving testimony from Thomas P. Grumbly, Under Secretary of Energy; Jared L. Cohon, Yale University, New Haven, Connecticut, on behalf of the Nuclear Waste Technical Review Board; Emmit J. George, Jr., Iowa Utilities Board, Des Moines, on behalf of the National Association of Regulatory Utility Commissioners; Susan F. Clark, Florida Public Service Commission, Tallahassee, on behalf of the Nuclear Waste Strategy Coalition; Michael Mariotte, Nuclear Information Resource Service, Washington, D.C.; and James T. Rhodes, Virginia Power, Richmond.

CLEAN AIR—OZONE EXPOSURE

Committee on Environment and Public Works: Subcommittee on Clean Air, Wetlands, Private Property and Nuclear Safety held oversight hearings on science issues with regard to the Environmental Protection Agency proposed revisions to the ozone and particulate matter national ambient air quality standards, receiving testimony from George T. Wolff, General Motors Company, Detroit, Michigan, on behalf of EPA's Clean Air Scientific Advisory Committee's Panels on Ozone and Particulate Matter; Morton Lippman, New York University Medical Center, and George D. Thurston, New York University School of Medicine, both of New York, New York; Daniel B. Menzel, University of California, Irvine; Roger O. McClellan, Chemical Industry Institute of Toxicology, Research Triangle Park, North Carolina; Anne E. Smith, Decision Focus Incorporated, Mountain View, California; Joel Schwartz, Harvard University Medical School, Cambridge, Massachusetts; and Ronald E. Wyzga, Electric Power Research Institute, Palo Alto, California.

Hearings will continue on Wednesday, February 12.

AIRPORT AND AIRWAY TRUST FUND TAX REINSTATEMENT ACT

Committee on Finance: Committee ordered favorably reported an original bill (S. 279) to reinstate the Airport and Airway Trust Fund excise taxes.

JUDGESHIP ALLOCATION

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded hearings to examine the appropriate allocation of judgeships in the United States Court of Appeals for the Fourth Circuit, after receiving testimony from J. Harvie Wilkinson III, Chief Judge, and Sam J. Ervin, III, Circuit Judge, both of the United States Court of Appeals for the Fourth Circuit; Gerald Bard Tjoflat, Circuit Judge, United States Court of Appeals for the Eleventh Circuit; and Julia Smith Gibbons, Chief Judge, United States District Court for the Western District of Tennessee, on behalf of the Committee on Judicial Resources of the Judicial Conference of the United States.

COMMITTEE BUDGET REQUESTS

Committee on Rules and Administration: Committee continued hearings to receive testimony from Senators, as indicated, in support of resolutions requesting funds for operating expenses of their respective committees for periods from March 1, 1997 through February 28, 1998, and from March 1, 1998 through February 28, 1999, as follows:

Committee on Appropriations: (S. Res. 33), Senator Stevens;

Committee on Small Business: (S. Res. 40), Senators Bond and Kerry;

Committee on the Judiciary: (S. Res. 43), Senators Hatch and Leahy;

Committee on Agriculture, Nutrition, and Forestry: (S. Res. 20), Senators Lugar and Harkin;

Committee on Armed Services: (S. Res. 38), Senators Warner and Levin; and

Committee on Veterans' Affairs: (S. Res. 45), Senators Specter and Rockefeller.

Hearings continue tomorrow.

NATIONAL SECURITY THREATS

Select Committee on Intelligence: Committee held open and closed hearings to examine current and projected national security threats to the United States, receiving testimony from Toby T. Gati, Assistant Secretary of State for Intelligence and Research; Lt. Gen. Patrick M. Hughes, USA, Director, Defense Intelligence Agency; and George J. Tenet, Acting Director of Central Intelligence.

Hearings were recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 39 public bills, H.R. 585–623; and 12 resolutions, H.J. Res. 42–45, H. Con. Res. 14–15, and H. Res. 36–41, were introduced.

Pages H345–48

Reports Filed: No reports were filed today.

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative LaHood to act as Speaker pro tempore for today.

Page H289

Guest Chaplain: The prayer was offered by the guest chaplain, Dr. Ronald Christian of Washington, D.C. **Page H289**

Journal Vote: By a recorded vote of 376 ayes to 28 noes, Roll No. 10, the House agreed to the Speaker's approval of the Journal of Tuesday, February 4.

Pages H289, H298

Committee Resignation: Read a letter from Representative Brady wherein he resigned from the Committee on Government Reform and Oversight.

Page H290

Frank M. Tejeda Post Office Building: By a yea-and-nay vote of 400 yeas, Roll No. 9, the House voted to suspend the rules and pass H.R. 499, to designate the facility of the United States Postal Service under construction at 7411 Barlite Boulevard in San Antonio, Texas, as the "Frank M. Tejeda Post Office Building." **Pages H292–97**

Committee Resignations: Read a letter from Representative Gejdenson wherein he resigned from the Committee on Resources and read a letter from Representative Peterson of Minnesota wherein he resigned from the Committee on Government Reform and Oversight. **Page H298**

Committee Election: The House agreed to H. Res. 36, designating minority membership on certain standing committees of the House. **Pages H298–99**

Referrals: One Senate-passed measure was referred to the appropriate House committee. **Page H337**

Senate Messages: Message received from the Senate today appears on page H289.

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of the House today and appear on pages H297 and H298. There were no quorum calls.

Adjournment: Met at 11 a.m. and adjourned at 4:52 p.m.

Committee Meetings

COMMITTEE ORGANIZATION

Committee on Appropriations: Met for organizational purposes.

COMMITTEE ORGANIZATION

Committee on Banking and Financial Services: Met for organizational purposes.

"WHY THE BALANCED BUDGET AMENDMENT IS GOOD FOR AMERICANS"

Committee on the Budget: Held a hearing on "Why the Balanced Budget Amendment is Good for Americans." Testimony was heard from public witnesses.

"CELLULAR PRIVACY: IS ANYONE LISTENING? YOU BETCHA!"

Committee on Commerce: Subcommittee on Telecommunications, Trade, and Consumer Protection held a hearing on "Cellular Privacy: Is Anyone Listening? You Betcha!" Testimony was heard from the following officials of the Department of Justice: James K. Kallstrom, Assistant Director in Charge, New York Division, FBI; and Robert S. Litt, Deputy Assistant Attorney General, Criminal Division; William Kennard, General Counsel, FCC; and public witnesses.

WORKING FAMILIES FLEXIBILITY ACT

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing on H.R. 1, Working Families Flexibility Act of 1997. Testimony was heard from Representatives Granger, Myrick and Fowler; and public witnesses.

MISCELLANEOUS MEASURES; COMMITTEE ORGANIZATION

Committee on International Relations: By unanimous consent adopted a motion urging the Chairman to request that S. Con. Res. 4, commending and thanking Honorable Warren Christopher for his exemplary service as Secretary of State, be considered on the Suspension Calendar.

The Committee also approved a resolution to be introduced in appreciation of the late Pamela Harriman, Ambassador to France.

The Committee also met for organizational purposes.

BALANCED BUDGET AMENDMENT

Committee on the Judiciary: Began markup of H.J. Res. 1, proposing an amendment to the Constitution to provide for a balanced budget for the U.S. Government and for greater accountability in the enactment of tax legislation.

Will continue February 11.

COMMITTEE ORGANIZATION

Committee on National Security: Met for organizational purposes.

COMMITTEE ORGANIZATION

Committee on Resources: Met for organizational purposes.

TRUTH IN BUDGETING ACT; OVERSIGHT PLAN

Committee on Transportation and Infrastructure: Ordered reported H.R. 4, Truth in Budgeting Act.

The Committee also approved an oversight plan for the 105th Congress.

USER FEES FOR FAA SERVICES

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on Airlines' Proposals to Establish User Fees for FAA Services. Testimony was heard from John H. Anderson, Jr., Director, Transportation Issues, Resources, Community and Economic Development Division, GAO; and public witnesses.

Hearings continue February 13.

COMMITTEE ORGANIZATION

Committee on Veterans' Affairs: Met for organizational purposes.

AIRPORT AND AIRWAY TRUST FUND SOLVENCY; COMMITTEE ORGANIZATION

Committee on Ways and Means: Held a hearing on the solvency of the Airport and Airway Trust Fund. Testimony was heard from Donald C. Lubick, Assistant Secretary, Tax Policy, Department of the Treasury; and Louise F. Stoll, Assistant Secretary, Budget and Programs, Department of Transportation.

The Committee also met for organizational purposes.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Human Resources met for organizational purposes.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 6, 1997

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services, to hold open and closed hearings on the worldwide threat facing the United States, 10 a.m., SR–222.

Committee on Energy and Natural Resources, to hold hearings on S. 210, to amend the Organic Act of Guam, the Revised Organic Act of the Virgin Islands, and the Compact of Free Association Act, 9:30 a.m., SD–366.

Committee on Rules and Administration, to continue hearings on proposed committee resolutions requesting funds for operating expenses for 1997 and 1998, 9:30 a.m., SR–301.

Committee on Small Business, to hold hearings to examine women-owned and home-based businesses, 9:30 a.m., SR–428A.

Notice

For a listing of Senate Committee Meetings scheduled ahead, see pages E177–78 in today's Record.

House

Committee on Agriculture, to hold an organizational meeting, 10:30 a.m., 1300 Longworth.

Committee on Commerce, Subcommittee on Oversight and Investigations, hearing on FDA Policy on Home Drug Testing Kits, 9:30 a.m., 2123 Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Youth and Families, to continue hearings on H.R. 5, to amend the Individuals with Disabilities Education Act, to reauthorize and make improvements on that act, 9:30 a.m., 2175 Rayburn.

Committee on Rules, to consider a measure to release all fiscal year 1997 population assistance funds and to reinstate the provisions of the Mexico City policy on U.S. population control assistance, 11:30 a.m., H–313 Capitol.

Next Meeting of the SENATE

11 a.m., Thursday, February 6

Senate Chamber

Program for Thursday: After the recognition of four Senators for speeches and the transaction of any routine morning business (not to extend beyond 12 noon), Senate will resume consideration of S.J. Res. 1, Balanced Budget Constitutional Amendment. Senate may also consider the nomination of Rodney E. Slater, of Arkansas, to be Secretary of Transportation.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, February 6

House Chamber

Program for Thursday: No legislative business.

Extension of Remarks, as inserted in this issue

HOUSE

Ackerman, Gary L., N.Y., E169
Barcia, James A., Mich., E163
Bass, Charles F., N.H., E176
Bentsen, Ken, Tex., E168, E174
Blumenauer, Earl, Ore., E169
Engel, Eliot L., N.Y., E164
Farr, Sam, Calif., E161
Filner, Bob, Calif., E159, E164
Frank, Barney, Mass., E166
Franks, Bob, N.J., E160, E162
Frelinghuysen, Rodney P., N.J., E162
Gallegly, Elton, Calif., E173
Gilman, Benjamin A., N.Y., E167
Harman, Jane, Calif., E166
Johnson, Eddie Bernice, Tex., E162, E165, E167, E169, E176
Johnson, Nancy L., Conn., E165
Kaptur, Marcy, Ohio, E171
Kelly, Sue W., N.Y., E170
Kennedy, Joseph P., II, Mass., E164
Kennelly, Barbara B., Conn., E165
Kucinich, Dennis J., Ohio, E159, E162
Levin, Sander M., Mich., E164
Lewis, John, Ga., E169
McDermott, Jim, Wash., E173
Molinari, Susan, N.Y., E159
Moran, James P., Va., E161, E175
Morella, Constance A., Md., E175
Myrick, Sue, N.C., E168
Norton, Eleanor Holmes, D.C., E175
Packard, Ron, Calif., E174
Riggs, Frank, Calif., E161
Roukema, Marge, N.J., E164
Sanchez, Loretta, Calif., E166
Stark, Fortney Pete, Calif., E160, E172
Stump, Bob, Ariz., E168
Towns, Edolphus, N.Y., E171
Traficant, James A., Jr., Ohio, E174
Weldon, Curt, Pa., E168

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, or a fax to (202) 512–1262; or by calling Toll Free 1–888–293–6498 or (202) 512–1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $150.00 for six months, $295.00 per year, or purchased for $2.50 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D.C. 20402. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.