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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore [Mr. BLILEY].

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 29, 1997.

I hereby designate the Honorable TOM BLILEY to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leader limited to not to exceed 5 minutes.

NUCLEAR WASTE CLEANUP COSTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997 the gentleman from Nevada [Mr. GIBBONS] is recognized during morning hour debates for 1 minute.

Mr. GIBBONS. Mr. Speaker, can this Nation afford the cost of cleaning up a nuclear waste accident? A 1975 DOE contractor report concluded that a severe accident involving rail casks could and would result in the release of radioactive materials sufficient to contaminate a 42-square-mile area. If it occurred in a rural area, the estimated cleanup cost of such an accident would range from $176 million to $19.4 billion, and would require up to 460 days. Cleanup after a similar accident in a typical urban area would be considerably more expensive and time consuming, perhaps $9.5 billion just to raze and rebuild the most heavily contaminated square mile. Realize these figures cannot include the intangible cost of a single human life or the disastrous effect it could have on the future of our children.

Much more detailed studies are necessary to safeguard against accidents and their cleanup costs before we decide to ship nuclear waste through our districts. Think about it. Could our cities, local communities and States afford these horrific impacts? Remember that safety and science equals a sound solution.

FEDERAL RESERVE RAISING OF INTEREST RATES HAS MAJOR IMPACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997 the gentleman from Massachusetts [Mr. FRANK] is recognized during morning hour debates for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, I am about to engage in an exercise which is clearly second best. The Federal Reserve Open Market Committee a couple of weeks ago decided that we were creating too many jobs too rapidly in America and, fearing that this would be destabilizing, they raised interest rates. The Federal Reserve Open Market Committee will meet again in May and July, and there is a very real prospect that they may do this again.

No single set of specific decisions taken, I believe, by anybody in the government so far this year or for the next few months, will have the impact on our economy that these decisions have had. Yet, they will be going largely undebated in this Congress because the Committee on Banking and Financial Services, which has under our rules jurisdiction over this matter, has refused to have a hearing.

Specifically, the gentleman from Iowa [Mr. LEACH], the chairman of the committee, has refused a request from all but one of the non-Republican members. Twenty-four of the Democrats and the one Independent have written to him and said, please, this is an essential issue, let us have a hearing. The chairman says to have a hearing, to have a hearing on whether or not they should continue to raise interest rates to choke off growth would be second-guessing the Fed and tampering with its independence.

I wish we could have that hearing, and I hope that the chairman will reconsider, and maybe some of the majority Members will join us. But until that time, we have no other option but this. I say that because I am about to engage in a one-sided debate with Mr. Laurance Meyer, who is a member of the Board of Governors of the Federal Reserve. I would much prefer to have Mr. Meyer in before us in a hearing room so we can engage in a two-sided debate. The chairman of the Committee on Banking and Financial Services has denied us that opportunity.

What I want to point out, however, is what now appears to me frankly the equivalent of a smoking gun in our understanding of why the Federal Reserve System decided consciously and deliberately to increase unemployment in America. Remember, that was their view. Unemployment, they said, at 5.2 percent was too low. They believed they needed to get it back up. I think 5.5 is their target.

But here is what Mr. Meyer says; he acknowledges that there was no evidence yet of inflation. He acknowledges that there was no excess utilization, there was nothing that led him now to see inflation. He thinks that it may appear in 6 months to a year, and that is why he wanted to cut it off. But

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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acknowledging that he may have acted unnecessarily, he gives this justification; and this I think is central to this debate, and it is why so many of us want a hearing. He says: This involved comparing the relative costs of two potential policy mistakes, tightening when such a move turned out to be inappropriate or failing to tighten when a tightening would have been appropriate.

In other words, he says the better mistake to make, if you had to make a mistake, obviously you do not want to, but we all recognize uncertainty, better we should tighten when it is inappropriate.

Why? And here is what bothers so many of us about this decision. We are not talking hard economics here. We are talking values. We are talking social policy, and it is not a decision the Federal Reserve ought to be allowed to make without full debate. He says: If the Fed tightens and it turns out to have been unnecessary, the result would be utilization rates turn out lower than desired and inflation lower than what otherwise would have been the case.

In the context of the prevailing 7-year low of the unemployment rate, that translates into a higher, but still modest, unemployment rate, and further progress toward price stability, a central legislative mandate. He then says: This may not be the best solution. I would prefer trend growth and full employment. But then he says: But the alternative outcome just described is not a bad result. Indeed, it would be a preferred result for those who favor a more rapid convergence of price stability.

Think about what Mr. Meyer has said. An increase in the unemployment rate is not a bad result, he says. It is not his preferred result, but it is not a bad result. That is hundreds of thousands or more unemployed Americans. That is a step that makes it much harder to absorb welfare recipients. When a Federal agency says that an increase in unemployment is not the preferred, but it is not a bad result, that is a serious problem.

He then goes on to acknowledge that this would be a preferred result for those who favor a more rapid convergence to price stability. In other words, he is acknowledging that some of his fellow members of the Open Market Committee, unlike him, not only do not think this is a bad result, they think this is a good result. We have here an acknowledgment from one of the Federal Reserve Board governors in a speech that really was meant, I think, as the official explanation that he does not think an increase in unemployment is a bad result, and that he acknowledges that many of his colleagues in fact think this is the preferred result. They have decided that a little bit of inflation is too much and, if we can get to zero inflation with higher unemployment, that is not a bad result. Congress must debate this policy.

REFORMING THE UNITED NATIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida [Mr. STEARNS] is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I rise today to speak about a topic of much importance: Reforming and improving the United Nations. I think the time has come to look at this important agency and make some changes. We should not continue the status quo any longer.

In 1996, 134,281 tickets were issued by the New York City police to the United Nations diplomatic and consular vehicles. Almost all of those were unpaid. The Nation of Russia itself accounted for 31,000 unpaid tickets. Foreign United Nations officials have more of their salaries and pensions paid by the American taxpayers than from their own country.

There is sort of a elitism that is existing at the United Nations. And Americans are fed up with the elaborate spending without some kind of accountability at the United Nations. That is why I sponsored legislation, House Resolution 21, that expresses the sense of the House of Representatives that unless the United Nations adopts certain reforms, the United States should withhold financial support for the United Nations and its specialized agency until certain prudent things are done.

Now, let me tell you what this is about. I believe, first of all, we should have a comprehensive, independent audit of the United Nations and its specialized agencies. No. 2, an audit of its functions to determine if these functions can be carried out more efficiently by other organizations, or perhaps within the private sector. Prompt and complete implementation of the audit recommendations and the possible termination of New York City as a permanent headquarters of the United Nations should also be considered.

Mr. Speaker, perhaps we could rotate the location of the United Nations and allow it to go to other countries. Other nations could provide the headquarters. Implementing a rotation system like I have suggested could create a more efficient operation, I believe and allow other countries to help with the overhead costs. Prior approval by the primary donor member countries for peacekeeping operations is something we should have some control of. We now need a more careful definition and a more effective execution of the United Nations peacekeeping operations in itself.

Last, Mr. Speaker, a lot of Americans are concerned that the United Nations is going to implement a tax on the Internet, or perhaps a tax on worldwide banking transfers. We should clarify, completely clarify, for the American people that absolutely no taxing power or the right to raise revenues directly on the American people can be implemented by the United Nations.

My legislation is only the start of changing and improving the United Nations. I believe the time has come. The time is now. I believe even the leadership of the United Nations would agree with some of my ideas. The people of our country chose to change the party in power in the U.S. Congress for the first time in 40 years in 1994. I believe the overriding reason for the historic change was that the American people wanted a smaller, more responsive, and more efficient Federal Government. They wanted Congress to reevaluate every level and every aspect of our Federal Government, and I think the American people want the same thing done at the United Nations.

Another fundamental area that Americans wanted reevaluated of course is our overall national foreign policy. The world has dramatically changed with the downfall of the Soviet Union and the Warsaw Pact, but our foreign policy has failed to react properly to this change. There are different threats today in the world. The United Nations has created a response to horrors of the two world wars, but that has changed.

We now see a world that is overwhelmingly democratic, or implementing democratic change, and a world that is embracing free markets. It was the perseverance of the American people and the American leadership in combating the evils of communism that led to these changes. I think we provided to the world the American model of government and economics. Why not have the United Nations provide a new model, a new pattern, in diplomacy and fiscal responsibility. The United Nations should meet the new demands of the world today and set this pattern by reforming itself.

Outside of legitimate concerns with some terrorist nations and North Korean, Iraq, and the threat of programs from Communist China, the world has been working. It is working to solve problems on a day-to-day basis. It is obvious to me and to many Americans that we need a new pattern for the United Nations, less bureaucratic, more efficient, more fiscally responsible; like we are trying to do here in Congress. A permanent United Nations based in New York City may not be in the best interests of creating a new U.N. model. The American people, the American taxpayers, simply cannot subsidize a group of elite diplomats indefinitely without reform.

So, I urge my colleagues to cosponsor my House Resolution 21. It makes sense. The time is now.

JUVENILE CRIME

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from North Carolina [Mr. ETHERIDGE] is recognized during morning hour debates for 5 minutes.

Mr. ETHERIDGE. Mr. Speaker, I rise today to speak on an issue that is important to all of us. On Sunday, April

13, 20-year-old Kevin Pridgen stood outside a neighbor's house on Glenn Road in Durham, NC, in my district, just visiting like many folks do on Sunday afternoon. In an instant, after he had been there just briefly, after 15 rounds were fired by an assault rifle, Kevin Pridgen lay in critical condition with a gunshot wound to the stomach, a victim of a drive-by shooting two doors from his own home.

The alleged shooter in this terrible crime is reported to have been a 17-year-old juvenile whom police arrested and charged with assault with intent to kill. Sadly, episodes like this outrageous crime are no longer rare events but are increasingly part of the everyday routine in communities all across this country.

Over the past several weeks I have taken the opportunity to meet with police officials in Durham and across my district to discuss these disturbing trends. Our brave law enforcement officers put their lives on the line every day in service to the public interest.

They described to me the frightening details, the dangers they and the general public face with sharply increasing rates of violent juvenile crime. North Carolina's finest tell me that the juveniles involved in these crimes are younger than ever, while the seriousness of their crimes has never been worse.

Statistics tell us that, despite the fact that overall violent crime in America is on the decline, youth violence is increasing. In fact, the latest numbers in my State show that overall violent crime is down by 5 percent, but youth violent crime is up by 6 percent.

According to the criminal justice experts, they have projected that the demographic changes will increase the problems of violent crime of young people in record numbers in the coming decade.

□ 1245

We must act now to protect our citizens today and address the long-term problems that are to come. I met with law enforcement officials across my district, sheriffs, police chiefs, small-town cops, juvenile detention officials and youth service providers. The message I received from these officials and from ordinary citizens comes through loud and clear: We must take aggressive action to stem the growing tide of violent juvenile crime, we must crack down on the most egregious offenders, and we must equip local law enforcement and youth services to meet the variety of challenges of our juvenile justice system. We must support Boys' and Girls' Clubs, YMCA's and other efforts to give our young people a positive alternative to the bleak choice of the streets. We must have a balanced approach of tough and smart efforts to deal with the complex and growing problem.

Mr. Speaker, the American people desperately need leadership from this Congress on serious issues like juvenile crime. The voters of North Carolina sent me to the people's House to help provide that leadership. I call on my colleagues to join on a bipartisan basis to fulfill that mission, in the name of Kevin Pridgen and all our citizens who look to us for leadership to address the urgent issues that confront us in America.

TEXAS WELFARE REFORM

The SPEAKER pro tempore [Mr. BLILEY]. Under the Speaker's announced policy of January 21, 1997, the gentleman from Texas, Mr. SAM JOHNSON, is recognized during morning hour debates for 5 minutes.

Mr. SAM JOHNSON of Texas. Mr. Speaker, let us get the facts straight on Texas welfare reform. In the spring of 1995, the Texas legislature passed State welfare reform. In July of 1996, Texas tried to implement its welfare reform and sent a proposal to Health and Human Services. In April this year, 1997, still no answer from HHS. And guess who is holding it up? The President of the United States.

The State of Texas simply wants to enter into a public-private partnership to streamline, integrate and consolidate its welfare system into a one-stop center. This will not only help welfare recipients, but save taxpayer dollars. It is a forward-looking proposal that would take 21 different State and Federal programs and combine them into one.

No longer would welfare recipients have to go from agency to agency to sign up and receive benefits. It is one-stop shopping to receive all the help they need. It has been estimated that this would save Texas taxpayers over $10 million a month, or $120 million a year. That is enough money to provide additional health care to an additional 150,000 children in Texas each year.

Welfare reform in Texas has been stalled out because the President has been taken hostage by the labor unions. Labor bigwigs see any type of reform as antiunion regardless of whether it helps children or not.

The President appears to be losing support for his delay from his own Cabinet members. An April 4 memo to the President from the Secretary of Health and Human Services, the Secretary of Agriculture, and the President's head of domestic policy states,

> We must give Texas an answer immediately. The State has engaged in good-faith discussions with various agencies for 9 months.

It is now 10 months. It has been nearly a month since that memo, and still no answer. The reason the unions are holding the President hostage are illustrated in this memo. There is a chart at the bottom that lists three options. The first is the Texas proposal. The second is ''the union proposal.'' And the third is the proposed administration compromise.

I was not aware and I am sure most Americans are not aware that welfare reform signed by President Clinton called for union approval of State welfare proposals. Since when do unions get to submit proposals on State welfare programs? I guess since they spent millions of dollars helping the President get reelected maybe.

It has also been reported that the Secretary of HHS was ready to release a letter of approval to Texas but was stopped short by the President. The request is now reportedly sitting on the Vice President's desk. What in the world is it doing there? We are all concerned that the administration is not worried about our children or how the program will help them; they are worried about the political relationship with the unions.

I think we all took the President at his word during the signing ceremony for the welfare reform bill last year when he said, ''After I sign my name to this bill, welfare will no longer be a political issue.''

What happened to that promise? If the administration puts the union's political agenda above the real concerns of the citizens of Texas, we will not hesitate to go forward with legislation to give Texas the approval it deserves.

Mr. Speaker, it is time for the President to do what is right. Many States are watching so they can make the same kind of commonsense changes to their welfare systems. The President should grant approval immediately so Texas and all of America can make welfare reform real and help the children and needy families in America.

INVESTIGATION OF ILLEGAL FUND-RAISING ACTIVITIES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Indiana [Mr. BURTON] is recognized during morning hour debates for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, I come to the floor today to discuss with my colleagues serious issues which have come up in the investigation that Congress has launched into illegal fund-raising activities.

In the past few days, the White House has blurred the issues by claiming to have fully complied with our request for relevant documents. This is just not true, Mr. Speaker. The Committee on Government Reform and Oversight has not received all subpoenaed records, and the White House counsel has indicated that the President will be asserting executive privilege over an unspecified amount of documents.

The American people have a right to know. After weeks of seemingly good-faith negotiations with the White House lawyers in which the committee prioritized its request, the White House refuses to provide all documents to the committee. For weeks the White House counsel said documents would be forthcoming once a document protocol was adopted, yet the committee's April 10 adoption of a document protocol was met with continued White House resistance.

The White House proposed an alternative document protocol essentially putting control of subpoenaed documents into the hands of the White House that is being investigated. We are today involved in investigating allegations of illegalities of a very serious nature which must be addressed without delay:

Did the Clinton administration sell foreign influence overseas in return for campaign contributions? The American people have a right to know.

Was America's national security put in jeopardy by foreign money that may have found its way into the Democratic National Committee's campaign coffers? The American people have a right to know. Did foreign governments funnel foreign funds into the 1996 campaign to influence the outcome? The American people have a right to know.

How did a cast of characters, such as John Huang, Charlie Trie, Chinese arms dealer Wang Jun, purported Russian mob figure Grigory Loutchansky, and convicted drug dealer Jorge Cabrera gain access to the highest levels of our Government? The American people have a right to know.

Were there unlawful disclosures of classified information to unauthorized Democratic National Committee employees as the CIA inspector general is now investigating? The American people have a right to know.

I was optimistic after my first meeting with White House counsel Charles Ruff in February that the White House's actions during the last Congress of delaying and withholding documents in the Whitewater, FBI files, and the Travelgate investigations would not be repeated. Yet, now, 6 months into this investigation and a month after the deadline for compliance with the committee's March 4 subpoena, the President is repeating the same dilatory tactics of the past.

Many of the subpoenaed documents which the White House has failed to produce pertain to close friends that the President has appointed to high Government positions, such as Webster Hubbell, John Huang, and Mark Middleton. These people have taken the fifth amendment to our committee. Other documents pertain to individuals who have fled the country, such as former Little Rock restaurant owner, Charlie Trie, another Presidential appointee.

Last week we sent the White House two narrowly targeted subpoenas for documents dealing only with John Huang and the Riady family, nothing else. These documents were first requested by the committee over 6 months ago. Mr. Huang is being investigated for alleged illegal activities involving foreign governments and interests while a Federal employee at the Department of Commerce and his DNC fund-raising practices. Of the $3.4 million Huang raised for the DNC campaign during the last election, the DNC has pledged to return nearly half of that.

These two subpoenas were a real test case of whether the White House was going to cooperate with Congress or not. The deadline was yesterday, and the White House has not produced the documents. My staff has spent hours working with the White House to respond to its concerns.

Mr. Speaker, I would like to enter into the RECORD the chronology of the Government Reform and Oversight Committee's efforts to get the White House to turn over the documents regarding John Huang, which has been going on since last October. My predecessor, Chairman Clinger, issued the first request for Mr. Huang's documents on October 3, 1996. Six months, numerous letter requests, and three subpoenas later, the committee has yet to receive all the documents from the White House pertaining to John Huang.

Now we still need to obtain more documents that are outstanding and past due that are related to Charlie Trie, Webster Hubbell, and others. These documents are also being withheld and are important records we will be pursuing in the coming days.

Mr. Speaker, the major purpose of a congressional investigation is to illuminate the facts and not hide them. Congressional investigations are by their nature far different from a judicial inquiry where a grand jury conducts all matters secretly. Public disclosure of the facts is the essence and in large part the purpose of congressional oversight. The American people have a right to know the facts in these matters. The President committed to provide all documents. I hope that all Members, both Democrat and Republican, will join me in asking the President to keep his word and comply with our lawful subpoenas and produce all documents to our committee.

The document referred to is as follows:

GOVERNMENT REFORM AND OVERSIGHT CHRONOLOGY OF WHITE HOUSE DOCUMENT/SUBPOENA REQUESTS 1996–97

October 31, 1996—Then Chairman Clinger requested ''all records regarding Mr. Huang's activities'' including Huang's involvement in trade or foreign policy matters, all of Huang's White House meetings and explanation for Huang's fund-raising activities.

November 13, 1996—Chairman Clinger renewed his request for documents pertaining to John Huang.

November 1996–January 1997—Former White House Counsel Jack Quinn sent out memos to collect documents pertaining to John Huang, Charlie Trie and other key players connected with the illegal fund-raising allegations. White House made limited production of documents pertaining to these individuals.

January 15, 1997—Chairman Burton did a letter request to the White House for records pertaining to John Huang, Charlie Trie, Pauline Kanchanalak, and others. The due date for this request was January 30, 1997.

February 6, 1997—Chuck Ruff met with Chairman Burton and informed him that the President was going to be fully cooperative in providing documents and the President wouldn't claim executive privilege.

February-March 1997—Limited document productions are made and much of information provided was previously provided or already made public. Substantive documents were produced in connection with certain Senate nominations.

March 4, 1997—Chairman Burton issued a subpoena to the White House due on March 24, 1997 for documents pertaining to John Huang, the Riadys, Charlie Trie, Webster Hubbell and others.

March 19, 1997—White House Special Counsel Lanny Breuer wrote to the Committee Chief Counsel: ''I was heartened when you expressed an understanding that the White House anticipated making its production after the Committee had adopted governing protocols.''

March 28, 1997—White House Special Counsel Breuer again wrote: ''. . .the White House anticipated making its production after the Committee had adopted governing protocols.''

April 10, 1997—Committee adopts a document protocol for the handling and storage of documents.

April 15, 1997—White House Counsel's office informed Committee that documents would not be provided despite the adoption of the document protocol. Documents pertaining to categories 1–8 of the subpoena were gathered at this point but the White House does not want to turn them over and refused to provide a privilege log outlining the documents that will be withheld. (Only limited production of non-sensitive documents was made).

April 16, 1997—White House Counsel attorneys and Committee attorneys met to discuss obtaining the outstanding documents. The White House objected to turning over ''sensitive documents'' and refused to commit to providing a privilege log.

April 18, 1997—After extensive discussions with the White House and the minority staff, the Committee sent a detailed letter to the White House prioritizing the March 4, 1997 subpoena. The Committee was told at this time that items 1–8 of the subpoena were gathered. Other priority items were identified pertaining to Webster Hubbell and Mark Middleton and were requested by April 28, 1997.

April 23, 1997—White House Counsel met with Chairman Burton to discuss documents that the White House had not produced. Charles Ruff committed to providing a privilege log for documents the President was going to withhold. Ruff was served at that meeting with two subpoenas specifically requesting all documents pertaining to John Huang and James Riady. (These subpoenas were a subset of previously subpoenaed records and were due to the Committee at noon on April 28, 1997.)

April 28, 1997—White House failed to provide documents pertaining to John Huang, the Riadys or Webster Hubbell and did not provide a privilege log detailing withheld documents, nor a letter from the President asserting privilege.

BALANCING THE BUDGET SHOULD BE OUR FIRST PRIORITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Maine [Mr. BALDACCI] is recognized during morning hour debates for 5 minutes.

Mr. BALDACCI. Mr. Speaker, we have been from the beginning of time, seems like, trying to balance our budget, trying to work on problems that impact on American lives, trying to make sure that children have health care, that working families can be able

to educate their children, provide health care, and be able to provide an opportunity for their futures.

We have many people within our State that have to go elsewhere because they cannot find the economic opportunities in our State. But this continual haranguing as it deals with this partisan fundraising as far as the political activities that are going on is derailing us from what our most important mission ought to be, which is to balance the Federal budget, to secure it for future generations, not just our generation, but our grandchildren's generation and thereafter.

But the continual sniping and partisanship that has been displayed by the House chairman of the committee doing the investigation is doing a disservice to all Americans who are trying to provide for their families.

I would encourage Members on the other side of the aisle, as we try to seek a balanced budget and try to do it in a bipartisan fashion, that these kinds of outrages and outbursts do not serve anybody's interest, especially the public's interest. And when I go home every weekend, the people in Maine are not asking me about the political fundraising that is going on at the White House or in Washington, they are asking me what am I doing to make college more easily accessible to them and their families so that they do not have to go to the poor farm.

In our State it has gone from 75 percent of the loan being a grant to 75 percent of the loan being a loan, so they get indebted and they do not go on to college.

□ 1300

We have got a lot of young people who cannot endure those expenses. We have got working families that are trying to make do on the minimum wage, but they cannot provide health care for their families. Those are the issues that are important to Americans. Those are the issues that are important to Maine people and those are the issues that we as Members of Congress that were elected to serve our people and be a voice for our people ought to be addressing.

I would encourage Members on the other side of the aisle and those that are interested in a bipartisan fashion to stop all this political partisan sniping and to focus on these issues so that we can really tell the people of America and Maine some of the more important things that are going on and what we are working on and that we truly are putting their interest, the public interest, before the Democratic or the Republican interest, the public interest, because that ultimately is the oath of office that we are sworn to.

These continuing partisan snipes and outbursts serve nobody's purpose. All they do is further polarize parties so it makes it that much harder to get together. In order for us to work with a Democratic President and a Republican Congress, we are going to need to reach across the aisle. So these continuing outbursts and investigations and partisan sniping is not going to serve anybody's interest. They may help partisan political interests, but that really is not the interests for which we are here and elected to serve.

So while our time is here, we have to remember that famous quote, that we are not extraordinary people doing ordinary things. We are ordinary people trying to do extraordinary things. In order to do it, we have to continue to remember that it is being done for the public interest, not for the Democratic interest, not for the Republican interest, but the public interest.

I would encourage and implore my colleagues on the Republican side to work together with me to balance the budget and put the interests of the people first, not the interests of their party.

ON THE BUDGET

The SPEAKER pro tempore (Mr. BURTON of Indiana). Under the Speaker's announced policy of January 21, 1997, the gentleman from Virginia [Mr. BLILEY] is recognized during morning hour debates for 1 minute.

Mr. BLILEY. Mr. Speaker, I would say to the gentleman from Maine who preceded me in the well that I appreciate his remarks. It is time that we get moving on the budget and that we reach agreement.

But I would suggest firmly that he address his comments to his leadership in both bodies who have criticized the President recently for his willingness to work with the Republicans and to reach compromise. I think that would be more productive.

TODAY'S APPOINTMENTS BY PRESIDENT CLINTON TO NATIONAL GAMBLING IMPACT STUDY COMMISSION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Virginia [Mr. WOLF] is recognized during morning hour debates for 5 minutes.

Mr. WOLF. Mr. Speaker, today we just heard that the President made his appointments to the National Gambling Impact Study Commission. I would like to make a comment about it.

Today's appointments to the National Gambling Impact Study Commission by President Clinton, in my opinion, tilt the balance of the commission in favor of the gambling industry. The purpose of the commission is to conduct a study of gambling and provide America's communities with objective information so that they may make their own decisions about gambling.

The President personally told me that he supported the commission and appreciated its goals. In a letter to Senator Simon, the President wrote, and I quote, Senator Simon, former Senator from the State of Illinois who retired last year, he said:

> I deeply appreciate your efforts to draw attention to the growth of the gambling industry and its consequences. I have long shared your view about the need to consider carefully all of the effects of gambling, and I support the establishment of a commission for this purpose.

But that was before the casinos and the gambling interests began contributing to last year's elections. Today's appointments reaffirm how America feels about this administration. It appears to be for sale to the highest bidder and in cases like this is fundamentally corrupt.

The President of the United States today failed the American people. Today the President ignored all the problems related to gambling such as crime and corruption and cannibalization of business and the breakup of so many families.

The President turned his back on all those desperate Americans addicted to gambling who cheat, steal, or lie to fuel their habit. The President today willfully overlooked the suicides and the family dissolution that comes with gambling.

This is a sad day, I think, for America because the President's actions confirm the worst fears in that this administration has made a bad appointment and has, I think, poorly served the American people.

RECESS

The SPEAKER pro tempore (Mr. BLILEY). Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 5 minutes p.m.) the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. SNOWBARGER] at 2 p.m.

PRAYER

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

We are grateful, O God, for all of those people whose attitude toward their lives and the lives of others, and indeed to Your whole creation, is an inspiration to us and to all who meet them or know them. We are grateful that Your gifts of faith and hope and love inspire people not only to talk about the opportunities and responsibilities of daily living, but whose lives are full of doing those good works and deeds that benefit people and strengthen our society. Bless them, O God, and bless all people whose constructive spirit helps them and us better understand and appreciate the hopes and the fears of each day. This is our earnest 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.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Kentucky [Mrs. NORTHUP] come forward and lead the House in the Pledge of Allegiance.

Mrs. NORTHUP 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.

ONE MORE SPECIAL INTEREST RIP-OFF

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

Mr. CHABOT. Question: How many Federal directors does it take to run the National Sheep Industry Improvement Center? Answer: Nine.

Now, if this sounds like a bad joke, it is, and once again the joke is on the American taxpayer, because this sheep center is going to cost American taxpayers at least $20 million, maybe $50 million, and it is run by the very industries that it benefits.

Now, what is it supposed to do? Typical mumbo-jumbo. Listen: Promote strategic development activities and collaborative efforts; to maximize the impact of Federal assistance to strengthen and enhance the production and marketing; infrastructure development and on and on. Well, it gets my goat, that is for sure.

This is one more special interest rip-off that uses taxpayer dollars to do what corporate America should do for itself, and so the taxpayers keep getting fleeced.

Mr. Speaker, I am introducing a bill to eliminate this bad program. Let us end this ridiculous bit of shear nonsense.

AMERICA'S UNINSURED CHILDREN

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

Mr. PALLONE. Mr. Speaker, Mother's Day is fast approaching and there has been no committee action to date on passing legislation to cover America's uninsured children. Last week, the House Committee on Appropriations failed to pass an amendment to fully meet the President's funding request for the Women, Infants, and Children's Program.

According to the nonpartisan Center on Budget and Public Priorities, 180,000 participants will be cut off from this vital nutrition program by this September as a result of Republican actions. Even though the General Accounting Office has reported that each dollar invested in the prenatal component of WIC averts over $3.5 of Medicaid and other spending, Republicans felt that this prevention program did not warrant their full support.

Last week's vote on the Committee on Appropriations sends the wrong message to the American people. We should be working to ensure that our children are healthy and expand insurance options instead of rejecting proven preventive programs. Maybe the Republican leaders will surprise us by passing children's health care legislation through the committee process before Mother's Day. Democrats are waiting for Republican leaders to join us in helping our Nation's children.

CREATING A BETTER AMERICA

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

Mr. LEWIS of Kentucky. Mr. Speaker, now is the time for Congress to focus on our agenda. That agenda is aimed quite simply at creating a better America for ourselves and our children, creating a better tomorrow.

Mr. Speaker, that is exactly what generations of Americans have done for the past 200 years. Today, however, we must recognize two obstacles to the American success story. The first is the juvenile justice system that is broken. The second is a legal system that actually threatens volunteerism with absurd lawsuits.

Let us think about, Mr. Speaker, kids being safe, where every mother expects her government to provide a minimum of security for her children. As for the second, volunteerism, helping our kids in Little League, helping the poor and the elderly, volunteering our time at our churches, volunteerism is as American as apple pie.

But lawsuits and manipulation of the legal system threaten these activities everywhere. Let us start by passing reform of the juvenile justice system and volunteer protection legislation now.

HARSH NEW WELFARE LAW

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

Mr. GUTIERREZ. Mr. Speaker, in 94 days the new welfare law will rip apart the social safety net for hundreds of thousands of elderly, disabled, and vulnerable legal immigrants. But today, consider one such immigrant, just one, a woman in my district in Chicago.

Sophia is a 91-year-old Polish immigrant. She is in poor health and has little means of support besides her supplemental Social Security. During World War II, Sophia, then still in Poland, hid as many as a dozen Jews in her home, saved them from certain death at the hands of the Nazis.

Because of her compassion and courage, Sophia received a unique distinction from the Government of Israel. She received and was recognized as a righteous person because she had given others the chance to survive. Now Sophia has received a notice from our Government telling her that she is unworthy of Federal assistance, cutting off her only means of survival.

We have 94 days to restore benefits to legal immigrants like Sophia, to restore a sense of fairness and logic to the welfare debate, to restore the principles of compassion and justice. America should be proud to have immigrants like Sophia and ashamed of our harsh new welfare law.

COMMONSENSE FOREIGN POLICY

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

Mr. TRAFICANT. Mr. Speaker, America gives billions to Russia. With American cash, Russia builds missiles. Russia then sells those missiles to China, and China, who gets about $45 billion in trade giveaways from Uncle Sam, then sells those Russian-made missiles to Iran.

Now, Iran, with those Russian made missiles sold to them by China, threatens the Mideast. So Uncle Sam, who is concerned about Iran threatening the Mideast because of those Russian-made missiles sold to them by China that were financed by American cash, sends more troops and sends more dollars. Beam me up.

Now, if that is not enough to tax your rubles, check this out. Boris just signed a deal with those Chinese dictators that makes NATO look like the neighborhood crime watch.

Mr. Speaker, this is not foreign policy. This is foreign stupidity. I think a little common sense would go a lot further than all of these think tank experts and their advice.

WE MUST SAVE MEDICARE

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

Mr. KNOLLENBERG. Mr. Speaker, I may sound like a broken record, but just 1 year ago I stood here in this well and said we must save Medicare. I said we cannot let this program that helps so many senior citizens in our country go belly up. Yet as much as many things change, they sure seem to stay the same.

Medicare is still on the road to ruin and now we only have 4 years, 4 years before it is bankrupt. In fact, because of the President's inaction, it is now 2001. At that time Medicare will be $23.4 billion in the hole.

Perhaps the President may have had too much on his mind with all of those fundraising distractions last year. But now the campaign is over, and it is time to worry about our seniors who need a healthy Medicare to survive.

So I would ask my friends, particularly those on the other side of the aisle, to join in this time to help us fight, stop the games, stop the demagoging. It will not help your campaigns to put our seniors at risk. Let us save Medicare.

HOUSE MUST ACT NOW

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, as a member of the House Committee on the Judiciary and Subcommittee on Crime, I rise today to say to America, hatreds, no, terrorists, yes. The Republic of Texas this past weekend and the last couple of days held hostage two innocent Americans, two individuals who were guilty of nothing other than rejecting their terrorist activities.

Over 800 militia exist across the Nation. It does us no good to not respond to these unchecked fringe groups, violating the civil rights and constitutional rights of Americans.

This House must act now. Among the legislative inertia, we must respond to militia that are organized across this Nation to unseat this Government in a violent way. We must now have immediate hearings dealing with these types of groups. We must pass my House Resolution that indicates and asks for vigorous enforcement of U.S. laws against such militia and we must update the database. We cannot stand for these kinds of attacks on the constitutional and civil rights of Americans.

COMMONSENSE REFORMS TO REBUILD AMERICA

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

Mr. NEUMANN. Mr. Speaker, what American does not dream of creating a better life for himself, his family and his children. What American does not dream of living in a community where children are safe, the rights of all are respected and people feel a sense of belonging to that same community.

Mr. Speaker, I ask you what American who achieves success does not feel an obligation to give something back to his community and make a contribution to those who helped him get there. What American does not feel a duty to help those in need, a moral imperative to help those who face hardships, misfortunes, and struggles in their life.

Mr. Speaker, Americans have these dreams, feel these obligations and think about these challenges. The Republican agenda is aimed at addressing these very American ways of thinking about our society. It is an agenda aimed at commonsense reforms that will allow people to pursue their dreams, build strong families in safe communities, and create a better America for future generations. That is our agenda. It is time for this Congress to move forward and quickly act to implement that agenda.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SNOWBARGER). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 5 p.m. today.

WELFARE REFORM TECHNICAL CORRECTIONS ACT OF 1997

Mr. SHAW. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1048) to make technical amendments relating to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended.

The Clerk read as follows:

H.R. 1048

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 ''Welfare Reform Technical Corrections Act of 1997''.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—BLOCK GRANTS FOR TEMPORARY ASSISTANCE TO NEEDY FAMILIES

Sec. 101. Amendment of the Social Security Act.
Sec. 102. Eligible States; State plan.
Sec. 103. Grants to States.
Sec. 104. Use of grants.
Sec. 105. Mandatory work requirements.
Sec. 106. Prohibitions; requirements.
Sec. 107. Penalties.
Sec. 108. Data collection and reporting.
Sec. 109. Direct funding and administration by Indian Tribes.
Sec. 110. Research, evaluations, and national studies.
Sec. 111. Report on data processing.
Sec. 112. Study on alternative outcomes measures.
Sec. 113. Limitation on payments to the territories.
Sec. 114. Conforming amendments to the Social Security Act.
Sec. 115. Other conforming amendments.
Sec. 116. Modifications to the job opportunities for certain low-income individuals program.
Sec. 117. Denial of assistance and benefits for drug-related convictions.
Sec. 118. Transition rule.
Sec. 119. Effective dates.

TITLE II—SUPPLEMENTAL SECURITY INCOME

Subtitle A—Conforming and Technical Amendments

Sec. 201. Conforming and technical amendments relating to eligibility restrictions
Sec. 202. Conforming and technical amendments relating to benefits for disabled children.
Sec. 203. Additional technical amendments to title II.
Sec. 204. Additional technical amendments to title XVI.
Sec. 205. Additional technical amendments relating to titles II and XVI.
Sec. 206. Effective dates.

Subtitle B—Additional Amendments

Sec. 211. Technical amendments relating to drug addicts and alcoholics.
Sec. 212. Extension of disability insurance program demonstration project authority.
Sec. 213. Perfecting amendments related to withholding from social security benefits.
Sec. 214. Treatment of prisoners.
Sec. 215. Social Security Advisory Board personnel.

TITLE III—CHILD SUPPORT

Sec. 301. State obligation to provide child support enforcement services.
Sec. 302. Distribution of collected support.
Sec. 303. Civil penalties relating to State directory of new hires.
Sec. 304. Federal Parent Locator Service.
Sec. 305. Access to registry data for research purposes.
Sec. 306. Collection and use of social security numbers for use in child support enforcement.
Sec. 307. Adoption of uniform State laws.
Sec. 308. State laws providing expedited procedures.
Sec. 309. Voluntary paternity acknowledgement.
Sec. 310. Calculation of paternity establishment percentage.
Sec. 311. Means available for provision of technical assistance and operation of Federal Parent Locator Service.
Sec. 312. Authority to collect support from Federal employees.
Sec. 313. Definition of support order.
Sec. 314. State law authorizing suspension of licenses.
Sec. 315. International support enforcement.
Sec. 316. Child support enforcement for Indian Tribes.
Sec. 317. Continuation of rules for distribution of support in the case of a title IV–E child.
Sec. 318. Good cause in foster care and food stamp cases.
Sec. 319. Date of collection of support.
Sec. 320. Administrative enforcement in interstate cases.
Sec. 321. Work orders for arrearages.
Sec. 322. Additional technical State plan amendments.
Sec. 323. Federal Case Registry of Child Support Orders.
Sec. 324. Full faith and credit for child support orders.
Sec. 325. Development costs of automated systems.
Sec. 326. Additional technical amendments.
Sec. 327. Effective date.

TITLE IV—RESTRICTING WELFARE AND PUBLIC BENEFITS FOR ALIENS

Subtitle A—Eligibility for Federal, State, and Local Benefits

Sec. 401. Alien eligibility for Federal benefits: limited application to medicare and benefits under the Railroad Retirement Act.
Sec. 402. Exceptions to benefit limitations: corrections to reference concerning aliens whose deportation is withheld.
Sec. 403. Veterans exception: application of minimum active duty service requirement; extension to unremarried surviving spouse; expanded definition of veteran.

Sec. 404. Correction of reference concerning Cuban and Haitian entrants.
Sec. 405. Notification concerning aliens not lawfully present: correction of terminology.
Sec. 406. Freely associated states: contracts and licenses.
Sec. 407. Congressional statement regarding benefits for Hmong and other highland Lao veterans.

Subtitle B—General Provisions

Sec. 411. Determination of treatment of battered aliens as qualified aliens; inclusion of alien child of battered parent as qualified alien.
Sec. 412. Verification of eligibility for benefits.
Sec. 413. Qualifying quarters: disclosure of quarters of coverage information; correction to assure that crediting applies to all quarters earned by parents before child is 18.
Sec. 414. Statutory construction: benefit eligibility limitations applicable only with respect to aliens present in United States.

Subtitle C—Miscellaneous Clerical and Technical Amendments; Effective Date

Sec. 421. Correcting miscellaneous clerical and technical errors.
Sec. 422. Effective date.

TITLE V—CHILD PROTECTION

Sec. 501. Conforming and technical amendments relating to child protection.
Sec. 502. Additional technical amendments relating to child protection.
Sec. 503. Effective date.

TITLE VI—CHILD CARE

Sec. 601. Conforming and technical amendments relating to child care.
Sec. 602. Additional conforming and technical amendments.
Sec. 603. Repeals.
Sec. 604. Effective dates.

TITLE VII—ERISA AMENDMENTS RELATING TO MEDICAL CHILD SUPPORT ORDERS

Sec. 701. Amendments relating to section 303 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
Sec. 702. Amendment relating to section 381 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
Sec. 703. Amendments relating to section 382 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

TITLE I—BLOCK GRANTS FOR TEMPORARY ASSISTANCE TO NEEDY FAMILIES

SEC. 101. AMENDMENT OF THE SOCIAL SECURITY ACT.

Except as otherwise expressly provided, wherever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Social Security Act, and if the section or other provision is of part A of title IV of such Act, the reference shall be considered to be made to the section or other provision as amended by section 103, and as in effect pursuant to section 116, of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

SEC. 102. ELIGIBLE STATES; STATE PLAN.

(a) LATER DEADLINE FOR SUBMISSION OF STATE PLANS.—Section 402(a) (42 U.S.C. 602(a)) is amended by striking ''2-year period immediately preceding'' and inserting ''27-month period ending with the close of the 1st quarter of''.

(b) CLARIFICATION OF SCOPE OF WORK PROVISIONS.—Section 402(a)(1)(A)(ii) (42 U.S.C. 602(a)(1)(A)(ii)) is amended by inserting '', consistent with section 407(e)(2)'' before the period.

(c) CORRECTION OF CROSS-REFERENCE.—Section 402(a)(1)(A)(v) (42 U.S.C. 602(a)(1)(A)(v)) is amended by striking ''403(a)(2)(B)'' and inserting ''403(a)(2)(C)(iii)''.

(d) NOTIFICATION OF PLAN AMENDMENTS.—Section 402 (42 U.S.C. 602) is amended—

(1) by redesignating subsection (b) as subsection (c) and inserting after subsection (a) the following:

''(b) PLAN AMENDMENTS.—Within 30 days after a State amends a plan submitted pursuant to subsection (a), the State shall notify the Secretary of the amendment.''; and

(2) in subsection (c) (as so redesignated), by inserting ''or plan amendment'' after ''plan''.

SEC. 103. GRANTS TO STATES.

(a) BONUS FOR DECREASE IN ILLEGITIMACY MODIFIED TO TAKE ACCOUNT OF CERTAIN TERRITORIES.—

(1) IN GENERAL.—Section 403(a)(2)(B) (42 U.S.C. 603(a)(2)(B)) is amended to read as follows:

''(B) AMOUNT OF GRANT.—

''(i) IN GENERAL.—If, for a bonus year, none of the eligible States is Guam, the Virgin Islands, or American Samoa, then the amount of the grant shall be—

''(I) $20,000,000 if there are 5 eligible States; or

''(II) $25,000,000 if there are fewer than 5 eligible States.

''(ii) AMOUNT IF CERTAIN TERRITORIES ARE ELIGIBLE.—If, for a bonus year, Guam, the Virgin Islands, or American Samoa is an eligible State, then the amount of the grant shall be—

''(I) in the case of such a territory, 25 percent of the mandatory ceiling amount (as defined in section 1108(c)(4)) with respect to the territory; and

''(II) in the case of a State that is not such a territory—

''(aa) if there are 5 eligible States other than such territories, $20,000,000, minus ⅕ of the total amount of the grants payable under this paragraph to such territories for the bonus year; or

''(bb) if there are fewer than 5 such eligible States, $25,000,000, or such lesser amount as may be necessary to ensure that the total amount of grants payable under this paragraph for the bonus year does not exceed $100,000,000.''.

(2) CERTAIN TERRITORIES TO BE IGNORED IN RANKING OTHER STATES.—Section 403(a)(2)(C)(i)(I)(aa) (42 U.S.C. 603(a)(2)(C)(i)(I)(aa)) is amended by adding at the end the following: ''In the case of a State that is not a territory specified in subparagraph (B), the comparative magnitude of the decrease for the State shall be determined without regard to the magnitude of the corresponding decrease for any such territory.''.

(b) COMPUTATION OF BONUS BASED ON RATIOS OF OUT-OF-WEDLOCK BIRTHS TO ALL BIRTHS INSTEAD OF NUMBERS OF OUT-OF-WEDLOCK BIRTHS.—Section 403(a)(2) (42 U.S.C. 603(a)(2)) is amended—

(1) in the paragraph heading, by inserting ''RATIO'' before the period;

(2) in subparagraph (A), by striking all that follows ''bonus year'' and inserting a period; and

(3) in subparagraph (C)—

(A) in clause (i)—

(i) in subclause (I)(aa)—

(I) by striking ''number of out-of-wedlock births that occurred in the State during'' and inserting ''illegitimacy ratio of the State for''; and

(II) by striking ''number of such births that occurred during'' and inserting ''illegitimacy ratio of the State for''; and

(ii) in subclause (II)(aa)—

(I) by striking ''number of out-of-wedlock births that occurred in'' each place such term appears and inserting ''illegitimacy ratio of''; and

(II) by striking ''calculate the number of out-of-wedlock births'' and inserting ''calculate the illegitimacy ratio''; and

(B) by adding at the end the following:

''(iii) ILLEGITIMACY RATIO.—The term 'illegitimacy ratio' means, with respect to a State and a period—

''(I) the number of out-of-wedlock births to mothers residing in the State that occurred during the period; divided by

''(II) the number of births to mothers residing in the State that occurred during the period.''.

(c) USE OF CALENDAR YEAR DATA INSTEAD OF FISCAL YEAR DATA IN CALCULATING BONUS FOR DECREASE IN ILLEGITIMACY RATIO.—Section 403(a)(2)(C) (42 U.S.C. 603(a)(2)(C)) is amended—

(1) in clause (i)—

(A) in subclause (I)(bb)—

(i) by striking ''the fiscal year'' and inserting ''the calendar year for which the most recent data are available''; and

(ii) by striking ''fiscal year 1995'' and inserting ''calendar year 1995'';

(B) in subclause (II), by striking ''fiscal'' each place such term appears and inserting ''calendar''; and

(2) in clause (ii), by striking ''fiscal years'' and inserting ''calendar years''.

(d) CORRECTION OF HEADING.—Section 403(a)(3)(C)(ii) (42 U.S.C. 603(a)(3)(C)(ii)) is amended in the heading by striking ''1997'' and inserting ''1998''.

(e) CLARIFICATION OF CONTINGENCY FUND PROVISION.—Section 403(b) (42 U.S.C. 603(b)) is amended—

(1) in paragraph (6), by striking ''(5)'' and inserting ''(4)'';

(2) by striking paragraph (4) and redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively; and

(3) by inserting after paragraph (5) the following:

''(6) ANNUAL RECONCILIATION.—

''(A) IN GENERAL.—Notwithstanding paragraph (3), if the Secretary makes a payment to a State under this subsection in a fiscal year, then the State shall remit to the Secretary, within 1 year after the end of the first subsequent period of 3 consecutive months for which the State is not a needy State, an amount equal to the amount (if any) by which—

''(i) the total amount paid to the State under paragraph (3) of this subsection in the fiscal year; exceeds

''(ii) the product of—

''(I) the Federal medical assistance percentage for the State (as defined in section 1905(b), as such section was in effect on September 30, 1995);

''(II) the State's reimbursable expenditures for the fiscal year; and

''(III) 1/12 times the number of months during the fiscal year for which the Secretary made a payment to the State under such paragraph (3).

''(B) DEFINITIONS.—As used in subparagraph (A):

''(i) REIMBURSABLE EXPENDITURES.—The term 'reimbursable expenditures' means, with respect to a State and a fiscal year, the amount (if any) by which—

''(I) countable State expenditures for the fiscal year; exceeds

''(II) historic State expenditures (as defined in section 409(a)(7)(B)(iii)), excluding any amount expended by the State for child care under subsection (g) or (i) of section 402

(as in effect during fiscal year 1994) for fiscal year 1994.

''(ii) COUNTABLE STATE EXPENDITURES.—The term 'countable expenditures' means, with respect to a State and a fiscal year—

''(I) the qualified State expenditures (as defined in section 409(a)(7)(B)(i) (other than the expenditures described in subclause (I)(bb) of such section)) under the State program funded under this part for the fiscal year; plus

''(II) any amount paid to the State under paragraph (3) during the fiscal year that is expended by the State under the State program funded under this part.''.

(f) ADMINISTRATION OF CONTINGENCY FUND TRANSFERRED TO THE SECRETARY OF HHS.—Section 403(b)(7) (42 U.S.C. 603(b)(7)) is amended to read as follows:

''(7) STATE DEFINED.—As used in this subsection, the term 'State' means each of the 50 States and the District of Columbia.''.

SEC. 104. USE OF GRANTS.

Section 404(a)(2) (42 U.S.C. 604(a)(2)) is amended by inserting '', or (at the option of the State) August 21, 1996'' before the period.

SEC. 105. MANDATORY WORK REQUIREMENTS.

(a) FAMILY WITH A DISABLED PARENT NOT TREATED AS A 2-PARENT FAMILY.—Section 407(b)(2) (42 U.S.C. 607(b)(2)) is amended by adding at the end the following:

''(C) FAMILY WITH A DISABLED PARENT NOT TREATED AS A 2-PARENT FAMILY.—A family that includes a disabled parent shall not be considered a 2-parent family for purposes of subsections (a) and (b) of this section.''.

(b) CORRECTION OF HEADING.—Section 407(b)(3) (42 U.S.C. 607(b)(3)) is amended in the heading by inserting ''AND NOT RESULTING FROM CHANGES IN STATE ELIGIBILITY CRITERIA'' before the period.

(c) STATE OPTION TO INCLUDE INDIVIDUALS RECEIVING ASSISTANCE UNDER A TRIBAL WORK PROGRAM IN PARTICIPATION RATE CALCULATION.—Section 407(b)(4) (42 U.S.C. 607(b)(4)) is amended—

(1) in the heading, by inserting ''OR TRIBAL WORK PROGRAM'' before the period; and

(2) by inserting ''or under a tribal work program to which funds are provided under this part'' before the period.

(d) SHARING OF 35-HOUR WORK REQUIREMENT BETWEEN PARENTS IN 2-PARENT FAMILIES.—Section 407(c)(1)(B) (42 U.S.C. 607(c)(1)(B)) is amended—

(1) in clause (i)—

(A) by striking ''is'' and inserting ''and the other parent in the family are''; and

(B) by inserting ''a total of'' before ''at least''; and

(2) in clause (ii)—

(A) by striking ''individual's spouse is'' and inserting ''individual and the other parent in the family are'';

(B) by inserting ''for a total of at least 55 hours per week'' before ''during the month''; and

(C) by striking ''20'' and inserting ''50''.

(e) CLARIFICATION OF EFFORT REQUIRED IN WORK ACTIVITIES.—Section 407(c)(1)(B) (42 U.S.C. 607(c)(1)(B)) is amended by striking ''making progress'' each place such term appears and inserting ''participating''.

(f) ADDITIONAL CONDITION UNDER WHICH 12 WEEKS OF JOB SEARCH MAY COUNT AS WORK.—Section 407(c)(2)(A)(i) (42 U.S.C. 607(c)(2)(A)(i)) is amended by inserting ''or the State is a needy State (within the meaning of section 403(b)(6))'' after ''United States''.

(g) CARETAKER RELATIVE OF CHILD UNDER AGE 6 DEEMED TO BE MEETING WORK REQUIREMENTS IF ENGAGED IN WORK FOR 20 HOURS PER WEEK.—Section 407(c)(2)(B) (42 U.S.C. 607(c)(2)(B)) is amended—

(1) in the heading, by inserting ''OR RELATIVE'' after ''PARENT'' each place such term appears; and

(2) by striking ''in a 1-parent family who is the parent'' and inserting ''who is the only parent or caretaker relative in the family''.

(h) EXTENSION TO MARRIED TEENS OF RULE THAT RECEIPT OF SUFFICIENT EDUCATION IS ENOUGH TO MEET WORK PARTICIPATION REQUIREMENTS.—Section 407(c)(2)(C) (42 U.S.C. 607(c)(2)(C)) is amended—

(1) in the heading, by striking ''TEEN HEAD OF HOUSEHOLD'' and inserting ''SINGLE TEEN HEAD OF HOUSEHOLD OR MARRIED TEEN''; and

(2) by striking ''a single'' and inserting ''married or a''.

(i) CLARIFICATION OF NUMBER OF HOURS OF PARTICIPATION IN EDUCATION DIRECTLY RELATED TO EMPLOYMENT THAT ARE REQUIRED IN ORDER FOR SINGLE TEEN HEAD OF HOUSEHOLD OR MARRIED TEEN TO BE DEEMED TO BE ENGAGED IN WORK.—Section 407(c)(2)(C)(ii) (42 U.S.C. 607(c)(2)(C)(ii)) is amended by striking ''at least'' and all that follows through ''subsection'' and inserting ''an average of at least 20 hours per week during the month''.

(j) CLARIFICATION OF REFUSAL TO WORK FOR PURPOSES OF WORK PENALTIES FOR INDIVIDUALS.—Section 407(e)(2) (42 U.S.C. 607(e)(2)) is amended by striking ''work'' and inserting ''engage in work required in accordance with this section''.

SEC. 106. PROHIBITIONS; REQUIREMENTS.

(a) ELIMINATION OF REDUNDANT LANGUAGE; CLARIFICATION OF HOME RESIDENCE REQUIREMENT.—Section 408(a)(1) (42 U.S.C. 608(a)(1)) is amended to read as follows:

''(1) NO ASSISTANCE FOR FAMILIES WITHOUT A MINOR CHILD.—A State to which a grant is made under section 403 shall not use any part of the grant to provide assistance to a family, unless the family includes a minor child who resides with the family (consistent with paragraph (10)) or a pregnant individual.''.

(b) CLARIFICATION OF TERMINOLOGY.—Section 408(a)(3) (42 U.S.C. 608(a)(3)) is amended—

(1) by striking ''leaves'' the 1st, 3rd, and 4th places such term appears and inserting ''ceases to receive assistance under''; and

(2) by striking ''the date the family leaves the program'' the 2nd place such term appears and inserting ''such date''.

(c) ELIMINATION OF SPACE.—Section 408(a)(5)(A)(ii) (42 U.S.C. 608(a)(5)(A)(ii)) is amended by striking ''DESCRIBED.— For'' and inserting ''DESCRIBED.—For''.

(d) CORRECTIONS TO 5-YEAR LIMIT ON ASSISTANCE.—

(1) CLARIFICATION OF LIMITATION ON HARDSHIP EXEMPTION.—Section 408(a)(7)(C)(ii) (42 U.S.C. 608(a)(7)(C)(ii)) is amended—

(A) by striking ''The number'' and inserting ''The average monthly number''; and

(B) by inserting ''during the fiscal year or the immediately preceding fiscal year (but not both), as the State may elect'' before the period.

(2) RESIDENCE EXCEPTION MADE MORE UNIFORM AND EASIER TO ADMINISTER.—Section 408(a)(7)(D) (42 U.S.C. 608(a)(7)(D)) is amended to read as follows:

''(D) DISREGARD OF MONTHS OF ASSISTANCE RECEIVED BY ADULT WHILE LIVING IN INDIAN COUNTRY OR AN ALASKAN NATIVE VILLAGE WITH 50 PERCENT UNEMPLOYMENT.—

''(i) IN GENERAL.—In determining the number of months for which an adult has received assistance under a State or tribal program funded under this part, the State or tribe shall disregard any month during which the adult lived in Indian country or an Alaskan Native village if the most reliable data available with respect to the month (or a period including the month) indicate that at least 50 percent of the adults living in Indian country or in the village were not employed.

''(ii) INDIAN COUNTRY DEFINED.—As used in clause (i), the term 'Indian country' has the meaning given such term in section 1151 of title 18, United States Code.''.

(e) REINSTATEMENT OF DEEMING AND OTHER RULES APPLICABLE TO ALIENS WHO ENTERED THE UNITED STATES UNDER AFFIDAVITS OF SUPPORT FORMERLY USED.—Section 408 (42 U.S.C. 608) is amended by striking subsection (d) and inserting the following:

''(d) SPECIAL RULES RELATING TO TREATMENT OF CERTAIN ALIENS.—For special rules relating to the treatment of certain aliens, see title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

''(e) SPECIAL RULES RELATING TO THE TREATMENT OF NON-213A ALIENS.—The following rules shall apply if a State elects to take the income or resources of any sponsor of a non-213A alien into account in determining whether the alien is eligible for assistance under the State program funded under this part, or in determining the amount or types of such assistance to be provided to the alien:

''(1) DEEMING OF SPONSOR'S INCOME AND RESOURCES.—For a period of 3 years after a non-213A alien enters the United States:

''(A) INCOME DEEMING RULE.—The income of any sponsor of the alien and of any spouse of the sponsor is deemed to be income of the alien, to the extent that the total amount of the income exceeds the sum of—

''(i) the lesser of—

''(I) 20 percent of the total of any amounts received by the sponsor or any such spouse in the month as wages or salary or as net earnings from self-employment, plus the full amount of any costs incurred by the sponsor and any such spouse in producing self-employment income in such month; or

''(II) $175;

''(ii) the cash needs standard established by the State for purposes of determining eligibility for assistance under the State program funded under this part for a family of the same size and composition as the sponsor and any other individuals living in the same household as the sponsor who are claimed by the sponsor as dependents for purposes of determining the sponsor's Federal personal income tax liability but whose needs are not taken into account in determining whether the sponsor's family has met the cash needs standard;

''(iii) any amounts paid by the sponsor or any such spouse to individuals not living in the household who are claimed by the sponsor as dependents for purposes of determining the sponsor's Federal personal income tax liability; and

''(iv) any payments of alimony or child support with respect to individuals not living in the household.

''(B) RESOURCE DEEMING RULE.—The resources of a sponsor of the alien and of any spouse of the sponsor are deemed to be resources of the alien to the extent that the aggregate value of the resources exceeds $1,500.

''(C) SPONSORS OF MULTIPLE NON-213A ALIENS.—If a person is a sponsor of 2 or more non-213A aliens who are living in the same home, the income and resources of the sponsor and any spouse of the sponsor that would be deemed income and resources of any such alien under subparagraph (A) shall be divided into a number of equal shares equal to the number of such aliens, and the State shall deem the income and resources of each such alien to include 1 such share.

''(2) INELIGIBILITY OF NON-213A ALIENS SPONSORED BY AGENCIES; EXCEPTION.—A non-213A alien whose sponsor is or was a public or private agency shall be ineligible for assistance under a State program funded under this part, during a period of 3 years after the

alien enters the United States, unless the State agency administering the program determines that the sponsor either no longer exists or has become unable to meet the alien's needs.

''(3) INFORMATION PROVISIONS.—

''(A) DUTIES OF NON-213A ALIENS.—A non-213A alien, as a condition of eligibility for assistance under a State program funded under this part during the period of 3 years after the alien enters the United States, shall be required to provide to the State agency administering the program—

''(i) such information and documentation with respect to the alien's sponsor as may be necessary in order for the State agency to make any determination required under this subsection, and to obtain any cooperation from the sponsor necessary for any such determination; and

''(ii) such information and documentation as the State agency may request and which the alien or the alien's sponsor provided in support of the alien's immigration application.

''(B) DUTIES OF FEDERAL AGENCIES.—The Secretary shall enter into agreements with the Secretary of State and the Attorney General under which any information available to them and required in order to make any determination under this subsection will be provided by them to the Secretary (who may, in turn, make the information available, upon request, to a concerned State agency).

''(4) NON-213A ALIEN DEFINED.—An alien is a non-213A alien for purposes of this subsection if the affidavit of support or similar agreement with respect to the alien that was executed by the sponsor of the alien's entry into the United States was executed other than pursuant to section 213A of the Immigration and Nationality Act.

''(5) INAPPLICABILITY TO ALIEN MINOR SPONSORED BY A PARENT.—This subsection shall not apply to an alien who is a minor child if the sponsor of the alien or any spouse of the sponsor is a parent of the alien.

''(6) INAPPLICABILITY TO CERTAIN CATEGORIES OF ALIENS.—This subsection shall not apply to an alien who is—

''(A) admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act;

''(B) paroled into the United States under section 212(d)(5) of such Act for a period of at least 1 year; or

''(C) granted political asylum by the Attorney General under section 208 of such Act.''.

SEC. 107. PENALTIES.

(a) STATES GIVEN MORE TIME TO FILE QUARTERLY REPORTS.—Section 409(a)(2)(A) (42 U.S.C. 609(a)(2)(A)) is amended by striking ''1 month'' and inserting ''45 days''.

(b) TREATMENT OF SUPPORT PAYMENTS PASSED THROUGH TO FAMILIES AS QUALIFIED STATE EXPENDITURES.—Section 409(a)(7)(B)(i)(I)(aa) (42 U.S.C. 609(a)(7)(B)(i)(I)(aa)) is amended by inserting '', including any amount collected by the State as support pursuant to a plan approved under part D, on behalf of a family receiving assistance under the State program funded under this part, that is distributed to the family under section 457(a)(1)(B) and disregarded in determining the eligibility of the family for, and the amount of, such assistance'' before the period.

(c) DISREGARD OF EXPENDITURES MADE TO REPLACE PENALTY GRANT REDUCTIONS.—Section 409(a)(7)(B)(i) (42 U.S.C. 609(a)(7)(B)(i)) is amended by redesignating subclause (III) as subclause (IV) and by inserting after subclause (II) the following:

''(III) EXCLUSION OF AMOUNTS EXPENDED TO REPLACE PENALTY GRANT REDUCTIONS.—Such term does not include any amount expended in order to comply with paragraph (12).''.

(d) TREATMENT OF FAMILIES OF CERTAIN ALIENS AS ELIGIBLE FAMILIES.—Section 409(a)(7)(B)(i)(IV) (42 U.S.C. 609(a)(7)(B)(i)(IV)), as so redesignated by subsection (c) of this section, is amended—

(1) by striking ''and families'' and inserting ''families''; and

(2) by striking ''Act or section 402'' and inserting ''Act, and families of aliens lawfully present in the United States that would be eligible for such assistance but for the application of title IV''.

(e) ELIMINATION OF MEANINGLESS LANGUAGE.—Section 409(a)(7)(B)(ii) (42 U.S.C. 609(a)(7)(B)(ii)) is amended by striking ''reduced (if appropriate) in accordance with subparagraph (C)(ii)''.

(f) CLARIFICATION OF SOURCE OF DATA TO BE USED IN DETERMINING HISTORIC STATE EXPENDITURES.—Section 409(a)(7)(B) (42 U.S.C. 609(a)(7)(B)) is amended by adding at the end the following:

''(v) SOURCE OF DATA.—In determining expenditures by a State for fiscal years 1994 and 1995, the Secretary shall use information which was reported by the State on ACF Form 231 or (in the case of expenditures under part F) ACF Form 331, available as of the dates specified in clauses (ii) and (iii) of section 403(a)(1)(D).''.

(g) CLARIFICATION OF EXPENDITURES TO BE EXCLUDED IN DETERMINING HISTORIC STATE EXPENDITURES.—Section 409(a)(7)(B)(iv) (42 U.S.C. 609(a)(7)(B)(iv)) is amended—

(1) in subclause (IV), by striking ''under Federal programs'';

(2) by striking subclause (III) and redesignating subclause (IV) as subclause (III); and

(3) in the 2nd sentence—

(A) by striking ''(IV)'' and inserting ''(III)'';

(B) by striking ''an amount equal to''; and

(C) by striking ''that equal'' and inserting ''that equals''.

(h) CONFORMING TITLE IV–A PENALTIES TO TITLE IV–D PERFORMANCE-BASED STANDARDS.—Section 409(a)(8) (42 U.S.C. 609(a)(8)) is amended to read as follows:

''(8) NONCOMPLIANCE OF STATE CHILD SUPPORT ENFORCEMENT PROGRAM WITH REQUIREMENTS OF PART D.—

''(A) IN GENERAL.—If the Secretary finds, with respect to a State's program under part D, in a fiscal year beginning on or after October 1, 1997—

''(i)(I) on the basis of data submitted by a State pursuant to section 454(15)(B), or on the basis of the results of a review conducted under section 452(a)(4), that the State program failed to achieve the paternity establishment percentages (as defined in section 452(g)(2)), or to meet other performance measures that may be established by the Secretary;

''(II) on the basis of the results of an audit or audits conducted under section 452(a)(4)(C)(i) that the State data submitted pursuant to section 454(15)(B) is incomplete or unreliable; or

''(III) on the basis of the results of an audit or audits conducted under section 452(a)(4)(C) that a State failed to substantially comply with 1 or more of the requirements of part D; and

''(ii) that, with respect to the succeeding fiscal year—

''(I) the State failed to take sufficient corrective action to achieve the appropriate performance levels or compliance as described in subparagraph (A)(i); or

''(II) the data submitted by the State pursuant to section 454(15)(B) is incomplete or unreliable;

the amounts otherwise payable to the State under this part for quarters following the end of such succeeding fiscal year, prior to quarters following the end of the first quarter throughout which the State program has achieved the paternity establishment percentages or other performance measures as described in subparagraph (A)(i)(I), or is in substantial compliance with 1 or more of the requirements of part D as described in subparagraph (A)(i)(III), as appropriate, shall be reduced by the percentage specified in subparagraph (B).

''(B) AMOUNT OF REDUCTIONS.—The reductions required under subparagraph (A) shall be—

''(i) not less than 1 nor more than 2 percent;

''(ii) not less than 2 nor more than 3 percent, if the finding is the 2nd consecutive finding made pursuant to subparagraph (A); or

''(iii) not less than 3 nor more than 5 percent, if the finding is the 3rd or a subsequent consecutive such finding.

''(C) DISREGARD OF NONCOMPLIANCE WHICH IS OF A TECHNICAL NATURE.—For purposes of this section and section 452(a)(4), a State determined as a result of an audit—

''(i) to have failed to have substantially complied with 1 or more of the requirements of part D shall be determined to have achieved substantial compliance only if the Secretary determines that the extent of the noncompliance is of a technical nature which does not adversely affect the performance of the State's program under part D; or

''(ii) to have submitted incomplete or unreliable data pursuant to section 454(15)(B) shall be determined to have submitted adequate data only if the Secretary determines that the extent of the incompleteness or unreliability of the data is of a technical nature which does not adversely affect the determination of the level of the State's paternity establishment percentages (as defined under section 452(g)(2)) or other performance measures that may be established by the Secretary.''.

(i) CORRECTION OF REFERENCE TO 5-YEAR LIMIT ON ASSISTANCE.—Section 409(a)(9) (42 U.S.C. 609(a)(9)) is amended by striking ''408(a)(1)(B)'' and inserting ''408(a)(7)''.

(j) CORRECTION OF ERRORS IN PENALTY FOR FAILURE TO MEET MAINTENANCE OF EFFORT REQUIREMENT APPLICABLE TO THE CONTINGENCY FUND.—Section 409(a)(10) (42 U.S.C. 609(a)(10)) is amended—

(1) by striking ''the expenditures under the State program funded under this part for the fiscal year (excluding any amounts made available by the Federal Government)'' and inserting ''the qualified State expenditures (as defined in paragraph (7)(B)(i) (other than the expenditures described in subclause (I)(bb) of that paragraph)) under the State program funded under this part for the fiscal year'';

(2) by inserting ''excluding any amount expended by the State for child care under subsection (g) or (i) of section 402 (as in effect during fiscal year 1994) for fiscal year 1994,'' after ''(as defined in paragraph (7)(B)(iii) of this subsection),''; and

(3) by inserting ''that the State has not remitted under section 403(b)(6)'' before the period.

(k) PENALTY FOR STATE FAILURE TO EXPEND ADDITIONAL STATE FUNDS TO REPLACE GRANT REDUCTIONS.—Section 409(a)(12) (42 U.S.C. 609(a)(12)) is amended—

(1) in the heading—

(A) by striking ''FAILURE'' and inserting ''REQUIREMENT''; and

(B) by striking ''REDUCTIONS'' and inserting ''REDUCTIONS; PENALTY FOR FAILURE TO DO SO''; and

(2) by inserting '', and if the State fails to do so, the Secretary may reduce the grant payable to the State under section 403(a)(1) for the fiscal year that follows such succeeding fiscal year by an amount equal to not

more than 2 percent of the State family assistance grant'' before the period.

(l) ELIMINATION OF CERTAIN REASONABLE CAUSE EXCEPTIONS.—Section 409(b)(2) (42 U.S.C. 609(b)(2)) is amended by striking ''(7) or (8)'' and inserting ''(6), (7), (8), (10), or (12)''.

(m) CLARIFICATION OF WHAT IT MEANS TO CORRECT A VIOLATION.—Section 409(c) (42 U.S.C. 609(c)) is amended—

(1) in each of subparagraphs (A) and (B) of paragraph (1), by inserting ''or discontinue, as appropriate,'' after ''correct'';

(2) in paragraph (2)—

(A) in the heading, by inserting ''OR DISCONTINUING'' after ''CORRECTING''; and

(B) by inserting ''or discontinues, as appropriate'' after ''corrects''; and

(3) in paragraph (3)—

(A) in the heading, by inserting ''OR DISCONTINUE'' after ''CORRECT''; and

(B) by inserting ''or discontinue, as appropriate,'' before ''the violation''.

(n) CERTAIN PENALTIES NOT AVOIDABLE THROUGH CORRECTIVE COMPLIANCE PLANS.—Section 409(c)(4) (42 U.S.C. 609(c)(4)) is amended to read as follows:

''(4) INAPPLICABILITY TO CERTAIN PENALTIES.—This subsection shall not apply to the imposition of a penalty against a State under paragraph (6), (7), (8), (10), or (12) of subsection (a).''.

SEC. 108. DATA COLLECTION AND REPORTING.

Section 411(a) (42 U.S.C. 611(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by striking clause (ii) and inserting the following:

''(ii) Whether a child receiving such assistance or an adult in the family is receiving—

''(I) disability insurance benefits under section 223;

''(II) benefits based on disability under section 202;

''(III) aid under a State plan approved under title XIV (as in effect without regard to the amendment made by section 301 of the Social Security Amendments of 1972));

''(IV) aid or assistance under a State plan approved under title XVI (as in effect without regard to such amendment) by reason of being permanently and totally disabled; or

''(V) supplemental security income benefits under title XVI (as in effect pursuant to such amendment) by reason of disability.'';

(ii) in clause (iv), by striking ''youngest child in'' and inserting ''head of'';

(iii) in each of clauses (vii) and (viii), by striking ''status'' and inserting ''level''; and

(iv) by adding at the end the following:

''(xvii) With respect to each individual in the family who has not attained 20 years of age, whether the individual is a parent of a child in the family.''; and

(B) in subparagraph (B)—

(i) in the heading, by striking ''ESTIMATES'' and inserting ''SAMPLES''; and

(ii) in clause (i), by striking ''an estimate which is obtained'' and inserting ''disaggregated case record information on a sample of families selected''; and

(2) by redesignating paragraph (6) as paragraph (7) and inserting after paragraph (5) the following:

''(6) REPORT ON FAMILIES RECEIVING ASSISTANCE.—The report required by paragraph (1) for a fiscal quarter shall include for each month in the quarter the number of families and individuals receiving assistance under the State program funded under this part (including the number of 2-parent and 1-parent families), and the total dollar value of such assistance received by all families.''.

SEC. 109. DIRECT FUNDING AND ADMINISTRATION BY INDIAN TRIBES.

(a) PRORATING OF TRIBAL FAMILY ASSISTANCE GRANTS.—Section 412(a)(1)(A) (42 U.S.C. 612(a)(1)(A)) is amended by inserting ''which shall be reduced for a fiscal year, on a pro rata basis for each quarter, in the case of a tribal family assistance plan approved during a fiscal year for which the plan is to be in effect,'' before ''and shall''.

(b) TRIBAL OPTION TO OPERATE WORK ACTIVITIES PROGRAM.—Section 412(a)(2)(A) (42 U.S.C. 612(a)(2)(A)) is amended by striking ''The Secretary'' and all that follows through ''2002'' and inserting ''For each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002, the Secretary shall pay to each eligible Indian tribe that proposes to operate a program described in subparagraph (C)''.

(c) DISCRETION OF TRIBES TO SELECT POPULATION TO BE SERVED BY TRIBAL WORK ACTIVITIES PROGRAM.—Section 412(a)(2)(C) (42 U.S.C. 612(a)(2)(C)) is amended by striking ''members of the Indian tribe'' and inserting ''such population and such service area or areas as the tribe specifies''.

(d) REDUCTION OF APPROPRIATION FOR TRIBAL WORK ACTIVITIES PROGRAMS.—Section 412(a)(2)(D) (42 U.S.C. 612(a)(2)(D)) is amended by striking ''$7,638,474'' and inserting ''$7,633,287''.

(e) AVAILABILITY OF CORRECTIVE COMPLIANCE PLANS TO INDIAN TRIBES.—Section 412(f)(1) (42 U.S.C. 612(f)(1)) is amended by striking ''and (b)'' and inserting ''(b), and (c)''.

(f) ELIGIBILITY OF TRIBES FOR FEDERAL LOANS FOR WELFARE PROGRAMS.—Section 412 (42 U.S.C. 612) is amended by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively, and by inserting after subsection (e) the following:

''(f) ELIGIBILITY FOR FEDERAL LOANS.—Section 406 shall apply to an Indian tribe with an approved tribal assistance plan in the same manner as such section applies to a State, except that section 406(c) shall be applied by substituting 'section 412(a)' for 'section 403(a)'.''.

SEC. 110. RESEARCH, EVALUATIONS, AND NATIONAL STUDIES.

(a) RESEARCH.—

(1) METHODS.—Section 413(a) (42 U.S.C. 613(a)) is amended by inserting '', directly or through grants, contracts, or interagency agreements,'' before ''shall conduct''.

(2) CORRECTION OF CROSS REFERENCE.—Section 413(a) (42 U.S.C. 613(a)) is amended by striking ''409'' and inserting ''407''.

(b) CORRECTION OF ERRONEOUSLY INDENTED PARAGRAPH.—Section 413(e)(1) (42 U.S.C. 613(e)(1)) is amended to read as follows:

''(1) IN GENERAL.—The Secretary shall annually rank States to which grants are made under section 403 based on the following ranking factors:

''(A) ABSOLUTE OUT-OF-WEDLOCK RATIOS.—The ratio represented by—

''(i) the total number of out-of-wedlock births in families receiving assistance under the State program under this part in the State for the most recent year for which information is available; over

''(ii) the total number of births in families receiving assistance under the State program under this part in the State for the year.

''(B) NET CHANGES IN THE OUT-OF-WEDLOCK RATIO.—The difference between the ratio described in subparagraph (A) with respect to a State for the most recent year for which such information is available and the ratio with respect to the State for the immediately preceding year.''.

(c) FUNDING OF PRIOR AUTHORIZED DEMONSTRATIONS.—Section 413(h)(1)(D) (42 U.S.C. 613(h)(1)(D)) is amended by striking ''September 30, 1995'' and inserting ''August 22, 1996''.

(d) CHILD POVERTY REPORTS.—

(1) DELAYED DUE DATE FOR INITIAL REPORT.—Section 413(i)(1) (42 U.S.C. 613(i)(1)) is amended by striking ''90 days after the date of the enactment of this part'' and inserting ''November 30, 1997''.

(2) MODIFICATION OF FACTORS TO BE USED IN ESTABLISHING METHODOLOGY FOR USE IN DETERMINING CHILD POVERTY RATES.—Section 413(i)(5) (42 U.S.C. 613(i)(5)) is amended by striking ''the county-by-county'' and inserting '', to the extent available, county-by-county''.

SEC. 111. REPORT ON DATA PROCESSING.

Section 106(a)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2164) is amended by striking ''(whether in effect before or after October 1, 1995)''.

SEC. 112. STUDY ON ALTERNATIVE OUTCOMES MEASURES.

Section 107(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2164) is amended by striking ''409(a)(7)(C)'' and inserting ''408(a)(7)(C)''.

SEC. 113. LIMITATION ON PAYMENTS TO THE TERRITORIES.

(a) CERTAIN PAYMENTS TO BE DISREGARDED IN DETERMINING LIMITATION.—Section 1108(a) (42 U.S.C. 1308) is amended to read as follows:

''(a) LIMITATION ON TOTAL PAYMENTS TO EACH TERRITORY.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act (except for paragraph (2) of this subsection), the total amount certified by the Secretary of Health and Human Services under titles I, X, XIV, and XVI, under parts A and E of title IV, and under subsection (b) of this section, for payment to any territory for a fiscal year shall not exceed the ceiling amount for the territory for the fiscal year.

''(2) CERTAIN PAYMENTS DISREGARDED.—Paragraph (1) of this subsection shall be applied without regard to any payment made under section 403(a)(2), 403(a)(4), 406, or 413(f).''.

(b) CERTAIN CHILD CARE AND SOCIAL SERVICES EXPENDITURES BY TERRITORIES TREATED AS IV–A EXPENDITURES FOR PURPOSES OF MATCHING GRANT.—Section 1108(b)(1)(A) (42 U.S.C. 1308(b)(1)(A)) is amended by inserting '', including any amount paid to the State under part A of title IV that is transferred in accordance with section 404(d) and expended under the program to which transferred'' before the semicolon.

(c) ELIMINATION OF DUPLICATIVE MAINTENANCE OF EFFORT REQUIREMENT.—Section 1108 (42 U.S.C. 1308) is amended by striking subsection (e).

SEC. 114. CONFORMING AMENDMENTS TO THE SOCIAL SECURITY ACT.

(a) AMENDMENTS TO PART D OF TITLE IV.—

(1) CORRECTIONS TO DETERMINATION OF PATERNITY ESTABLISHMENT PERCENTAGES.—Section 452 (42 U.S.C. 652) is amended—

(A) in subsection (d)(3)(A), by striking all that follows ''for purposes of'' and inserting ''section 409(a)(8), to achieve the paternity establishment percentages (as defined under section 452(g)(2)) and other performance measures that may be established by the Secretary, and to submit data under section 454(15)(B) that is complete and reliable, and to substantially comply with the requirements of this part; and''; and

(B) in subsection (g)(1), by striking ''section 403(h)'' and inserting ''section 409(a)(8)''.

(2) ELIMINATION OF OBSOLETE LANGUAGE.—Section 108(c)(8)(C) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2165) is amended by inserting ''and all that follows through 'the best interests of such child to do so'' before ''and inserting''.

(3) INSERTION OF LANGUAGE INADVERTENTLY OMITTED.—Section 108(c)(13) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193;

110 Stat. 2166) is amended by inserting ''and inserting 'pursuant to section 408(a)(3)' '' before the period.

(4) ELIMINATION OF OBSOLETE CROSS REFERENCE.—Section 464(a)(1) (42 U.S.C. 664(a)(1)) is amended by striking ''section 402(a)(26)'' and inserting ''section 408(a)(3)''.

(b) AMENDMENTS TO PART E OF TITLE IV.—Each of the following is amended by striking ''June 1, 1995'' each place such term appears and inserting ''July 16, 1996'':

(1) Section 472(a) (42 U.S.C. 672(a)).

(2) Section 472(h) (42 U.S.C. 672(h)).

(3) Section 473(a)(2) (42 U.S.C. 673(a)(2)).

(4) Section 473(b) (42 U.S.C. 673(b)).

SEC. 115. OTHER CONFORMING AMENDMENTS.

(a) ELIMINATION OF AMENDMENTS INCLUDED INADVERTENTLY.—Section 110(l) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2173) is amended—

(1) by adding ''and'' at the end of paragraph (6); and

(2) by striking paragraph (7) and redesignating paragraph (8) as paragraph (7).

(b) CORRECTION OF CITATION.—Section 109(f) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2177) is amended by striking ''93–186'' and inserting ''93–86''.

(c) CORRECTION OF INTERNAL CROSS REFERENCE.—Section 103(a)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2112) is amended by striking ''603(b)(2)'' and inserting ''603(b)''.

SEC. 116. MODIFICATIONS TO THE JOB OPPORTUNITIES FOR CERTAIN LOW-INCOME INDIVIDUALS PROGRAM.

Section 112(5) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2177) is amended in each of subparagraphs (A) and (B) by inserting ''under'' after ''funded''.

SEC. 117. DENIAL OF ASSISTANCE AND BENEFITS FOR DRUG-RELATED CONVICTIONS.

(a) EXTENSION OF CERTAIN REQUIREMENTS COORDINATED WITH DELAYED EFFECTIVE DATE FOR SUCCESSOR PROVISIONS.—Section 115(d)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2181) is amended by striking ''convictions'' and inserting ''a conviction if the conviction is for conduct''.

(b) IMMEDIATE EFFECTIVENESS OF PROVISIONS RELATING TO RESEARCH, EVALUATIONS, AND NATIONAL STUDIES.—Section 116(a) of such Act (Public Law 104–193; 110 Stat. 2181) is amended by adding at the end the following:

''(6) RESEARCH, EVALUATIONS, AND NATIONAL STUDIES.—Section 413 of the Social Security Act, as added by the amendment made by section 103(a) of this Act, shall take effect on the date of the enactment of this Act.''.

SEC. 118. TRANSITION RULE.

Section 116 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2181) is amended—

(1) in subsection (a)(2), by inserting ''(but subject to subsection (b)(1)(A)(ii))'' after ''this section''; and

(2) in subsection (b)(1)(A)(ii), by striking ''June 30, 1997'' and inserting ''the later of June 30, 1997, or the day before the date described in subsection (a)(2)(B) of this section''.

SEC. 119. EFFECTIVE DATES.

(a) AMENDMENTS TO PART A OF TITLE IV OF THE SOCIAL SECURITY ACT.—The amendments made by this title to a provision of part A of title IV of the Social Security Act shall take effect as if the amendments had been included in section 103(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 at the time such section became law.

(b) AMENDMENTS TO PARTS D AND E OF TITLE IV OF THE SOCIAL SECURITY ACT.—The amendments made by section 114 of this Act shall take effect as if the amendments had been included in section 108 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 at the time such section 108 became law.

(c) AMENDMENTS TO OTHER AMENDATORY PROVISIONS.—The amendments made by section 115(a) of this Act shall take effect as if the amendments had been included in section 110 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 at the time such section 110 became law.

(d) AMENDMENTS TO FREESTANDING PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.—The amendments made by this title to a provision of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 that, as of July 1, 1997, will not have become part of another statute shall take effect as if the amendments had been included in the provision at the time the provision became law.

TITLE II—SUPPLEMENTAL SECURITY INCOME

Subtitle A—Conforming and Technical Amendments

SEC. 201. CONFORMING AND TECHNICAL AMENDMENTS RELATING TO ELIGIBILITY RESTRICTIONS

(a) DENIAL OF SSI BENEFITS FOR FUGITIVE FELONS AND PROBATION AND PAROLE VIOLATORS.—Section 1611(e)(6) of the Social Security Act (42 U.S.C. 1382(e)(6)) is amended by inserting ''and section 1106(c) of this Act'' after ''of 1986''.

(b) TREATMENT OF PRISONERS.—Section 1611(e)(1)(I)(i)(II) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)(i)(II)) is amended by striking ''inmate of the institution'' and all that follows through ''this subparagraph'' and inserting ''individual who receives in the month preceding the first month throughout which such individual is an inmate of the jail, prison, penal institution, or correctional facility that furnishes information respecting such individual pursuant to subclause (I), or is confined in the institution (that so furnishes such information) as described in section 202(x)(1)(A)(ii), a benefit under this title for such preceding month, and who is determined by the Commissioner to be ineligible for benefits under this title by reason of confinement based on the information provided by such institution''.

(c) CORRECTION OF REFERENCE.—Section 1611(e)(1)(I)(i)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)(i)(I)) is amended by striking ''paragraph (1)'' and inserting ''this paragraph''.

SEC. 202. CONFORMING AND TECHNICAL AMENDMENTS RELATING TO BENEFITS FOR DISABLED CHILDREN.

(a) ELIGIBILITY REDETERMINATIONS FOR CURRENT RECIPIENTS.—Section 211(d)(2)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 1382c note) is amended by striking ''1 year'' and inserting ''18 months''.

(b) ELIGIBILITY REDETERMINATIONS AND CONTINUING DISABILITY REVIEWS.—

(1) DISABILITY ELIGIBILITY REDETERMINATIONS REQUIRED FOR SSI RECIPIENTS WHO ATTAIN 18 YEARS OF AGE.—Section 1614(a)(3)(H)(iii) of the Social Security Act (42 U.S.C. 1382c(a)(3)(H)(iii)) is amended by striking subclauses (I) and (II) and all that follows and inserting the following:

''(I) by applying the criteria used in determining initial eligibility for individuals who are age 18 or older; and

''(II) either during the 1-year period beginning on the individual's 18th birthday or, in lieu of a continuing disability review, whenever the Commissioner determines that an individual's case is subject to a redetermination under this clause.

With respect to any redetermination under this clause, paragraph (4) shall not apply.''.

(2) CONTINUING DISABILITY REVIEW REQUIRED FOR LOW BIRTH WEIGHT BABIES.—Section 1614(a)(3)(H)(iv) of the Social Security Act (42 U.S.C. 1382c(a)(3)(H)(iv)) is amended—

(A) in subclause (I), by striking ''Not'' and inserting ''Except as provided in subclause (VI), not''; and

(B) by adding at the end the following:

''(VI) Subclause (I) shall not apply in the case of an individual described in that subclause who, at the time of the individual's initial disability determination, the Commissioner determines has an impairment that is not expected to improve within 12 months after the birth of that individual, and who the Commissioner schedules for a continuing disability review at a date that is after the individual attains 1 year of age.''.

(c) ADDITIONAL ACCOUNTABILITY REQUIREMENTS.—Section 1631(a)(2)(F) of the Social Security Act (42 U.S.C. 1383(a)(2)(F)) is amended—

(1) in clause (ii)(III)(bb), by striking ''the total amount'' and all that follows through ''1613(c)'' and inserting ''in any case in which the individual knowingly misapplies benefits from such an account, the Commissioner shall reduce future benefits payable to such individual (or to such individual and his spouse) by an amount equal to the total amount of such benefits so misapplied''; and

(2) by striking clause (iii) and inserting the following:

''(iii) The representative payee may deposit into the account established under clause (i) any other funds representing past due benefits under this title to the eligible individual, provided that the amount of such past due benefits is equal to or exceeds the maximum monthly benefit payable under this title to an eligible individual (including State supplementary payments made by the Commissioner pursuant to an agreement under section 1616 or section 212(b) of Public Law 93–66).''.

(d) REDUCTION IN CASH BENEFITS PAYABLE TO INSTITUTIONALIZED INDIVIDUALS WHOSE MEDICAL COSTS ARE COVERED BY PRIVATE INSURANCE.—Section 1611(e) of the Social Security Act (42 U.S.C. 1382(e)) is amended—

(1) in paragraph (1)(B)—

(A) in the matter preceding clause (i), by striking ''hospital, extended care facility, nursing home, or intermediate care facility'' and inserting ''medical treatment facility'';

(B) in clause (ii)—

(i) in the matter preceding subclause (I), by striking ''hospital, home or''; and

(ii) in subclause (I), by striking ''hospital, home, or'';

(C) in clause (iii), by striking ''hospital, home, or''; and

(D) in the matter following clause (iii), by striking ''hospital, extended care facility, nursing home, or intermediate care facility which is a 'medical institution or nursing facility' within the meaning of section 1917(c)'' and inserting ''medical treatment facility that provides services described in section 1917(c)(1)(C)'';

(2) in paragraph (1)(E)—

(A) in clause (i)(II), by striking ''hospital, extended care facility, nursing home, or intermediate care facility'' and inserting ''medical treatment facility''; and

(B) in clause (iii), by striking ''hospital, extended care facility, nursing home, or intermediate care facility'' and inserting ''medical treatment facility'';

(3) in paragraph (1)(G), in the matter preceding clause (i)—

(A) by striking ''or which is a hospital, extended care facility, nursing home, or intermediate care'' and inserting ''or is in a medical treatment''; and

(B) by inserting ''or, in the case of an individual who is a child under the age of 18, under any health insurance policy issued by a private provider of such insurance'' after ''title XIX''; and

(4) in paragraph (3)—

(A) by striking ''same hospital, home, or facility'' and inserting ''same medical treatment facility''; and

(B) by striking ''same such hospital, home, or facility'' and inserting ''same such facility''.

(e) CORRECTION OF U.S.C. CITATION.—Section 211(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2189) is amended by striking ''1382(a)(4)'' and inserting ''1382c(a)(4)''.

SEC. 203. ADDITIONAL TECHNICAL AMENDMENTS TO TITLE II.

Title II of the Social Security Act (42 U.S.C. 401 et seq.) is amended—

(1) in section 205(j)(4)(B)(i), by adding ''and'' at the end; and

(2) in section 215(i)(2)(D), by striking ''He'' and inserting ''The Commissioner of Social Security''.

SEC. 204. ADDITIONAL TECHNICAL AMENDMENTS TO TITLE XVI.

Section 1615(d) of the Social Security Act (42 U.S.C. 1382d(d)) is amended—

(1) in the first sentence, by inserting a comma after ''subsection (a)(1)''; and

(2) in the last sentence, by striking ''him'' and inserting ''the Commissioner''.

SEC. 205. ADDITIONAL TECHNICAL AMENDMENTS RELATING TO TITLES II AND XVI.

Section 1110(a)(3) of the Social Security Act (42 U.S.C. 1310(a)(3)) is amended—

(1) by inserting ''(or the Commissioner, with respect to any jointly financed cooperative agreement or grant concerning titles II or XVI)'' after ''Secretary'' the first place it appears; and

(2) by inserting ''(or the Commissioner, as applicable)'' after ''Secretary'' the second place it appears.

SEC. 206. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this subtitle shall take effect as if included in the enactment of title II of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2185).

(b) EXCEPTION.—The amendments made by section 205 shall take effect as if included in the enactment of the Social Security Independence and Program Improvements Act of 1994 (Public Law 103–296; 108 Stat. 1464).

Subtitle B—Additional Amendments

SEC. 211. TECHNICAL AMENDMENTS RELATING TO DRUG ADDICTS AND ALCOHOLICS.

(a) CLARIFICATIONS RELATING TO THE EFFECTIVE DATE OF THE DENIAL OF DISABILITY BENEFITS TO DRUG ADDICTS AND ALCOHOLICS.—

(1) AMENDMENTS RELATING TO DISABILITY BENEFITS UNDER TITLE II.—Section 105(a)(5) of the Contract with America Advancement Act of 1996 (Public Law 104–121; 110 Stat. 853) is amended—

(A) in subparagraph (A), by striking ''by the Commissioner of Social Security'' and ''by the Commissioner''; and

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

''(D) For purposes of this paragraph, an individual's claim, with respect to benefits under title II of the Social Security Act based on disability, which has been denied in whole before the date of the enactment of this Act, may not be considered to be finally adjudicated before such date if, on or after such date—

''(i) there is pending a request for either administrative or judicial review with respect to such claim, or

''(ii) there is pending, with respect to such claim, a readjudication by the Commissioner of Social Security pursuant to relief in a class action or implementation by the Commissioner of a court remand order.

''(E) Notwithstanding the provisions of this paragraph, with respect to any individual for whom the Commissioner of Social Security does not perform the entitlement redetermination before the date prescribed in subparagraph (C), the Commissioner shall perform such entitlement redetermination in lieu of a continuing disability review whenever the Commissioner determines that the individual's entitlement is subject to redetermination based on the preceding provisions of this paragraph, and the provisions of section 223(f) of the Social Security Act shall not apply to such redetermination.''.

(2) AMENDMENTS RELATING TO SUPPLEMENTAL SECURITY INCOME DISABILITY BENEFITS UNDER TITLE XVI.—Section 105(b)(5) of such Act (Public Law 104–121; 110 Stat. 853) is amended—

(A) in subparagraph (A), by striking ''by the Commissioner of Social Security'' and ''by the Commissioner''; and

(B) by redesignating subparagraph (D) as subparagraph (F) and by inserting after subparagraph (C) the following new subparagraphs:

''(D) For purposes of this paragraph, an individual's claim, with respect to supplemental security income benefits under title XVI of the Social Security Act based on disability, which has been denied in whole before the date of the enactment of this Act, may not be considered to be finally adjudicated before such date if, on or after such date—

''(i) there is pending a request for either administrative or judicial review with respect to such claim, or

''(ii) there is pending, with respect to such claim, a readjudication by the Commissioner of Social Security pursuant to relief in a class action or implementation by the Commissioner of a court remand order.

''(E) Notwithstanding the provisions of this paragraph, with respect to any individual for whom the Commissioner does not perform the eligibility redetermination before the date prescribed in subparagraph (C), the Commissioner shall perform such eligibility redetermination in lieu of a continuing disability review whenever the Commissioner determines that the individual's eligibility is subject to redetermination based on the preceding provisions of this paragraph, and the provisions of section 1614(a)(4) of the Social Security Act shall not apply to such redetermination.''.

(b) CORRECTIONS TO EFFECTIVE DATE OF PROVISIONS CONCERNING REPRESENTATIVE PAYEES AND TREATMENT REFERRALS OF DRUG ADDICTS AND ALCOHOLICS.—

(1) AMENDMENTS RELATING TO TITLE II DISABILITY BENEFICIARIES.—Section 105(a)(5)(B) of such Act (Public Law 104–121; 110 Stat. 853) is amended to read as follows:

''(B) The amendments made by paragraphs (2) and (3) shall take effect on July 1, 1996, with respect to any individual—

''(i) whose claim for benefits is finally adjudicated on or after the date of the enactment of this Act, or

''(ii) whose entitlement to benefits is based upon an entitlement redetermination made pursuant to subparagraph (C).''.

(2) AMENDMENTS RELATING TO SUPPLEMENTAL SECURITY INCOME RECIPIENTS.—Section 105(b)(5)(B) of such Act (Public Law 104–121; 110 Stat. 853) is amended to read as follows:

''(B) The amendments made by paragraphs (2) and (3) shall take effect on July 1, 1996, with respect to any individual—

''(i) whose claim for benefits is finally adjudicated on or after the date of the enactment of this Act, or

''(ii) whose eligibility for benefits is based upon an eligibility redetermination made pursuant to subparagraph (C).''.

(c) REPEAL OF OBSOLETE REPORTING REQUIREMENTS.—Subsections (a)(3)(B) and (b)(3)(B)(ii) of section 201 of the Social Security Independence and Program Improvements Act of 1994 (Public Law 103–296; 108 Stat. 1497, 1504) are repealed.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall take effect as if included in the enactment of section 105 of the Contract with America Advancement Act of 1996 (Public Law 104–121; 110 Stat. 852 et seq.).

(2) REPEALS.—The repeals made by subsection (c) shall take effect on the date of the enactment of this Act.

SEC. 212. EXTENSION OF DISABILITY INSURANCE PROGRAM DEMONSTRATION PROJECT AUTHORITY.

(a) IN GENERAL.—Section 505 of the Social Security Disability Amendments of 1980 (Public Law 96–265; 94 Stat. 473), as amended by section 12101 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (Public Law 99–272; 100 Stat. 282), section 10103 of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101–239; 103 Stat. 2472), section 5120(f) of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101–508; 104 Stat. 1388–282), and section 315 of the Social Security Independence and Program Improvements Act of 1994 (Public Law 103–296; 108 Stat. 1531), is further amended—

(1) in paragraph (1) of subsection (a), by adding at the end the following new sentence: ''The Commissioner may expand the scope of any such experiment or demonstration project to include any group of applicants for benefits under such program with impairments which may reasonably be presumed to be disabling for purposes of such experiment or demonstration project, and may limit any such experiment or demonstration project to any such group of applicants, subject to the terms of such experiment or demonstration project which shall define the extent of any such presumption.'';

(2) in paragraph (3) of subsection (a), by striking ''June 10, 1996'' and inserting ''June 10, 1999'';

(3) in paragraph (4) of subsection (a), by inserting ''and on or before October 1, 1998,'' after ''1995,''; and

(4) in subsection (c), by striking ''October 1, 1996'' and inserting ''October 1, 1999''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 213. PERFECTING AMENDMENTS RELATED TO WITHHOLDING FROM SOCIAL SECURITY BENEFITS.

(a) INAPPLICABILITY OF ASSIGNMENT PROHIBITION.—Section 207 of the Social Security Act (42 U.S.C. 407) is amended by adding at the end the following new subsection:

''(c) Nothing in this section shall be construed to prohibit withholding taxes from any benefit under this title, if such withholding is done pursuant to a request made in accordance with section 3402(p)(1) of the Internal Revenue Code of 1986 by the person entitled to such benefit or such persons' representative payee.''.

(b) PROPER ALLOCATION OF COSTS OF WITHHOLDING BETWEEN THE TRUST FUNDS AND THE GENERAL FUND.—Section 201(g) of such Act (42 U.S.C. 401(g)) is amended—

(1) by inserting before the period in paragraph (1)(A)(ii) the following: ''and the functions of the Social Security Administration in connection with the withholding of taxes from benefits, as described in section 207(c), pursuant to requests by persons entitled to such benefits or such persons' representative payee'';

(2) by inserting before the period at the end of paragraph (1)(A) the following: ''and the functions of the Social Security Administration in connection with the withholding of taxes from benefits, as described in section 207(c), pursuant to requests by persons entitled to such benefits or such persons' representative payee'';

(3) in paragraph (1)(B)(i)(I), by striking ''subparagraph (A)),'' and inserting ''subparagraph (A)) and the functions of the Social Security Administration in connection with the withholding of taxes from benefits, as described in section 207(c), pursuant to requests by persons entitled to such benefits or such persons' representative payee,'';

(4) in paragraph (1)(C)(iii), by inserting before the period the following: ''and the functions of the Social Security Administration in connection with the withholding of taxes from benefits, as described in section 207(c), pursuant to requests by persons entitled to such benefits or such persons' representative payee'';

(5) in paragraph (1)(D), by inserting after ''section 232'' the following: ''and the functions of the Social Security Administration in connection with the withholding of taxes from benefits as described in section 207(c)''; and

(6) in paragraph (4), by inserting after the first sentence the following: ''The Board of Trustees of such Trust Funds shall prescribe before January 1, 1998, the method of determining the costs which should be borne by the general fund in the Treasury of carrying out the functions of the Social Security Administration in connection with the withholding of taxes from benefits, as described in section 207(c), pursuant to requests by persons entitled to such benefits or such persons' representative payee.''.

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply to benefits paid on or after the first day of the second month beginning after the month in which this Act is enacted.

SEC. 214. TREATMENT OF PRISONERS.

(a) IMPLEMENTATION OF PROHIBITION AGAINST PAYMENT OF TITLE II BENEFITS TO PRISONERS.—

(1) IN GENERAL.—Section 202(x)(3) of the Social Security Act (42 U.S.C. 402(x)(3)) is amended—

(A) by inserting ''(A)'' after ''(3)''; and

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

''(B)(i) The Commissioner shall enter into an agreement, with any interested State or local institution comprising a jail, prison, penal institution, correctional facility, or other institution a purpose of which is to confine individuals as described in paragraph (1)(A), under which—

''(I) the institution shall provide to the Commissioner, on a monthly basis and in a manner specified by the Commissioner, the names, social security account numbers, dates of birth, confinement commencement dates, and, to the extent available to the institution, such other identifying information concerning the individuals confined in the institution as the Commissioner may require for the purpose of carrying out paragraph (1); and

''(II) the Commissioner shall pay to the institution, with respect to information described in subclause (I) concerning each individual who is confined therein as described in paragraph (1)(A), who receives a benefit under this title for the month preceding the first month of such confinement, and whose benefit under this title is determined by the Commissioner to be not payable by reason of confinement based on the information provided by the institution, $400 (subject to reduction under clause (ii)) if the institution furnishes the information to the Commissioner within 30 days after the date such individual's confinement in such institution begins, or $200 (subject to reduction under clause (ii)) if the institution furnishes the information after 30 days after such date but within 90 days after such date.

''(ii) The dollar amounts specified in clause (i)(II) shall be reduced by 50 percent if the Commissioner is also required to make a payment to the institution with respect to the same individual under an agreement entered into under section 1611(e)(1)(I).

''(iii) There is authorized to be transferred from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as appropriate, such sums as may be necessary to enable the Commissioner to make payments to institutions required by clause (i)(II).

''(iv) The Commissioner is authorized to provide, on a reimbursable basis, information obtained pursuant to agreements entered into under clause (i) to any agency administering a Federal or federally-assisted cash, food, or medical assistance program for eligibility purposes.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to individuals whose period of confinement in an institution commences on or after the first day of the fourth month beginning after the month in which this Act is enacted.

(b) ELIMINATION OF TITLE II REQUIREMENT THAT CONFINEMENT STEM FROM CRIME PUNISHABLE BY IMPRISONMENT FOR MORE THAN 1 YEAR.—

(1) IN GENERAL.—Section 202(x)(1)(A) of such Act (42 U.S.C. 402(x)(1)(A)) is amended—

(A) in the matter preceding clause (i), by striking ''during'' and inserting ''throughout'';

(B) in clause (i), by striking ''an offense punishable by imprisonment for more than 1 year (regardless of the actual sentence imposed)'' and inserting ''a criminal offense''; and

(C) in clause (ii)(I), by striking ''an offense punishable by imprisonment for more than 1 year'' and inserting ''a criminal offense''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to individuals whose period of confinement in an institution commences on or after the first day of the fourth month beginning after the month in which this Act is enacted.

(c) INCLUSION OF TITLE II ISSUES IN STUDY AND REPORT REQUIREMENTS RELATING TO PRISONERS.—

(1) IN GENERAL.—Section 203(b)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193) is amended—

(A) in subparagraph (A), by striking ''section 1611(e)(1)'' and inserting ''sections 202(x) and 1611(e)(1)''; and

(B) in subparagraph (B), by striking ''section 1611(e)(1)(I)'' and inserting ''section 202(x)(3)(B) or 1611(e)(1)(I)''.

(2) CONFORMING AMENDMENT.—Section 203(c) of such Act is amended by striking ''section 1611(e)(1)(I)'' and all that follows and inserting the following: ''sections 202(x)(3)(B) and 1611(e)(1)(I) of the Social Security Act.''.

(3) APPLICATION.—The amendments made by paragraph (1) shall apply as if included in the enactment of section 203(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193). The amendment made by paragraph (2) shall apply as if included in the enactment of section 203(c) of such Act.

(d) CONFORMING TITLE XVI AMENDMENTS.—

(1) FIFTY PERCENT REDUCTION IN TITLE XVI PAYMENT IN CASE INVOLVING COMPARABLE TITLE II PAYMENT.—Section 1611(e)(1)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)), as amended by section 201(b) of this Act, is amended further—

(A) in clause (i)(II), by inserting ''(subject to reduction under clause (ii))'' after ''$400'' and after ''$200'';

(B) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv) respectively; and

(C) by inserting after clause (i) the following new clause:

''(ii) The dollar amounts specified in clause (i)(II) shall be reduced by 50 percent if the Commissioner is also required to make a payment to the institution with respect to the same individual under an agreement entered into under section 202(x)(3)(B).''.

(2) EXPANSION OF CATEGORIES OF INSTITUTIONS ELIGIBLE TO ENTER INTO AGREEMENTS WITH THE COMMISSIONER.—Section 1611(e)(1)(I)(i) of such Act (42 U.S.C. 1382(e)(1)(I)(i)) is amended in the matter preceding subclause (I) by striking ''institution'' and all that follows through ''section 202(x)(1)(A),'' and inserting ''institution comprising a jail, prison, penal institution, or correctional facility, or with any other interested State or local institution a purpose of which is to confine individuals as described in section 202(x)(1)(A)(ii),''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the enactment of section 203(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2186). The reference to section 202(x)(1)(A)(ii) of the Social Security Act in section 1611(e)(1)(I)(i) of such Act as amended by paragraph (2) shall be deemed a reference to such section 202(x)(1)(A)(ii) as amended by subsection (b)(1)(C).

(e) EXEMPTION FROM COMPUTER MATCHING REQUIREMENTS.—

(1) IN GENERAL.—Section 552a(a)(8)(B) of title 5, United States Code, is amended—

(A) by striking ''or'' at the end of clause (v) and inserting a semicolon;

(B) by inserting ''or'' at the end of clause (vi); and

(C) by inserting after clause (vi) the following new clause:

''(vii) matches performed pursuant to section 202(x), 205(j), 1611(e)(1), or 1631(a)(2) of the Social Security Act;''.

(2) CONFORMING AMENDMENT.—Section 1611(e)(1)(I)(iii) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)(iii)), as so redesignated by subsection (d)(1)(B) of this section, is amended—

(A) by striking ''(I) The provisions'' and all that follows through ''(II) The Commissioner'' and inserting ''The Commissioner''; and

(B) by inserting ''agency administering a'' before ''Federal or federally–assisted''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(f) CONTINUED DENIAL OF BENEFITS TO SEX OFFENDERS REMAINING CONFINED TO PUBLIC INSTITUTIONS UPON COMPLETION OF PRISON TERM.—

(1) IN GENERAL.—Section 202(x)(1)(A) of the Social Security Act (42 U.S.C. 402(x)(1)(A)) is amended—

(A) in clause (i), by striking ''or'' at the end;

(B) in clause (ii)(IV), by striking the period and inserting '', or''; and

(C) by adding at the end the following new clause:

''(iii) immediately upon completion of confinement as described in clause (i) pursuant to conviction of a criminal offense an element of which is sexual activity, is confined by court order in an institution at public expense pursuant to a finding that the individual is a sexually dangerous person or a sexual predator or a similar finding.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to benefits for months ending after the date of the enactment of this Act.

SEC. 215. SOCIAL SECURITY ADVISORY BOARD PERSONNEL.

(a) IN GENERAL.—Section 703(i) of the Social Security Act (42 U.S.C. 903(i)) is amended—

(1) in the first sentence, by striking '', and three'' and all that follows through ''Board,''; and

(2) in the last sentence, by striking ''clerical''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of section 108 of the Contract with America Advancement Act of 1996 (Public Law 104–121; 110 Stat. 857).

TITLE III—CHILD SUPPORT

SEC. 301. STATE OBLIGATION TO PROVIDE CHILD SUPPORT ENFORCEMENT SERVICES.

(a) INDIVIDUALS SUBJECT TO FEE FOR CHILD SUPPORT ENFORCEMENT SERVICES.—Section 454(6)(B) of the Social Security Act (42 U.S.C. 654(6)(B)) is amended by striking ''individuals not receiving assistance under any State program funded under part A, which'' and inserting ''an individual, other than an individual receiving assistance under a State program funded under part A or E, or under a State plan approved under title XIX, or who is required by the State to cooperate with the State agency administering the program under this part pursuant to subsection (l) or (m) of section 6 of the Food Stamp Act of 1977, and''.

(b) CORRECTION OF REFERENCE.—Section 464(a)(2)(A) of the Social Security Act (42 U.S.C. 654(a)(2)(A)) is amended in the first sentence by striking ''section 454(6)'' and inserting ''section 454(4)(A)(ii)''.

SEC. 302. DISTRIBUTION OF COLLECTED SUPPORT.

(a) CONTINUATION OF ASSIGNMENTS.—Section 457(b) of the Social Security Act (42 U.S.C. 657(b)) is amended—

(1) by striking ''which were assigned'' and inserting ''assigned''; and

(2) by striking ''and which were in effect'' and all that follows and inserting ''and in effect on September 30, 1997 (or such earlier date, on or after August 22, 1996, as the State may choose), shall remain assigned after such date.''.

(b) STATE OPTION FOR APPLICABILITY.—

(1) IN GENERAL.—Section 457(a) of the Social Security Act (42 U.S.C. 657(a)) is amended by adding at the end the following:

''(6) STATE OPTION FOR APPLICABILITY.—Notwithstanding any other provision of this subsection, a State may elect to apply the rules described in clauses (i)(II), (ii)(II), and (v) of paragraph (2)(B) to support arrearages collected on and after October 1, 1998, and, if the State makes such an election, shall apply the provisions of this section, as in effect and applied on the day before the date of enactment of section 302 of the Personal Responsibility and Work Opportunity Act of 1996 (Public Law 104–193, 110 Stat. 2200), other than subsection (b)(1) (as so in effect), to amounts collected before October 1, 1998.''.

(2) CONFORMING AMENDMENTS.—Section 408(a)(3)(A) of the Social Security Act (42 U.S.C. 608(a)(3)(A)) is amended—

(A) in clause (i), by inserting ''(I)'' after ''(i)'';

(B) in clause (ii)—

(i) by striking ''(ii)'' and inserting ''(II)''; and

(ii) by striking the period and inserting ''; or''; and

(C) by adding at the end, the following:

''(ii) if the State elects to distribute collections under section 457(a)(6), the date the family ceases to receive assistance under the program, if the assignment is executed on or after October 1, 1998.''.

(c) DISTRIBUTION OF COLLECTIONS WITH RESPECT TO FAMILIES RECEIVING ASSISTANCE.—Section 457(a)(1) of the Social Security Act (42 U.S.C. 657(a)(1)) is amended by adding at the end the following flush language:

''In no event shall the total of the amounts paid to the Federal Government and retained by the State exceed the total of the amounts that have been paid to the family as assistance by the State.''.

(d) FAMILIES UNDER CERTAIN AGREEMENTS.—Section 457(a)(4) of the Social Security Act (42 U.S.C. 657(a)(4)) is amended to read as follows:

''(4) FAMILIES UNDER CERTAIN AGREEMENTS.—In the case of an amount collected for a family in accordance with a cooperative agreement under section 454(33), distribute the amount so collected pursuant to the terms of the agreement.''.

(e) STUDY AND REPORT.—Section 457(a)(5) of the Social Security Act (42 U.S.C. 657(a)(5)) is amended by striking ''1998'' and inserting ''1999''.

(f) CORRECTIONS OF REFERENCES.—Section 457(a)(2)(B) of the Social Security Act (42 U.S.C. 657(a)(2)(B)) is amended—

(1) in clauses (i)(I) and (ii)(I)—

(A) by striking ''(other than subsection (b)(1))'' each place it appears; and

(B) by inserting ''(other than subsection (b)(1) (as so in effect))'' after ''1996'' each place it appears; and

(2) in clause (ii)(II), by striking ''paragraph (4)'' and inserting ''paragraph (5)''.

(g) CORRECTION OF TERRITORIAL MATCH.—Section 457(c)(3)(A) of the Social Security Act (42 U.S.C. 657(c)(3)(A)) is amended by striking ''the Federal medical assistance percentage (as defined in section 1118)'' and inserting ''75 percent''.

(h) DEFINITIONS.—

(1) FEDERAL SHARE.—Section 457(c)(2) of the Social Security Act (42 U.S.C. 657(c)(2)) is amended by striking ''collected'' the second place it appears and inserting ''distributed''.

(2) FEDERAL MEDICAL ASSISTANCE PERCENTAGE.—Section 457(c)(3)(B) of the Social Security Act (42 U.S.C. 657(c)(3)(B)) is amended by striking ''as in effect on September 30, 1996'' and inserting ''as such section was in effect on September 30, 1995''.

(i) CONFORMING AMENDMENTS.—

(1) Section 464(a)(2)(A) of the Social Security Act (42 U.S.C. 664(a)(2)(A)) is amended, in the penultimate sentence, by inserting ''in accordance with section 457'' after ''owed''.

(2) Section 466(a)(3)(B) of the Social Security Act (42 U.S.C. 666(a)(3)(B)) is amended by striking ''457(b)(4) or (d)(3)'' and inserting ''457''.

SEC. 303. CIVIL PENALTIES RELATING TO STATE DIRECTORY OF NEW HIRES.

Section 453A of the Social Security Act (42 U.S.C. 653a) is amended—

(1) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking ''shall be less than'' and inserting ''shall not exceed''; and

(B) in paragraph (1), by striking ''$25'' and inserting ''$25 per failure to meet the requirements of this section with respect to a newly hired employee''; and

(2) in subsection (g)(2)(B), by striking ''extracts'' and all that follows through ''Labor'' and inserting ''information''.

SEC. 304. FEDERAL PARENT LOCATOR SERVICE.

(a) IN GENERAL.—Section 453 of the Social Security Act (42 U.S.C. 653) is amended—

(1) in subsection (a)—

(A) by inserting ''(1)'' after ''(a)''; and

(B) by striking ''to obtain'' and all that follows through the period and inserting ''for the purposes specified in paragraphs (2) and (3).

''(2) For the purpose of establishing parentage, establishing, setting the amount of, modifying, or enforcing child support obligations, the Federal Parent Locator Service shall obtain and transmit to any authorized person specified in subsection (c)—

''(A) information on, or facilitating the discovery of, the location of any individual—

''(i) who is under an obligation to pay child support;

''(ii) against whom such an obligation is sought; or

''(iii) to whom such an obligation is owed, including the individual's social security number (or numbers), most recent address, and the name, address, and employer identification number of the individual's employer;

''(B) information on the individual's wages (or other income) from, and benefits of, employment (including rights to or enrollment in group health care coverage); and

''(C) information on the type, status, location, and amount of any assets of, or debts owed by or to, any such individual.

''(3) For the purpose of enforcing any Federal or State law with respect to the unlawful taking or restraint of a child, or making or enforcing a child custody or visitation determination, as defined in section 463(d)(1), the Federal Parent Locator Service shall be used to obtain and transmit the information specified in section 463(c) to the authorized persons specified in section 463(d)(2).'';

(2) by striking subsection (b) and inserting the following:

''(b)(1) Upon request, filed in accordance with subsection (d), of any authorized person, as defined in subsection (c) for the information described in subsection (a)(2), or of any authorized person, as defined in section 463(d)(2) for the information described in section 463(c), the Secretary shall, notwithstanding any other provision of law, provide through the Federal Parent Locator Service such information to such person, if such information—

''(A) is contained in any files or records maintained by the Secretary or by the Department of Health and Human Services; or

''(B) is not contained in such files or records, but can be obtained by the Secretary, under the authority conferred by subsection (e), from any other department, agency, or instrumentality of the United States or of any State,

and is not prohibited from disclosure under paragraph (2).

''(2) No information shall be disclosed to any person if the disclosure of such information would contravene the national policy or security interests of the United States or the confidentiality of census data. The Secretary shall give priority to requests made by any authorized person described in subsection (c)(1). No information shall be disclosed to any person if the State has notified the Secretary that the State has reasonable evidence of domestic violence or child abuse and the disclosure of such information could be harmful to the custodial parent or the child of such parent, provided that—

''(A) in response to a request from an authorized person (as defined in subsection (c) and section 463(d)(2)), the Secretary shall advise the authorized person that the Secretary has been notified that there is reasonable evidence of domestic violence or child

abuse and that information can only be disclosed to a court or an agent of a court pursuant to subparagraph (B); and

''(B) information may be disclosed to a court or an agent of a court described in subsection (c)(2) or section 463(d)(2)(B), if—

''(i) upon receipt of information from the Secretary, the court determines whether disclosure to any other person of that information could be harmful to the parent or the child; and

''(ii) if the court determines that disclosure of such information to any other person could be harmful, the court and its agents shall not make any such disclosure.

''(3) Information received or transmitted pursuant to this section shall be subject to the safeguard provisions contained in section 454(26).''; and

(3) in subsection (c)—

(A) in paragraph (1), by striking ''or to seek to enforce orders providing child custody or visitation rights''; and

(B) in paragraph (2)—

(i) by inserting ''or to serve as the initiating court in an action to seek an order'' after ''issue an order''; and

(ii) by striking ''or to issue an order against a resident parent for child custody or visitation rights''.

(b) USE OF THE FEDERAL PARENT LOCATOR SERVICE.—Section 463 of the Social Security Act (42 U.S.C. 663) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''any State which is able and willing to do so,'' and inserting ''every State''; and

(ii) by striking ''such State'' and inserting ''each State''; and

(B) in paragraph (2), by inserting ''or visitation'' after ''custody'';

(2) in subsection (b)(2), by inserting ''or visitation'' after ''custody'';

(3) in subsection (d)—

(A) in paragraph (1), by inserting ''or visitation'' after ''custody''; and

(B) in subparagraphs (A) and (B) of paragraph (2), by inserting ''or visitation'' after ''custody'' each place it appears;

(4) in subsection (f)(2), by inserting ''or visitation'' after ''custody''; and

(5) by striking ''noncustodial'' each place it appears.

SEC. 305. ACCESS TO REGISTRY DATA FOR RESEARCH PURPOSES.

(a) IN GENERAL.—Section 453(j)(5) of the Social Security Act (42 U.S.C. 653(j)(5)) is amended by inserting ''data in each component of the Federal Parent Locator Service maintained under this section and to'' before ''information''.

(b) CONFORMING AMENDMENTS.—Section 453 of the Social Security Act (42 U.S.C. 653) is amended—

(1) in subsection (j)(3)(B), by striking ''registries'' and inserting ''components''; and

(2) in subsection (k)(2), by striking ''subsection (j)(3)'' and inserting ''section 453A(g)(2)''.

SEC. 306. COLLECTION AND USE OF SOCIAL SECURITY NUMBERS FOR USE IN CHILD SUPPORT ENFORCEMENT.

Section 466(a)(13) of the Social Security Act (42 U.S.C. 666(a)(13)) is amended—

(1) in subparagraph (A)—

(A) by striking ''commercial''; and

(B) by inserting ''recreational license,'' after ''occupational license,''; and

(2) in the matter following subparagraph (C), by inserting ''to be used on the face of the document while the social security number is kept on file at the agency'' after ''other than the social security number''.

SEC. 307. ADOPTION OF UNIFORM STATE LAWS.

Section 466(f) of the Social Security Act (42 U.S.C. 666(f)) is amended by striking ''together'' and all that follows and inserting ''and as in effect on August 22, 1996, including any amendments officially adopted as of such date by the National Conference of Commissioners on Uniform State Laws.''.

SEC. 308. STATE LAWS PROVIDING EXPEDITED PROCEDURES.

Section 466(c) of the Social Security Act (42 U.S.C. 666(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (E), by inserting '', part E,'' after ''part A''; and

(B) in subparagraph (G), by inserting ''any current support obligation and'' after ''to satisfy''; and

(2) in paragraph (2)(A)—

(A) in clause (i), by striking ''the tribunal and''; and

(B) in clause (ii)—

(i) by striking ''tribunal may'' and inserting ''court or administrative agency of competent jurisdiction shall''; and

(ii) by striking ''filed with the tribunal'' and inserting ''filed with the State case registry''.

SEC. 309. VOLUNTARY PATERNITY ACKNOWLEDGEMENT.

Section 466(a)(5)(C)(i) of the Social Security Act (42 U.S.C. 666(a)(5)(C)(i)) is amended by inserting '', or through the use of video or audio equipment,'' after ''orally''.

SEC. 310. CALCULATION OF PATERNITY ESTABLISHMENT PERCENTAGE.

Section 452(g)(2) of the Social Security Act (42 U.S.C. 652(g)(2)) is amended, in the matter following subparagraph (C), by striking ''subparagraph (A)'' and inserting ''subparagraphs (A) and (B)''.

SEC. 311. MEANS AVAILABLE FOR PROVISION OF TECHNICAL ASSISTANCE AND OPERATION OF FEDERAL PARENT LOCATOR SERVICE.

(a) TECHNICAL ASSISTANCE.—Section 452(j) of the Social Security Act (42 U.S.C. 652(j)), is amended, in the matter preceding paragraph (1), by striking ''to cover costs incurred by the Secretary'' and inserting ''which shall be available for use by the Secretary, either directly or through grants, contracts, or interagency agreements,''.

(b) OPERATION OF FEDERAL PARENT LOCATOR SERVICE.—

(1) MEANS AVAILABLE.—Section 453(o) of the Social Security Act (42 U.S.C. 653(o)) is amended—

(A) in the heading, by striking ''RECOVERY OF COSTS'' and inserting ''USE OF SET-ASIDE FUNDS''; and

(B) by striking ''to cover costs incurred by the Secretary'' and inserting ''which shall be available for use by the Secretary, either directly or through grants, contracts, or interagency agreements,''.

(2) AVAILABILITY OF FUNDS.—Section 453(o) of the Social Security Act (42 U.S.C. 653(o)) is amended by adding at the end the following: ''Amounts appropriated under this subsection for each of fiscal years 1997 through 2001 shall remain available until expended.''.

SEC. 312. AUTHORITY TO COLLECT SUPPORT FROM FEDERAL EMPLOYEES.

(a) RESPONSE TO NOTICE OR PROCESS.—Section 459(c)(2)(C) of the Social Security Act (42 U.S.C. 659(c)(2)(C)) is amended by striking ''respond to the order, process, or interrogatory'' and inserting ''withhold available sums in response to the order or process, or answer the interrogatory''.

(b) MONEYS SUBJECT TO PROCESS.—Section 459(h)(1) of the Social Security Act (42 U.S.C. 659(h)(1)) is amended—

(1) in the matter preceding subparagraph (A) and in subparagraph (A)(i), by striking ''paid or'' each place it appears;

(2) in subparagraph (A)—

(A) in clause (ii)(V), by striking ''and'' at the end;

(B) in clause (iii)—

(i) by inserting ''or payable'' after ''paid''; and

(ii) by striking ''but'' and inserting ''; and''; and

(C) by inserting after clause (iii), the following:

''(iv) benefits paid or payable under the Railroad Retirement System, but''; and

(3) in subparagraph (B)—

(A) in clause (i), by striking ''or'' at the end;

(B) in clause (ii), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(iii) of periodic benefits under title 38, United States Code, except as provided in subparagraph (A)(ii)(V).''.

(c) CONFORMING AMENDMENT.—Section 454(19)(B)(ii) of the Social Security Act (42 U.S.C. 654(19)(B)(ii)) is amended by striking ''section 462(e)'' and inserting ''section 459(i)(5)''.

SEC. 313. DEFINITION OF SUPPORT ORDER.

Section 453(p) of the Social Security Act (42 U.S.C. 653(p)), is amended by striking ''a child and'' and inserting ''of''.

SEC. 314. STATE LAW AUTHORIZING SUSPENSION OF LICENSES.

Section 466(a)(16) of the Social Security Act (42 U.S.C. 666(a)(16)) is amended by inserting ''and sporting'' after ''recreational''.

SEC. 315. INTERNATIONAL SUPPORT ENFORCEMENT.

Section 454(32)(A) of the Social Security Act (42 U.S.C. 654(32)(A)) is amended by striking ''section 459A(d)(2)'' and inserting ''section 459A(d)''.

SEC. 316. CHILD SUPPORT ENFORCEMENT FOR INDIAN TRIBES.

(a) COOPERATIVE AGREEMENTS BY INDIAN TRIBES AND STATES FOR CHILD SUPPORT ENFORCEMENT.—Section 454(33) of the Social Security Act (42 U.S.C. 654(33)) is amended—

(1) by striking ''and enforce support orders, and'' and inserting ''or enforce support orders, or'';

(2) by striking ''guidelines established by such tribe or organization'' and inserting ''guidelines established or adopted by such tribe or organization'';

(3) by striking ''funding collected'' and inserting ''collections''; and

(4) by striking ''such funding'' and inserting ''such collections''.

(b) CORRECTION OF SUBSECTION DESIGNATION.—Section 455 of the Social Security Act (42 U.S.C. 655), is amended by redesignating subsection (b), as added by section 375(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193, 110 Stat. 2256), as subsection (f).

(c) DIRECT GRANTS TO TRIBES.—Section 455(f) of the Social Security Act (42 U.S.C. 655(f)), as redesignated by subsection (b), is amended to read as follows:

''(f) The Secretary may make direct payments under this part to an Indian tribe or tribal organization that demonstrates to the satisfaction of the Secretary that it has the capacity to operate a child support enforcement program meeting the objectives of this part, including establishment of paternity, establishment, modification, and enforcement of support orders, and location of absent parents. The Secretary shall promulgate regulations establishing the requirements which must be met by an Indian tribe or tribal organization to be eligible for a grant under this subsection.''.

SEC. 317. CONTINUATION OF RULES FOR DISTRIBUTION OF SUPPORT IN THE CASE OF A TITLE IV–E CHILD.

Section 457 of the Social Security Act (42 U.S.C. 657) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''subsection

(e)'' and inserting ''subsections (e) and (f)''; and

(2) by adding at the end, the following:

''(f) Notwithstanding the preceding provisions of this section, amounts collected by a State as child support for months in any period on behalf of a child for whom a public agency is making foster care maintenance payments under part E—

''(1) shall be retained by the State to the extent necessary to reimburse it for the foster care maintenance payments made with respect to the child during such period (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing);

''(2) shall be paid to the public agency responsible for supervising the placement of the child to the extent that the amounts collected exceed the foster care maintenance payments made with respect to the child during such period but not the amounts required by a court or administrative order to be paid as support on behalf of the child during such period; and the responsible agency may use the payments in the manner it determines will serve the best interests of the child, including setting such payments aside for the child's future needs or making all or a part thereof available to the person responsible for meeting the child's day-to-day needs; and

''(3) shall be retained by the State, if any portion of the amounts collected remains after making the payments required under paragraphs (1) and (2), to the extent that such portion is necessary to reimburse the State (with appropriate reimbursement to the Federal Government to the extent of its participation in the financing) for any past foster care maintenance payments (or payments of assistance under the State program funded under part A) which were made with respect to the child (and with respect to which past collections have not previously been retained);

and any balance shall be paid to the State agency responsible for supervising the placement of the child, for use by such agency in accordance with paragraph (2).''.

SEC. 318. GOOD CAUSE IN FOSTER CARE AND FOOD STAMP CASES.

(a) STATE PLAN.—Section 454(4)(A)(i) of the Social Security Act (42 U.S.C. 654(4)(A)(i)) is amended—

(1) by striking ''or'' before ''(III)''; and

(2) by inserting ''or (IV) cooperation is required pursuant to section 6(*l*)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2015(*l*)(1)),'' after ''title XIX,''.

(b) CONFORMING AMENDMENTS.—Section 454(29) of the Social Security Act (42 U.S.C. 654(29)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''part A of this title or the State program under title XIX'' and inserting ''part A, the State program under part E, the State program under title XIX, or the food stamp program, as defined under section 3(h) of the Food Stamp Act of 1977 (7 U.S.C. 2012(h)),''; and

(B) by striking clauses (i) and (ii) and all that follows through the semicolon and inserting the following:

''(i) in the case of the State program funded under part A, the State program under part E, or the State program under title XIX shall, at the option of the State, be defined, taking into account the best interests of the child, and applied in each case, by the State agency administering such program; and

''(ii) in the case of the food stamp program, as defined under section 3(h) of the Food Stamp Act of 1977 (7 U.S.C. 2012(h)), shall be defined and applied in each case under that program in accordance with section 6(*l*)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2015(*l*)(2));'';

(2) in subparagraph (D), by striking ''or the State program under title XIX'' and inserting ''the State program under part E, the State program under title XIX, or the food stamp program, as defined under section 3(h) of the Food Stamp Act of 1977 (7 U.S.C. 2012(h))''; and

(3) in subparagraph (E), by striking ''individual,'' and all that follows through ''XIX,'' and inserting ''individual and the State agency administering the State program funded under part A, the State agency administering the State program under part E, the State agency administering the State program under title XIX, or the State agency administering the food stamp program, as defined under section 3(h) of the Food Stamp Act of 1977 (7 U.S.C. 2012(h)),''.

SEC. 319. DATE OF COLLECTION OF SUPPORT.

Section 454B(c)(1) of the Social Security Act (42 U.S.C. 654B(c)(1)) is amended by adding at the end the following: ''The date of collection for amounts collected and distributed under this part is the date of receipt by the State disbursement unit, except that if current support is withheld by an employer in the month when due and is received by the State disbursement unit in a month other than the month when due, the date of withholding may be deemed to be the date of collection.''.

SEC. 320. ADMINISTRATIVE ENFORCEMENT IN INTERSTATE CASES.

(a) PROCEDURES.—Section 466(a)(14) of the Social Security Act (42 U.S.C. 666(a)(14)) is amended to read as follows:

''(14) HIGH-VOLUME, AUTOMATED ADMINISTRATIVE ENFORCEMENT IN INTERSTATE CASES.—

''(A) IN GENERAL.—Procedures under which—

''(i) the State shall use high-volume automated administrative enforcement, to the same extent as used for intrastate cases, in response to a request made by another State to enforce support orders, and shall promptly report the results of such enforcement procedure to the requesting State;

''(ii) the State may, by electronic or other means, transmit to another State a request for assistance in enforcing support orders through high-volume, automated administrative enforcement, which request—

''(I) shall include such information as will enable the State to which the request is transmitted to compare the information about the cases to the information in the data bases of the State; and

''(II) shall constitute a certification by the requesting State—

''(aa) of the amount of support under an order the payment of which is in arrears; and

''(bb) that the requesting State has complied with all procedural due process requirements applicable to each case;

''(iii) if the State provides assistance to another State pursuant to this paragraph with respect to a case, neither State shall consider the case to be transferred to the caseload of such other State; and

''(iv) the State shall maintain records of—

''(I) the number of such requests for assistance received by the State;

''(II) the number of cases for which the State collected support in response to such a request; and

''(III) the amount of such collected support.

''(B) HIGH-VOLUME AUTOMATED ADMINISTRATIVE ENFORCEMENT.—In this part, the term 'high-volume automated administrative enforcement' means the use of automatic data processing to search various State data bases, including license records, employment service data, and State new hire registries, to determine whether information is available regarding a parent who owes a child support obligation.''.

(b) INCENTIVE PAYMENTS.—Section 458(d) of the Social Security Act (42 U.S.C. 658(d)) is amended by inserting '', including amounts collected under section 466(a)(14),'' after ''another State''.

SEC. 321. WORK ORDERS FOR ARREARAGES.

Section 466(a)(15) of the Social Security Act (42 U.S.C. 666(a)(15)) is amended to read as follows:

''(15) PROCEDURES TO ENSURE THAT PERSONS OWING OVERDUE SUPPORT WORK OR HAVE A PLAN FOR PAYMENT OF SUCH SUPPORT.—Procedures under which the State has the authority, in any case in which an individual owes overdue support with respect to a child receiving assistance under a State program funded under part A, to issue an order or to request that a court or an administrative process established pursuant to State law issue an order that requires the individual to—

''(A) pay such support in accordance with a plan approved by the court, or, at the option of the State, a plan approved by the State agency administering the State program under this part; or

''(B) if the individual is subject to such a plan and is not incapacitated, participate in such work activities (as defined in section 407(d)) as the court, or, at the option of the State, the State agency administering the State program under this part, deems appropriate.''.

SEC. 322. ADDITIONAL TECHNICAL STATE PLAN AMENDMENTS.

Section 454 of the Social Security Act (42 U.S.C. 654) is amended—

(1) in paragraph (8)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''noncustodial''; and

(ii) by inserting '', for the purpose of establishing parentage, establishing, setting the amount of, modifying, or enforcing child support obligations, or making or enforcing a child custody or visitation determination, as defined in section 463(d)(1)'' after ''provide that'';

(B) in subparagraph (A), by striking the comma and inserting a semicolon;

(C) in subparagraph (B), by striking the semicolon and inserting a comma; and

(D) by inserting after subparagraph (B), the following flush language:

''and shall, subject to the privacy safeguards required under paragraph (26), disclose only the information described in sections 453 and 463 to the authorized persons specified in such sections for the purposes specified in such sections;'';

(2) in paragraph (17)—

(A) by striking ''in the case of a State which has'' and inserting ''provide that the State will have''; and

(B) by inserting ''and'' after ''section 453,''; and

(3) in paragraph (26)—

(A) in the matter preceding subparagraph (A), by striking ''will'';

(B) in subparagraph (A)—

(i) by inserting '', modify,'' after ''establish'', the second place it appears; and

(ii) by inserting '', or to make or enforce a child custody determination'' after ''support'';

(C) in subparagraph (B)—

(i) by inserting ''or the child'' after ''1 party'';

(ii) by inserting ''or the child'' after ''former party''; and

(iii) by striking ''and'' at the end;

(D) in subparagraph (C)—

(i) by inserting ''or the child'' after ''1 party'';

(ii) by striking ''another party'' and inserting ''another person'';

(iii) by inserting ''to that person'' after ''release of the information''; and

(iv) by striking ''former party'' and inserting ''party or the child''; and

(E) by adding at the end the following:

''(D) in cases in which the prohibitions under subparagraphs (B) and (C) apply, the requirement to notify the Secretary, for purposes of section 453(b)(2), that the State has reasonable evidence of domestic violence or child abuse against a party or the child and that the disclosure of such information could be harmful to the party or the child; and

''(E) procedures providing that when the Secretary discloses information about a parent or child to a State court or an agent of a State court described in section 453(c)(2) or 463(d)(2)(B), and advises that court or agent that the Secretary has been notified that there is reasonable evidence of domestic violence or child abuse pursuant to section 453(b)(2), the court shall determine whether disclosure to any other person of information received from the Secretary could be harmful to the parent or child and, if the court determines that disclosure to any other person could be harmful, the court and its agents shall not make any such disclosure;''.

SEC. 323. FEDERAL CASE REGISTRY OF CHILD SUPPORT ORDERS.

Section 453(h) of the Social Security Act (42 U.S.C. 653(h)) is amended—

(1) in paragraph (1), by inserting ''and order'' after ''with respect to each case''; and

(2) in paragraph (2)—

(A) in the heading, by inserting ''AND ORDER'' after ''CASE'';

(B) by inserting ''or an order'' after ''with respect to a case'' and

(C) by inserting ''or order'' after ''and the State or States which have the case''.

SEC. 324. FULL FAITH AND CREDIT FOR CHILD SUPPORT ORDERS.

Section 1738B(f) of title 28, United States Code, is amended—

(1) in paragraph (4), by striking ''a court may'' and all that follows and inserting ''a court having jurisdiction over the parties shall issue a child support order, which must be recognized.''; and

(2) in paragraph (5), by inserting ''under subsection (d)'' after ''jurisdiction''.

SEC. 325. DEVELOPMENT COSTS OF AUTOMATED SYSTEMS.

(a) DEFINITION OF STATE.—Section 455(a)(3)(B) of the Social Security Act (42 U.S.C. 655(a)(3)(B)) is amended—

(1) in clause (i)—

(A) by inserting ''or system described in clause (iii)'' after ''each State''; and

(B) by inserting ''or system'' after ''the State''; and

(2) by adding at the end the following:

''(iii) For purposes of clause (i), a system described in this clause is a system that has been approved by the Secretary to receive enhanced funding pursuant to the Family Support Act of 1988 (Public Law 100–485; 102 Stat. 2343) for the purpose of developing a system that meets the requirements of sections 454(16) (as in effect on and after September 30, 1995) and 454A, including systems that have received funding for such purpose pursuant to a waiver under section 1115(a).''.

(b) TEMPORARY LIMITATION ON PAYMENTS.—Section 344(b)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 655 note) is amended—

(1) in subparagraph (B)—

(A) by inserting ''or a system described in subparagraph (C)'' after ''to a State''; and

(B) by inserting ''or system'' after ''for the State''; and

(2) in subparagraph (C), by striking ''Act,'' and all that follows and inserting ''Act, and among systems that have been approved by the Secretary to receive enhanced funding pursuant to the Family Support Act of 1988 (Public Law 100–485; 102 Stat. 2343) for the purpose of developing a system that meets the requirements of sections 454(16) (as in effect on and after September 30, 1995) and 454A, including systems that have received funding for such purpose pursuant to a waiver under section 1115(a), which shall take into account—

''(i) the relative size of such State and system caseloads under part D of title IV of the Social Security Act; and

''(ii) the level of automation needed to meet the automated data processing requirements of such part.''.

SEC. 326. ADDITIONAL TECHNICAL AMENDMENTS.

(a) ELIMINATION OF SURPLUSAGE.—Section 466(c)(1)(F) of the Social Security Act (42 U.S.C. 666(c)(1)(F)) is amended by striking ''of section 466''.

(b) CORRECTION OF AMBIGUOUS AMENDMENT.—Section 344(a)(1)(F) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2234) is amended by inserting ''the first place such term appears'' before ''and all that follows''.

(c) CORRECTION OF ERRONEOUSLY DRAFTED PROVISION.—Section 215 of the Department of Health and Human Services Appropriations Act, 1997, (as contained in section 101(e) of the Omnibus Consolidated Appropriations Act, 1997) is amended to read as follows:

''SEC. 215. Sections 452(j) and 453(o) of the Social Security Act (42 U.S.C. 652(j) and 653(o)), as amended by section 345 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2237) are each amended by striking 'section 457(a)' and inserting 'a plan approved under this part'. Amounts available under such sections 452(j) and 453(o) shall be calculated as though the amendments made by this section were effective October 1, 1995.''.

(d) ELIMINATION OF SURPLUSAGE.—Section 456(a)(2)(B) of the Social Security Act (42 U.S.C. 656(a)(2)(B)) is amended by striking '', and'' and inserting a period.

(e) CORRECTION OF DATE.—Section 466(a)(1)(B) of the Social Security Act (42 U.S.C. 666(a)(1)(B)) is amended by striking ''October 1, 1996'' and inserting ''January 1, 1994''.

SEC. 327. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this title shall take effect as if included in the enactment of title III of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2105).

(b) EXCEPTION.—The amendments made by section 302(b)(2) shall take effect as if the amendments had been included in the enactment of section 103(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2112).

TITLE IV—RESTRICTING WELFARE AND PUBLIC BENEFITS FOR ALIENS

Subtitle A—Eligibility for Federal Benefits

SEC. 401. ALIEN ELIGIBILITY FOR FEDERAL BENEFITS: LIMITED APPLICATION TO MEDICARE AND BENEFITS UNDER THE RAILROAD RETIREMENT ACT.

(a) LIMITED APPLICATION TO MEDICARE.—Section 401(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(b)) is amended by adding at the end the following:

''(3) Subsection (a) shall not apply to any benefit payable under title XVIII of the Social Security Act (relating to the medicare program) to an alien who is lawfully present in the United States as determined by the Attorney General and, with respect to benefits payable under part A of such title, who was authorized to be employed with respect to any wages attributable to employment which are counted for purposes of eligibility for such benefits.''.

(b) LIMITED APPLICATION TO BENEFITS UNDER THE RAILROAD RETIREMENT ACT.—Section 401(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(b)) (as amended by subsection (a)) is amended by inserting at the end the following:

''(4) Subsection (a) shall not apply to any benefit payable under the Railroad Retirement Act of 1974 or the Railroad Unemployment Insurance Act to an alien who is lawfully present in the United States as determined by the Attorney General or to an alien residing outside the United States.''.

SEC. 402. EXCEPTIONS TO BENEFIT LIMITATIONS: CORRECTIONS TO REFERENCE CONCERNING ALIENS WHOSE DEPORTATION IS WITHHELD.

Sections 402(a)(2)(A)(iii), 402(b)(2)(A)(iii), 403(b)(1)(C), 412(b)(1)(C), and 431(b)(5) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(A)(iii), 1612(b)(2)(A)(iii), 1613(b)(1)(C), 1622(b)(1)(C), and 1641(b)(5)) are each amended by striking ''section 243(h) of such Act'' each place it appears and inserting ''section 243(h) of such Act (as in effect immediately before the effective date of section 307 of division C of Public Law 104–208) or section 241(b)(3) of such Act (as amended by section 305(a) of division C of Public Law 104–208)''.

SEC. 403. VETERANS EXCEPTION: APPLICATION OF MINIMUM ACTIVE DUTY SERVICE REQUIREMENT; EXTENSION TO UNREMARRIED SURVIVING SPOUSE; EXPANDED DEFINITION OF VETERAN.

(a) APPLICATION OF MINIMUM ACTIVE DUTY SERVICE REQUIREMENT.—Sections 402(a)(2)(C)(i), 402(b)(2)(C)(i), 403(b)(2)(A), and 412(b)(3)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(C)(i), 1612(b)(2)(C)(i), 1613(b)(2)(A), and 1622(b)(3)(A)) are each amended by inserting ''and who fulfills the minimum active-duty service requirements of section 5303A(d) of title 38, United States Code'' after ''alienage''.

(b) EXCEPTION APPLICABLE TO UNREMARRIED SURVIVING SPOUSE.—Section 402(a)(2)(C)(iii), 402(b)(2)(C)(iii), 403(b)(2)(C), and 412(b)(3)(C) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(C)(iii), 1612(b)(2)(C)(iii), 1613(b)(2)(C), and 1622(b)(3)(C)) are each amended by inserting before the period ''or the unremarried surviving spouse of an individual described in clause (i) or (ii) who is deceased if the marriage fulfills the requirements of section 1304 of title 38, United States Code''.

(c) EXPANDED DEFINITION OF VETERAN.—Sections 402(a)(2)(C)(i), 402(b)(2)(C)(i), 403(b)(2)(A), and 412(b)(3)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(C)(i), 1612(b)(2)(C)(i), 1613(b)(2)(A), and 1622(b)(3)(A)) are each amended by inserting ''or 1101, or 1301, or as described in section 107'' after ''section 101''.

SEC. 404. CORRECTION OF REFERENCE CONCERNING CUBAN AND HAITIAN ENTRANTS.

Section 403(d) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(d)) is amended—

(1) by striking ''section 501 of the Refugee'' and insert ''section 501(a) of the Refugee''; and

(2) by striking ''section 501(e)(2)'' and inserting ''section 501(e)''.

SEC. 405. NOTIFICATION CONCERNING ALIENS NOT LAWFULLY PRESENT: CORRECTION OF TERMINOLOGY.

Section 1631(e)(9) of the Social Security Act (42 U.S.C. 1383(e)(9)) and section 27 of the United States Housing Act of 1937, as added by section 404 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, are each amended by striking ''unlawfully in the United States'' each place it appears and inserting ''not lawfully present in the United States''.

SEC. 406. FREELY ASSOCIATED STATES: CONTRACTS AND LICENSES.

Sections 401(c)(2)(A) and 411(c)(2)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(c)(2)(A) and 1621(c)(2)(A)) are each amended by inserting before the semicolon at the end '', or to a citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99–239 or 99–658 (or a successor provision) is in effect''.

SEC. 407. CONGRESSIONAL STATEMENT REGARDING BENEFITS FOR HMONG AND OTHER HIGHLAND LAO VETERANS.

(a) FINDINGS.—The Congress makes the following findings:

(1) Hmong and other Highland Lao tribal peoples were recruited, armed, trained, and funded for military operations by the United States Department of Defense, Central Intelligence Agency, Department of State, and Agency for International Development to further United States national security interests during the Vietnam conflict.

(2) Hmong and other Highland Lao tribal forces sacrificed their own lives and saved the lives of American military personnel by rescuing downed American pilots and aircrews and by engaging and successfully fighting North Vietnamese troops.

(3) Thousands of Hmong and other Highland Lao veterans who fought in special guerilla units on behalf of the United States during the Vietnam conflict, along with their families, have been lawfully admitted to the United States in recent years.

(4) The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193), the new national welfare reform law, restricts certain welfare benefits for noncitizens of the United States and the exceptions for noncitizen veterans of the Armed Forces of the United States do not extend to Hmong veterans of the Vietnam conflict era, making Hmong veterans and their families receiving certain welfare benefits subject to restrictions despite their military service on behalf of the United States.

(b) CONGRESSIONAL STATEMENT.—It is the sense of the Congress that Hmong and other Highland Lao veterans who fought on behalf of the Armed Forces of the United States during the Vietnam conflict and have lawfully been admitted to the United States for permanent residence should be considered veterans for purposes of continuing certain welfare benefits consistent with the exceptions provided other noncitizen veterans under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Subtitle B—General Provisions

SEC. 411. DETERMINATION OF TREATMENT OF BATTERED ALIENS AS QUALIFIED ALIENS; INCLUSION OF ALIEN CHILD OF BATTERED PARENT AS QUALIFIED ALIEN.

(a) DETERMINATION OF STATUS BY AGENCY PROVIDING BENEFITS.—Section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641) is amended in subsections (c)(1)(A) and (c)(2)(A) by striking ''Attorney General, which opinion is not subject to review by any court)'' each place it appears and inserting ''agency providing such benefits)''.

(b) GUIDANCE ISSUED BY ATTORNEY GENERAL.—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended by adding at the end the following new undesignated paragraph:

''After consultation with the Secretaries of Health and Human Services, Agriculture, and Housing and Urban Development, the Commissioner of Social Security, and with the heads of such Federal agencies administering benefits as the Attorney General considers appropriate, the Attorney General shall issue guidance (in the Attorney General's sole and unreviewable discretion) for purposes of this subsection and section 421(f), concerning the meaning of the terms 'battery' and 'extreme cruelty', and the standards and methods to be used for determining whether a substantial connection exists between battery or cruelty suffered and an individual's need for benefits under a specific Federal, State, or local program.''.

(c) INCLUSION OF ALIEN CHILD OF BATTERED PARENT AS QUALIFIED ALIEN.—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended—

(1) at the end of paragraph (1)(B)(iv) by striking ''or'';

(2) at the end of paragraph (2)(B) by striking the period and inserting ''; or''; and

(3) by inserting after paragraph (2)(B) and before the last sentence of such subsection the following new paragraph:

''(3) an alien child who—

''(A) resides in the same household as a parent who has been battered or subjected to extreme cruelty in the United States by that parent's spouse or by a member of the spouse's family residing in the same household as the parent and the spouse consented or acquiesced to such battery or cruelty, but only if (in the opinion of the agency providing such benefits) there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; and

''(B) who meets the requirement of subparagraph (B) of paragraph (1).''.

(d) INCLUSION OF ALIEN CHILD OF BATTERED PARENT UNDER SPECIAL RULE FOR ATTRIBUTION OF INCOME.—Section 421(f)(1)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1631(f)(1)(A)) is amended—

(1) at the end of clause (i) by striking ''or''; and

(2) by striking ''and the battery or cruelty described in clause (i) or (ii)'' and inserting ''or (iii) the alien is a child whose parent (who resides in the same household as the alien child) has been battered or subjected to extreme cruelty in the United States by that parent's spouse, or by a member of the spouse's family residing in the same household as the parent and the spouse consented to, or acquiesced in, such battery or cruelty, and the battery or cruelty described in clause (i), (ii), or (iii)''.

SEC. 412. VERIFICATION OF ELIGIBILITY FOR BENEFITS.

(a) REGULATIONS AND GUIDANCE.—Section 432(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1642(a)) is amended—

(1) by inserting at the end of paragraph (1) the following: ''Not later than 90 days after the date of the enactment of the Welfare Reform Technical Corrections Act of 1997, the Attorney General of the United States, after consultation with the Secretary of Health and Human Services, shall issue interim verification guidance.''; and

(2) by adding after paragraph (2) the following new paragraph:

''(3) Not later than 90 days after the date of the enactment of the Welfare Reform Technical Corrections Act of 1997, the Attorney General shall promulgate regulations which set forth the procedures by which a State or local government can verify whether an alien applying for a State or local public benefit is a qualified alien, a nonimmigrant under the Immigration and Nationality Act, or an alien paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act for less than 1 year, for purposes of determining whether the alien is ineligible for benefits under section 411 of this Act.''.

(b) DISCLOSURE OF INFORMATION FOR VERIFICATION.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208) is amended by adding after paragraph (4) the following new paragraph:

''(5) The Attorney General is authorized to disclose information, to Federal, State, and local public and private agencies providing benefits, to be used solely in making determinations of eligibility for benefits pursuant to section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.''.

SEC. 413. QUALIFYING QUARTERS: DISCLOSURE OF QUARTERS OF COVERAGE INFORMATION; CORRECTION TO ASSURE THAT CREDITING APPLIES TO ALL QUARTERS EARNED BY PARENTS BEFORE CHILD IS 18.

(a) DISCLOSURE OF QUARTERS OF COVERAGE INFORMATION.—Section 435 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1645) is amended by adding at the end the following: ''Notwithstanding section 6103 of the Internal Revenue Code of 1986, the Commissioner of Social Security is authorized to disclose quarters of coverage information concerning an alien and an alien's spouse or parents to a government agency for the purposes of this title.''.

(b) CORRECTION TO ASSURE THAT CREDITING APPLIES TO ALL QUARTERS EARNED BY PARENTS BEFORE CHILD IS 18.—Section 435(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1645(1)) is amended by striking ''while the alien was under age 18,'' and inserting ''before the date on which the alien attains age 18,''.

SEC. 414. STATUTORY CONSTRUCTION: BENEFIT ELIGIBILITY LIMITATIONS APPLICABLE ONLY WITH RESPECT TO ALIENS PRESENT IN THE UNITED STATES.

Section 433 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1643) is amended—

(1) by redesignated subsections (b) and (c) as subsections (c) and (d); and

(2) by adding after subsection (a) the following new subsection:

''(b) BENEFIT ELIGIBILITY LIMITATIONS APPLICABLE ONLY WITH RESPECT TO ALIENS PRESENT IN THE UNITED STATES.—Notwithstanding any other provision of this title, the limitations on eligibility for benefits under this title shall not apply to eligibility for benefits of aliens who are not residing, or present, in the United States with respect to—

''(1) wages, pensions, annuities, and other earned payments to which an alien is entitled resulting from employment by, or on behalf of, a Federal, State, or local government agency which was not prohibited during the period of such employment or service under section 274A or other applicable provision of the Immigration and Nationality Act; or

''(2) benefits under laws administered by the Secretary of Veterans Affairs.''.

Subtitle C—Miscellaneous Clerical and Technical Amendments; Effective Date

SEC. 421. CORRECTING MISCELLANEOUS CLERICAL AND TECHNICAL ERRORS.

(a) INFORMATION REPORTING UNDER TITLE IV OF THE SOCIAL SECURITY ACT.—Effective July 1, 1997, section 408 of the Social Security Act (42 U.S.C. 608), as amended by section 103, and as in effect pursuant to section 116, of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, and as amended by section 106(e) of this Act, is amended by adding at the end the following new subsection:

''(f) STATE REQUIRED TO PROVIDE CERTAIN INFORMATION.—Each State to which a grant is made under section 403 shall, at least 4 times annually and upon request of the Immigration and Naturalization Service, furnish the Immigration and Naturalization Service with the name and address of, and other identifying information on, any individual who the State knows is not lawfully present in the United States.''.

(b) MISCELLANEOUS CLERICAL AND TECHNICAL CORRECTIONS.—

(1) Section 411(c)(3) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1621(c)(3)) is amended by striking ''4001(c)'' and inserting ''401(c)''.

(2) Section 422(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1632(a)) is amended by striking ''benefits (as defined in section 412(c)),'' and inserting ''benefits,''.

(3) Section 412(b)(1)(C) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1622(b)(1)(C)) is amended by striking ''with-holding'' and inserting ''withholding''.

(4) The subtitle heading for subtitle D of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 is amended to read as follows:

''Subtitle D—General Provisions''.

(5) The subtitle heading for subtitle F of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 is amended to read as follows:

''Subtitle F—Earned Income Credit Denied to Unauthorized Employees''.

(6) Section 431(c)(2)(B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)(2)(B)) is amended by striking ''clause (ii) of subparagraph (A)'' and inserting ''subparagraph (B) of paragraph (1)''.

(7) Section 431(c)(1)(B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)(1)(B)) is amended—

(A) in clause (iii) by striking '', or'' and inserting ''(as in effect prior to April 1, 1997),''; and

(B) by adding after clause (iv) the following new clause:

''(v) cancellation of removal pursuant to section 240A(b)(2) of such Act;''.

SEC. 422. EFFECTIVE DATE.

Except as otherwise provided, the amendments made by this title shall be effective as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

TITLE V—CHILD PROTECTION

SEC. 501. CONFORMING AND TECHNICAL AMENDMENTS RELATING TO CHILD PROTECTION.

(a) METHODS PERMITTED FOR CONDUCT OF STUDY OF CHILD WELFARE.—Section 429A(a) of the Social Security Act (42 U.S.C. 628b(a)) is amended by inserting ''(directly, or by grant, contract, or interagency agreement)'' after ''conduct''.

(b) REDESIGNATION OF PARAGRAPH.—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(1) by striking ''and'' at the end of paragraph (17);

(2) by striking the period at the end of paragraph (18) (as added by section 1808(a) of the Small Business Job Protection Act of 1996 (Public Law 104–188; 110 Stat. 1903)) and inserting ''; and''; and

(3) by redesignating paragraph (18) (as added by section 505(3) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2278)) as paragraph (19).

SEC. 502. ADDITIONAL TECHNICAL AMENDMENTS RELATING TO CHILD PROTECTION.

(a) PART B AMENDMENTS.—

(1) IN GENERAL.—Part B of title IV of the Social Security Act (42 U.S.C. 620-635) is amended—

(A) in section 422(b)—

(i) by striking the period at the end of the paragraph (9) (as added by section 554(3) of the Improving America's Schools Act of 1994 (Public Law 103–382; 108 Stat. 4057)) and inserting a semicolon;

(ii) by redesignating paragraph (10) as paragraph (11); and

(iii) by redesignating paragraph (9), as added by section 202(a)(3) of the Social Security Act Amendments of 1994 (Public Law 103–432, 108 Stat. 4453), as paragraph (10);

(B) in sections 424(b) and 425(a), by striking ''422(b)(9)'' each place it appears and inserting ''422(b)(10)''; and

(C) by transferring section 429A (as added by section 503 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2277)) to the end of subpart 1.

(2) CLARIFICATION OF CONFLICTING AMENDMENTS.—Section 204(a)(2) of the Social Security Act Amendments of 1994 (Public Law 103–432; 108 Stat. 4456) is amended by inserting ''(as added by such section 202(a))'' before ''and inserting''.

(b) PART E AMENDMENTS.—Section 472(d) of the Social Security Act (42 U.S.C. 672(d)) is amended by striking ''422(b)(9)'' and inserting ''422(b)(10)''.

SEC. 503. EFFECTIVE DATE.

The amendments made by this title shall take effect as if included in the enactment of title V of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2277).

TITLE VI—CHILD CARE

SEC. 601. CONFORMING AND TECHNICAL AMENDMENTS RELATING TO CHILD CARE.

(a) FUNDING.—Section 418(a) of the Social Security Act (42 U.S.C. 618(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting ''the greater of'' after ''equal to'';

(B) in subparagraph (A)—

(i) by striking ''the sum of'';

(ii) by striking ''amounts expended'' and inserting ''expenditures''; and

(iii) by striking ''section—'' and all that follows and inserting ''subsections (g) and (i) of section 402 (as in effect before October 1, 1995); or'';

(C) in subparagraph (B)—

(i) by striking ''sections'' and inserting ''subsections''; and

(ii) by striking the semicolon at the end and inserting a period; and

(D) in the matter following subparagraph (B), by striking ''whichever is greater.''; and

(2) in paragraph (2)—

(A) by striking subparagraph (B) and inserting the following:

''(B) ALLOTMENTS TO STATES.—The total amount available for payments to States under this paragraph, as determined under subparagraph (A), shall be allotted among the States based on the formula used for determining the amount of Federal payments to each State under section 403(n) (as in effect before October 1, 1995).'';

(B) by striking subparagraph (C) and inserting the following:

''(C) FEDERAL MATCHING OF STATE EXPENDITURES EXCEEDING HISTORICAL EXPENDITURES.—The Secretary shall pay to each eligible State for a fiscal year an amount equal to the lesser of the State's allotment under subparagraph (B) or the Federal medical assistance percentage for the State for the fiscal year (as defined in section 1905(b), as such section was in effect on September 30, 1995) of so much of the State's expenditures for child care in that fiscal year as exceed the total amount of expenditures by the State (including expenditures from amounts made available from Federal funds) in fiscal year 1994 or 1995 (whichever is greater) for the programs described in paragraph (1)(A).''; and

(C) in subparagraph (D)(i)—

(i) by striking ''amounts under any grant awarded'' and inserting ''any amounts allotted''; and

(ii) by striking ''the grant is made'' and inserting ''such amounts are allotted''.

(b) DATA USED TO DETERMINE HISTORIC STATE EXPENDITURES.—Section 418(a) of the Social Security Act (42 U.S.C. 618(a)), is amended by adding at the end the following:

''(5) DATA USED TO DETERMINE STATE AND FEDERAL SHARES OF EXPENDITURES.—In making the determinations concerning expenditures required under paragraphs (1) and (2)(C), the Secretary shall use information that was reported by the State on ACF Form 231 and available as of the applicable dates specified in clauses (i)(I), (ii), and (iii)(III) of section 403(a)(1)(D).''.

(c) DEFINITION OF STATE.—Section 418(d) of the Social Security Act (42 U.S.C. 618(d)) is amended by striking ''or'' and inserting ''and''.

SEC. 602. ADDITIONAL CONFORMING AND TECHNICAL AMENDMENTS.

The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) is amended—

(1) in section 658E(c)(2)(E)(ii), by striking ''tribal organization'' and inserting ''tribal organizations'';

(2) in section 658K(a)—

(A) in paragraph (1)—

(i) in subparagraph (B)—

(I) by striking clause (iv) and inserting the following:

''(iv) whether the head of the family unit is a single parent;'';

(II) in clause (v)—

(aa) in the matter preceding subclause (I), by striking ''including the amount obtained from (and separately identified)—'' and inserting ''including—''; and

(bb) by striking subclause (II) and inserting the following:

''(II) cash or other assistance under—

''(aa) the temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); and

''(bb) a State program for which State spending is counted toward the maintenance of effort requirement under section 409(a)(7) of the Social Security Act (42 U.S.C. 609(a)(7));''; and

(III) in clause (x), by striking ''week'' and inserting ''month''; and

(ii) by striking subparagraph (D) and inserting the following:

''(D) USE OF SAMPLES.—

''(i) AUTHORITY.—A State may comply with the requirement to collect the information described in subparagraph (B) through the use of disaggregated case record information

on a sample of families selected through the use of scientifically acceptable sampling methods approved by the Secretary.

''(ii) SAMPLING AND OTHER METHODS.—The Secretary shall provide the States with such case sampling plans and data collection procedures as the Secretary deems necessary to produce statistically valid samples of the information described in subparagraph (B). The Secretary may develop and implement procedures for verifying the quality of data submitted by the States.''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''BIANNUAL'' and inserting ''ANNUAL''; and

(ii) by striking ''6'' and inserting ''12'';

(3) in section 658L, by striking ''1997'' and inserting ''1998'';

(4) in section 658O(c)(6)(C), by striking ''(A)'' and inserting ''(B)''; and

(5) in section 658P(13), by striking ''or'' and inserting ''and''.

SEC. 603. REPEALS.

(a) CHILD DEVELOPMENT ASSOCIATE SCHOLARSHIP ASSISTANCE ACT OF 1985.—Title VI of the Human Services Reauthorization Act of 1986 (42 U.S.C. 10901–10905) is repealed.

(b) STATE DEPENDENT CARE DEVELOPMENT GRANTS ACT.—Subchapter E of chapter 8 of subtitle A of title VI of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9871–9877) is repealed.

(c) PROGRAMS OF NATIONAL SIGNIFICANCE.—Title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8001 et seq.) is amended—

(1) in section 10413(a), by striking paragraph (4);

(2) in section 10963(b)(2), by striking subparagraph (G); and

(3) in section 10974(a)(6), by striking subparagraph (G).

(d) NATIVE HAWAIIAN FAMILY-BASED EDUCATION CENTERS.—Section 9205 of the Native Hawaiian Education Act (20 U.S.C. 7905) is repealed.

SEC. 604. EFFECTIVE DATES.

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect as if included in the enactment of title VI of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2278).

(b) EXCEPTIONS.—The amendment made by section 601(a)(2)(B) and the repeal made by section 603(d) shall each take effect on October 1, 1997.

TITLE VII—ERISA AMENDMENTS RELATING TO MEDICAL CHILD SUPPORT ORDERS

SEC. 701. AMENDMENTS RELATING TO SECTION 303 OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.

(a) PRIVACY SAFEGUARDS FOR MEDICAL CHILD SUPPORT ORDERS.—Section 609(a)(3)(A) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1169(a)(3)(A)) is amended by adding at the end the following: ''except that, to the extent provided in the order, the name and mailing address of an official of a State or a political subdivision thereof may be substituted for the mailing address of any such alternate recipient,''.

(b) PAYMENT TO STATE OFFICIAL TREATED AS SATISFACTION OF PLAN'S OBLIGATION.—Section 609(a) of such Act (29 U.S.C. 1169(a)) is amended by adding at the end the following new paragraph:

''(9) PAYMENT TO STATE OFFICIAL TREATED AS SATISFACTION OF PLAN'S OBLIGATION TO MAKE PAYMENT TO ALTERNATE RECIPIENT.—Payment of benefits by a group health plan to an official of a State or a political subdivision thereof who is named in a qualified medical child support order in lieu of the alternate recipient, pursuant to paragraph (3)(A), shall be treated, for purposes of this title, as payment of benefits to the alternate recipient.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall be apply with respect to medical child support orders issued on or after the date of the enactment of this Act.

SEC. 702. AMENDMENT RELATING TO SECTION 381 OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.

(a) CLARIFICATION OF EFFECT OF ADMINISTRATIVE NOTICES.—Section 609(a)(2)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1169(a)(2)(B)) is amended by adding at the end the following new sentence: ''For purposes of this subparagraph, an administrative notice which is issued pursuant to an administrative process referred to in subclause (II) of the preceding sentence and which has the effect of an order described in clause (i) or (ii) of the preceding sentence shall be treated as such an order.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall be effective as if included in the enactment of section 381 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2257).

SEC. 703. AMENDMENTS RELATING TO SECTION 382 OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.

(a) ELIMINATION OF REQUIREMENT THAT ORDERS SPECIFY AFFECTED PLANS.—Section 609(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1169(a)(3)) is amended—

(1) in subparagraph (C), by striking '', and'' and inserting a period; and

(2) by striking subparagraph (D).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to medical child support orders issued on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. SHAW] and the gentleman from Michigan [Mr. LEVIN] each will control 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. SHAW].

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

Mr. Speaker, I am pleased today to rise in support of H.R. 1048, the Welfare Reform Technical Corrections Act of 1997. Last year Congress passed and the President signed a new welfare law that substantially reformed the Nation's welfare policy, including Federal programs providing cash welfare, child care, child support and disability payments and welfare for noncitizens. That comprehensive legislation also included a provision requiring the Secretary of Health and Human Services and the Commissioner of Social Security to submit to Congress a detailed proposal for making technical corrections and conforming amendments to this law. The goal was to produce legislation that would facilitate the implementation of the new national welfare reform policy in the simplest, most sensible way. Thus we have the bill before us today.

My motion also includes a minor change since the Committee on Ways and Means acted. This change is necessary to address the concerns of appropriations and budget committees with section 214 of the bill regarding payments to the prisoners.

I understand that the minority is fully advised of this amendment and has no objection to that.

There is little in this bill that is flashy or that rises above the truly technical. In fact, most changes would either correct or clarify the law by changing cross-references or correcting grammatical or format errors. Nonetheless, this is an important legislative product for several reasons:

First, it is the result of cooperation between the administration, the Congress and the States. Most provisions of this bill stem from requests made by the administration and the States who are charged with swiftly and efficiently implementing the new welfare programs in accordance with new Federal law.

Second, this bill is thoroughly bipartisan. One of the basic ground rules used in crafting this bill is that if any side, House Republicans, House Democrats, Senate Republicans, Senate Democrats or the Clinton administration, objected to a provision, it would not be included in this bill. As a result, both the subcommittee and the full committee voted in favor of this legislation unanimously. I suspect that we will have a similar vote here on the floor today.

Finally, this effort shows that all sides want to make welfare reform work. Either side could have derailed the process at any time along the way, and this so-far-friendly process could still be halted in the Senate. But for today the interests of making the new law work have won out over partisanship and grandstanding.

Mr. Speaker, let me say a word about what is not in this bill, and it is not in this bill by design. This bill is not a vehicle to reopen the debate over fundamental welfare reform changes. These issues are settled, and all parties crafting this legislation accepted that fact at least for the moment. This legislation makes many changes that will allow welfare reform to work better, which is everybody's goal. While the changes made here are quite minor, this bill represents Congress at its best, fostering cooperation with the States, working in a bipartisan fashion and producing changes that make Government more efficient in its services to the people that we all serve.

I urge all Members to support this bill.

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

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

Today we are considering the Welfare Reform Technical Corrections Act of 1997. This legislation will correct technical problems that impact implementation of the Personal Responsibility and Work Opportunity Reconciliation Act.

Last year's bill carried out significant changes in the structure of our

Nation's welfare system. As we all know, it is inevitable when we pass comprehensive legislation that we must go back and correct technical errors. The basis of this bill began with a list of recommended corrections submitted by the administration early in the year. From the outset, the process of formulating this bill was always open. States, municipalities and advocacy groups contributed extensively to the process to ensure that this bill clears up any ambiguities due to drafting errors or oversight.

By agreement among Republicans and Democrats on the committee, as mentioned by the distinguished chairman of the subcommittee, this bill only addresses strictly technical problems which have been identified since the bill's passage. Each of the measures in this bill is technical in nature and does not change the substance of the new law. If a proposed change was considered substantive or controversial by either Republicans or Democrats, it was not included in this legislation.

For example, the bill clarifies that Social Security benefits are denied to prison inmates and prohibits them from receiving Old Age Disability Insurance benefits. The bill also clarifies the sharing of the 35-hour work requirement and the provision for child care in cases of two-parent families who must work a combined 35 hours plus 20 hours, or 55 hours, per week to be counted toward meeting the work requirement.

Another example, the bill also extends until February 22, 1998, the deadline for the Social Security Administration to determine the eligibility of children for certain benefits and gives States an additional 3 months to submit their biennial welfare plans.

The noncontroversial nature of these corrections is reflected in the committee vote. The Welfare Reform Technical Corrections Act passed the Committee on Ways and Means unanimously, 33 to zero. All Members, those who voted for the Personal Responsibility and Work Opportunity Act and those who did not, supported this technical corrections legislation.

There are still substantive issues regarding the Personal Responsibility and Work Opportunity Reconciliation Act which very much need bipartisan attention. I would cite as examples disability benefits for elderly legal immigrants and certain food stamp benefits. Negotiations on these matters are taking place within the context of budget discussions. This bill was not the intended vehicle for these outstanding concerns.

This bill represents the culmination of a long process. I would like to thank the gentleman from Florida [Mr. SHAW], chairman of the Subcommittee on Human Resources, for the manner in which this bill was handled from beginning to end.

The staff also did an exemplary job in working together to keep the bill technical in nature, and the staff on both sides of the aisle is here with us this afternoon.

Finally, the administration should be commended for the stellar job done in assembling the technical corrections that form the basis of this bill, specifically the Department of Health and Human Services and the Social Security Administration.

Throughout this process, we have put aside our differences and focused on crafting a truly technical bill. In this spirit, as was true in the Committee on Ways and Means by unanimous vote, I urge my colleagues on both sides of the aisle to support this necessary technical correction legislation.

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

Mr. SHAW. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I rise in support of this important legislation and I commend the gentleman from Texas [Mr. ARCHER] and the gentleman from Florida [Mr. SHAW] for bringing it to the floor.

Last year, when the Congress passed comprehensive welfare reform, the United States took a giant step in the right direction. By providing incentives for able-bodied Americans to leave welfare and move to private sector employment, we have given these Americans a chance to realize the American dream. But, Mr. Speaker, the administration has not received the message.

The hallmark of our welfare reform law is flexibility. Give the States the ability to design their own systems to give people a hand up, not just a handout, and the States will be more successful than the Federal Government has been in bringing and making welfare work for the American people. This has proven to be the case in State after State, places like Wisconsin and Michigan.

My home State of Texas wants to have that chance to help its people in ways unique to Texas. Texas has petitioned the Federal Government to approve its innovative welfare reform proposal. This proposal includes commonsense ideas such as one-stop benefits centers so that people who are on welfare do not have to waste time traveling from one center to another to collect benefits. This is a commonsense proposal and would save the American taxpayers millions of dollars while giving the welfare recipients more time to look for a job.

Unfortunately, the administration has refused to give Texas the flexibility it needs to implement this program. Texas has met every requirement asked of it by the Federal Government since last July when it first started the approval process. Still, the administration has not granted full approval. Without that approval, Texas cannot implement its program of getting people off of welfare and putting them to work.

So, Mr. Speaker, I urge the administration to stop stonewalling and give Texas a chance to move ahead with real welfare reform. What is good for the rest of the country should be good for the great State of Texas.

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

Let me just say in response to the gentleman from Texas [Mr. DELAY] that this matter is really not within the purview of this technical corrections bill. The administration is considering this matter and is taking time to make sure that it arrives at an appropriate answer.

Mr. Speaker, I yield 2½ minutes to the distinguished gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY of Connecticut. Mr. Speaker, I thank the gentleman from Florida [Mr. SHAW] and the gentleman from Michigan [Mr. LEVIN] for their hard work. I know that there are some who might say there is more interesting work than technical corrections but nothing is more important across this country to people who really do not know exactly what is said in the statute and, therefore, have to interpret it and live by it. So I really thank these gentlemen for the hard work that they have done so that people could understand exactly what is expected of them and they can carry out their duties as they should.

I also as a ranking Democrat on the Subcommittee on Social Security am pleased to rise in support of this bill that has been so well crafted. The legislation includes several technical and miscellaneous changes related to Social Security. These changes clarify certain effective dates, extend demonstration project authority and improve the law which denies Social Security benefits to prisoners.

Mr. Speaker, some years ago we passed legislation denying Social Security benefits to incarcerated criminals. However, for some reason it has been difficult to get local jails and other institutions to notify the Federal Government they have custody of such inmates. As a result, the law's implementation has been somewhat spotty.

This legislation would provide a financial incentive for such reporting. I am hopeful that such an incentive will be effective in stopping benefits payments in a timely fashion.

□ 1430

Another provision of this bill would facilitate the implementation of voluntary tax withholding of Social Security benefits. The technical correction would remove an impediment to an already enacted law permitting this withholding. The law should have been effective in January of this year but the Social Security Act prohibits assignment of Social Security benefits.

Today's technical correction will eliminate the inconsistency between those two laws and allow the voluntary withholding to go forward. Many people have contacted many Members of the Congress urging swift enactment of this technical correction, and this will clarify exactly what can happen.

I expect we will find many beneficiaries who are anxious to utilize this option. I urge my colleagues to vote for this bill. I really thank the gentleman from Florida [Mr. SHAW] and the gentleman from Michigan [Mr. LEVIN] for the time and effort they have given to bringing this to the floor, and I am very glad to associate myself with it.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Speaker, I thank my colleague, the gentleman from Michigan [Mr. LEVIN], for yielding me the time and I rise today in support of H.R. 1048, the Welfare Reform Technical Corrections Act.

Incorporated in this bipartisan legislation is a provision that statutorily denies Social Security benefits to a group of individuals who have been convicted of serious sex crimes. This provision is based on H.R. 237, a bill that I drafted in response to an exposé by investigative reporter Joe Bergantino of WBZ in Boston.

Mr. Chairman, in 1994 Congress amended the Social Security Act to close a host of loopholes which enabled prisoners and other dangerous individuals to receive Social Security benefits while incarcerated. Congress' intent was clear: Social Security benefits were denied on the grounds that these dangerous individuals sentenced to cost-free living in government institutions should not receive additional benefits.

This was not a punitive action, Mr. Speaker, but a simple recognition that in an era of limited resources, prisoners and other dangerous individuals should not be able to double dip.

By and large, the law succeeded. However, it had one glaring loophole. In at least 7 States, including the Commonwealth of Massachusetts, there have been a number of sexual offenders who have been committed civilly to various institutions, usually upon completion of a criminal sentence. These individuals are currently eligible for Social Security benefits because they do not technically fit into a specific classification under the 1994 law.

In Massachusetts, at Bridgewater Treatment Center, for example, there are about 20 men there, hardened sexual offenders, who receive more than $10,000 a month in benefits.

It is an outrage that some of the most dangerous criminals in society continue to receive payments at a cost to hard-working Americans. Today, by passing this bill, we can close a huge loophole that has been long overdue and send a message to prisoners still collecting Social Security benefits. The message is: Your benefits are denied.

I want to thank my colleagues on the Committee on Ways and Means, particularly the gentleman from Massachusetts, Mr. RICHARD NEAL, and the gentlewoman from Connecticut, Mrs. BARBARA KENNELLY, for their work on this legislation, and I strongly urge support of H.R. 1048.

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

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

Mr. Speaker, I want to thank my colleague from Michigan for his tremendous work and cooperation. This could have developed into a circus, knowing of some of the controversies within welfare reform, but the Members all chose to be very professional and see this go through and go through in a very smooth way.

I would also like to thank the staff of the administration as well as the minority and the majority here in the House. To craft a technical corrections bill of this size is quite a job, and quite a laborious job to come through the legislation and find things that need adjustment, fine-tuning and correction, and take care of that. For that I am very appreciative to all of our staffs for having done so.

I also appreciate the cooperation we received from the Committee on Education and the Workforce, from the gentleman from Pennsylvania [Mr. GOODLING], and the gentleman from Arizona [Mr. STUMP], of the Committee on Veterans' Affairs, in cooperating in their jurisdiction within this bill.

Mr. Speaker, I include for the RECORD at this time a letter from the gentleman from Pennsylvania and the gentleman from Arizona as well.

COMMITTEE ON EDUCATION
AND THE WORKFORCE,
Washington, DC, April 25, 1997.

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

DEAR MR. SPEAKER: I am writing regarding H.R. 1048, the Welfare Reform Technical Corrections Act of 1997 and have no objection to this bill being scheduled for consideration. The bill was introduced by Rep. Clay Shaw and was referred additionally to the Committee on Education and the Workforce. The Committee on Ways and Means ordered the bill favorably reported on April 23, 1997. While the bill includes amendments that affect programs within the jurisdiction of this Committee, specifically the Mandatory Work Requirements of Title I and the Child Care Provisions of Title VI, I do not intend to call a full Committee meeting to consider this bill; however, the Committee does hold an interest in preserving its jurisdiction with respect to issues raised in the bill and its jurisdictional prerogatives in future legislation should the provisions of this bill be considered in a conference with the Senate.

Additionally, I would indicate that I am currently working with Chairman Archer to include a technical amendment to the Employment Retirement Income Security Act (ERISA), during Floor consideration; this amendment is solely within the jurisdiction of the Committee on Education and the Workforce.

I thank you for your attention to this matter and look forward to swift passage of H.R. 1048.

Sincerely,

BILL GOODLING,
Chairman.

COMMITTEE ON VETERANS' AFFAIRS,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, April 28, 1997.

Hon. BILL ARCHER,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR BILL: Thanks for working with me and the Department of Veterans Affairs to straighten out the few problems which had arisen with the payment of veterans benefits and the operation of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). I understand that the Welfare Reform Technical Corrections Act of 1997 addresses all of our concerns about the possible interruption of payment of veterans benefits as a result of technical defects in the Act. We very much appreciate your staff's willingness to get these issues worked out.

Sincerely,

BOB STUMP,
Chairman.

Mr. GOODLING. Mr. Speaker, I am pleased to support H.R. 1048, the Welfare Reform Technical Corrections Act of 1997. This legislation makes a number of technical and clarifying amendments to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996—the welfare reform law—that Congress passed and President Clinton signed last year.

I want to emphasize that these amendments are technical and clarifying in nature and do not change or undercut the important reforms of welfare that we made last year.

A number of the provisions in H.R. 1048 fall within the jurisdiction of the Committee on Education and the Workforce. Our committee has worked very closely with the Ways and Means Committee in putting this bill together, and I want to thank Chairman Archer and Chairman Shaw and their staffs for working with us in this process and accommodating our concerns along the way.

I want to particularly highlight provisions that fall within the jurisdiction of the Committee on Education and the Workforce regarding mandatory work requirements in section 105, child care provisions in title VI, and ERISA amendments relating to medical child support orders in title VII.

In the area of mandatory work requirements, H.R. 1048 makes the following technical and clarifying changes:

First, it allows States to count 2-parent families in which one parent is disabled as a 1-parent family for purposes of calculating the State work participation rate.

Second, it clarifies that States may exclude persons covered by a tribal work program from their calculation of work participation rates.

Third, it allows States flexibility in counting the ours of work by each parent in 2-parent families.

Fourth, it amends the conditions under which States may count up to 12 weeks of job search as meeting work participation requirements to better reflect the type of economic conditions that were intended by that provision of the welfare reform law.

Fifth, it addresses the work participation rate requirements for caretaker relatives for children under age 6 and makes those requirements consistent with those for parents.

Sixth, it clarifies language regarding the qualifying number of hours for teenage head of households.

In the area of child care, H.R. 1048 makes a number of drafting clarifications to the funding allocation language of the welfare reform

law. In addition, H.R. 1048 repeals the authorization for four narrowly targeted child care programs which we had intended to repeal as part of the welfare reform law, and as part of the consolidation of child care programs in that law. Because of the rules of the Senate, the provisions to repeal these programs were dropped from last year's welfare reform law, but are now included in this bill.

Finally, title VII of H.R. 1048 contains four changes to the Employee Retirement Income Security Act [ERISA], each of which relate to medical child support orders.

Section 701(a) allows the name and mailing address of an official of a State or political subdivision to be substituted for the mailing address of an ''alternate recipient'' who is the custodial parent of a child covered under an ERISA group health plan. Section 701(b) allows an ERISA group health plan to make payment of benefits to an official of a State or political subdivision who is named in a qualified medical child support order. Together, these two provisions will facilitate the payment of benefits to the appropriate party and maintain confidentiality of information, particularly in the case of child abuse.

Section 702 clarifies that an administrative notice which is issued in an administrative process in connection with a qualified medical child support order shall have the same effect as the order itself. This will facilitate the payment of benefits to the appropriate party on a timely basis and without having to seek a new court order.

Section 703 deletes a requirement that a qualified medical child support order must contain the name of every plan to which the order applies. This will facilitate the time application of such an order when coverage changes from plan to plan.

Mr. Speaker, I believe that these are all good changes which help clarify the welfare reform law and will help the States implement that very important law. I urge my colleagues to join in support of this legislation.

Mr. DOOLEY of California. Mr. Speaker, as the House debates H.R. 1048, I rise today to express my continuing concern regarding the negative impact of the welfare reform bill on the Hmong veterans who served along with our soldiers during the Vietnam war. I am pleased that the bill before us today recognizes the importance of this issue. However, the sense of Congress language does not go far enough to address the real need facing the Hmong community. I believe that every possible effort must be made to restore the benefits that were promised to these veterans.

I agree that reform of the welfare system was necessary as a means to facilitate the transition from welfare to work and to encourage greater self-sufficiency for able-bodied adults. However, the legislation enacted last year will adversely affect the Hmong people of Laos who deserve special consideration because they cooperated and sacrificed for our Government and its Armed Forces during the Vietnam war.

Because of a provision in the welfare reform law, legal residents, with a few exceptions, are ineligible to receive SSI. As a result, many of the elderly and disabled Hmong veterans and their dependents will be discontinued from the SSI program by August 22, 1997.

During the Vietnam war, many of the Hmong people worked for our intelligence and Special Forces groups. It is wrong to abandon these men and women who served as valuable allies to us during the Southeast Asian conflict.

Though not classified as veterans by our Government, the Hmong of Laos were engaged in covert operations directed by the Central Intelligence Agency. Since many served in non-uniformed units, it remains uncertain if ''veteran'' status can be proved. these Special Forces teams aided our efforts tremendously during the Southeast Asian conflict, but, at great cost and personal loss to themselves. Many of the Hmong lost their lives. They suffered innumerable casualties, and lost their homeland to Communist forces. After the war, the Hmong were forced to live in refugee camps, many in substandard conditions, and were later brought to our country as political refugees.

The process of assimilation to the United States has been especially difficult for the Hmong. One major setback for many, is that their command of the English language is insufficient to successfully complete the naturalization process. This is partly because, up until the 1950's, the Hmong did not have a written language, which has made learning to speak, read, and write the English language extremely difficult. Further, the English-learning process has been stymied by the high rate of illiteracy among the Hmong in their own native language. Educational opportunities in their homeland, for the majority of the Hmong who were brought to the United States as political refugees, were seriously undermined as a result of the war-ravaged years in Laos.

Aside from limited educational and work opportunities in the United States, the Hmong must overcome many other obstacles during their assimilation and adjustment process. First, many Hmong who survived the war are afflicted with physically-disabling conditions and mental disabilities such as post-traumatic stress syndrome. Second, they must adjust to a set of very different cultural practices and norms. Finally, the Hmong are subject to discrimination and prejudice in their new environment.

Mr. Speaker, today we are taking a first step toward restoring benefits to this deserving group. It is imperative that we follow through on the statement in the bill today and ensure further legislative action is taken. I am committed to working with the committee to develop a workable solution to this problem. The Hmong, who sacrificed much to fight by our Nation's side during the Vietnam war, should not be forgotten.

WAXAO XIONG

HMONG, AGE 70

Waxao served as a U.S. recruited soldier in the Luangprabang area of Laos beginning in 1964. Because of his leadership in the war, he was a special target of the communists in Laos. He ran for his life, narrowly escaping capture, but leaving behind his wife, mother and father in Laos. In 1987 he received a special reward for his exemplary military service in partnership with the United States.

Now he says he wants very much to be a citizen of the United States, especially because he was a leader in fighting against the communists for the U.S. ''I want to work to help this country, but I don't speak English. I went to adult school for one year. Now I am studying in English and citizenship classes in my apartment complex, but learning is so slow. I do not know how I can pass the test.''

LOR VANG

HMONG, AGE 74

Lor was once a well respected mayor of his village in Laos. Although Lor and his family had little formal education, he nevertheless owned and worked their own land. During the Vietnam War four of his six children and his parents were killed. Following the war he lived for 13 years in two refugee camps in Thailand and arrived in the United States in 1989 at age 66.

Now, through tears, he grieves his losses and wonders how American friends can assist him now. In Laos he was able to support his family, but arriving in the U.S. with no skills and no knowledge of English made him totally dependent on others. ''The U.S. has been very good. But I had little education in Laos, and it is hard to learn English here. Because I can't pass the citizenship test, I am thinking about killing myself.''

PAO DOUA VANG

HMONG, AGE 79

Pao Doua Vang served as a soldier allied with the United States in Laos during the Vietnam War from 1960–1975. His two sons served in the military as well, including one son who was only 13 when he was killed in battle. Pao was shot in the head by Communist soldiers and lost most of his hearing due to this injury. He also has a metal plate in his head from a bomb blast (although he does not remember the blast). He arrived in the United States in 1983 with his wife and daughters to live with his sister-in-law.

Due to the death of his mother and father when he was very young, Pao never had an opportunity to go to school. Through tears Pao says, ''I have lost hope in my old country. Now America is my country and hope. My children are citizens. I want to be a citizen too—but I have failed the English part of the test. If I am not a citizen, I have no future. Please help. My family is doing all they can, but they have their own problems and not very much money. Please don't let welfare reform happen to me.''

Mr. STENHOLM. Mr. Speaker, I rise in support of this bill. The welfare reform legislation enacted last year was a major step in the right direction of improving the welfare system, but all of us who supported this bill knew that it wasn't perfect and that we needed to continue to strengthen this bill. I want to commend Chairman Shaw for his sincere commitment to doing the hard work necessary to make sure welfare reform legislation works the way that we intended.

One of the key features of the welfare reform bill was the principle that States should be allowed to try innovative approaches to improve the welfare system. In that vein, I would like to take this opportunity to encourage the administration to approve the waiver allowing Texas to proceed with soliciting bids for the Texas Integrated Enrollment System.

The Texas Integrated Enrollment System would allow private vendors to compete with public agencies for a contract to develop and operate an integrated enrollment system. The Texas Legislature determined that a private contractor, working in partnership with a public agency, might be able to make the transition to a integrated process more efficiently than the current structure and achieve savings that could be used to assist needy individuals more directly.

I don't know if that assumption is correct. Some of my colleagues have raised valid concerns about the impact that privatization would have on the welfare system. I have some reservations myself about whether privatizing the

welfare eligibility system makes sense. But we are not debating whether or not privatization is a good idea. All we are debating—or at least all we should be debating—is whether Texas should be allowed to explore the options of allowing private contractors to administer a part of the welfare system. It is not possible for anyone to know what impact privatization will have until the bids are submitted. I would say to those who oppose privatization as well as those who support privatization: Let's wait and see what proposals are made for privatization before we jump to a conclusion either way.

Injecting some competition into this process will produce a welfare system that is better for welfare recipients and taxpayers. I would hope that those who oppose privatization will put their energy into improving the current system instead of trying to prevent any competition.

Approving the Texas waiver request does not necessarily mean that Texas will privatize any part of the welfare system. The Federal Government still must approve any contract with a private company before any privatization can become final. We should wait until we see the proposals from private companies before we decide whether or not privatization makes sense. We can't honestly debate the merits of privatization until we know the facts about what privatization will mean.

If the bids by private contractors don't adequately address the concerns that have been raised about the impact that privatization will have on individuals applying for assistance and on the current employees, or if the public sector can demonstrate that they can administer welfare programs more efficiently and effectively than any of the private contractors, I will be the first to argue that we shouldn't go forward with privatization.

I regret that this issue has become so politicized. I would urge all parties involved to cool our rhetoric and try to work together to find a way to allow Texas to explore this option while providing safeguards against the concerns we all share. I know Governor Bush and Commissioner McKinney are committed to finding a constructive solution, and believe that the administration is willing to work with them as well. I hope that they will continue their dialog to find a solution that will allow Texas to move forward with this proposal.

Mr. VENTO. Mr. Speaker, I rise today in support of the move to make technical corrections to the welfare reform law, H.R. 1048. Although I was hopeful that the measure would include provisions to exempt Hmong veterans from benefit restrictions, I am pleased that the sense of Congress was included in the amendments offered. This sense of Congress would recognize the service of thousands of Hmong and other Highland Lao veterans who fought in special guerrilla units on behalf of the United States during the Vietnam war. I would also state that Congress should approve legislation for the purpose of continuing certain welfare benefits for these Hmong and Highland Lao veterans and their families based on their service to the United States.

I believe that we must go further than this sense of Congress language to recognize the service of the Lao Hmong, however, this is an important step in the process of honoring the sacrifice of the Hmong patriots. The Hmong stood by the United States at a crucial time in our history; now we have an opportunity to repay that loyalty. Many of those who survived and made it to the United States are separated from other family members and are having a difficult time adjusting to life here.

I worked to include language in this bill that would make the treatment of Hmong veterans commensurate with that of other aliens who served in United States regular military forces. While this provision was not included, I am encouraged that this sense of Congress has bipartisan support and expresses a shared intent to amend this matter and am hopeful that this issue will be resolved in the near future to avert the August 1997 deadline. The loss of benefits to these legal immigrants that can't pass an English language test is unfair and works a special hardship on the Hmong, refugees and asylees nationally.

Mr. RADANOVICH. Mr. Speaker, I am pleased that the House of Representatives approved the passage of H.R. 1048, the Welfare Technical Corrections Act of 1997, which I supported. The bill makes a number of technical corrections to the 104th Congress' historic welfare reform bill.

I want to draw particular attention to section 407 of the bill. This section provides for:

> ...the sense of the Congress that Hmong and other Highland Lao veterans who fought on behalf of the Armed Forces of the United States during the Vietnam conflict and have lawfully been admitted to the United States for permanent residence should be considered veterans for purposes of continuing certain welfare benefits consistent with the exceptions provided other noncitizen veterans under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

The Hmong share a unique historic link with the United States and our objectives in the Vietnam war. It is because of their valiant service that these people deserve our concentrated attention. I want to thank Human Resources Subcommittee Chairman SHAW, Congressman KLECZKA, Congressman RAMSTAD, and the remaining members of the Ways and Means Committee for including this important language in the bill. I am pleased that my communication with the committee has in some measure contributed to raising awareness about the Hmong and their unique situation.

GENERAL LEAVE

Mr. SHAW. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 1048.

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

There was no objection.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. SHAW] that the House suspend the rules and pass the bill, H.R. 1048, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ADVISING MEMBERSHIP OF ISRAELI PRIME MINISTER NETANYAHU ADDRESS ON HOUSE CABLE TV

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

Mr. GILMAN. Mr. Speaker, permit me to take this opportunity to inform my colleagues of arrangements I have made for them to be able to view a major speech of Israeli Prime Minister Netanyahu on House cable channel 25.

Recently the Israeli Prime Minister addressed the membership of Voices United for Israel, an organization dedicated to a secure Israel, comprised of more than 200 Christian and Jewish organizations representing 40 million people across our Nation. Based on the attendance of that event, it is obvious that support for a strong United States-Israeli relationship can be found throughout our Nation.

Accordingly, I have arranged for the Prime Minister's remarks to be broadcast on our House cable channeling, channel 25, this Wednesday, April 30, and Thursday, May 1, at both 10 a.m. and 2 p.m. on both days, and have sent out a ''Dear Colleague'' letter to each Member of the House advising them of this event.

Mr. Speaker, I hope our Members and their staff will take the opportunity to view this important speech. It was well received and I highly recommend it.

EXPIRING CONSERVATION RESERVE PROGRAM CONTRACTS

Mr. SMITH of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1342) to provide for a 1-year enrollment in the conservation reserve of land covered by expiring conservation reserve program contracts, as amended.

The Clerk read as follows:

H.R. 1342

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

SECTION 1. ONE-YEAR ENROLLMENT OF LAND COVERED BY EXPIRING CONSERVATION RESERVE PROGRAM CONTRACTS.

(a) ELIGIBLE FARM LANDS.—This section applies with respect to a farm containing land covered by a conservation reserve program contract expiring during fiscal year 1997 if—

(1) the farm had a crop acreage base for wheat, oats, or barley at the time the conservation reserve program contract was executed;

(2) the farm is located in an area in which fall-seeded crops are regularly planted, as determined by the Secretary of Agriculture;

(3) the owner of the farm (or the operator with the consent of the owner) submitted, during the enrollment period that ended on March 28, 1997, an eligible bid to enroll all or part of the land covered by the expiring contract in the conservation reserve established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.); and

(4) the land designated in the bid satisfies the eligibility criteria in effect for enrollment of land in the conservation reserve.

(b) ONE-YEAR ENROLLMENT AUTHORIZED.—

(1) AUTHORITY OF OWNER OR OPERATOR.—Except as provided in subsection (g), the owner or operator of a farm described in subsection (a) may enroll in the conservation reserve for a one-year term to begin on October 1, 1997, the land covered by the expiring conservation reserve program contract and included in the owner's or operator's enrollment bid (as described in subsection (a)(3)) if—

(A) the owner or operator notifies the Secretary in writing, during the special notification period required under paragraph (2), that the owner or operator desires to enroll the land in the conservation reserve for one year under this section; and

(B) the Secretary does not accept, before October 1, 1997, the owner's or operator's enrollment bid (as described in subsection (a)(3)) to enroll the land in a long-term conservation reserve program contract.

(2) SPECIAL NOTIFICATION PERIOD.—Promptly upon the enactment of this Act, the Secretary shall provide a special period for owners and operators of farms described in subsection (a) to permit the owners and operators to provide the notification required under paragraph (1)(A) to enter into one-year conservation reserve program contracts under this section.

(c) RENTAL RATE.—The rental rate for a one-year conservation reserve program contract under subsection (b) shall be equal to the amount of the bid (as described in subsection (a)(3)) that the owner or operator submitted with respect to the land to be covered by the one-year contract.

(d) EFFECT OF ONE-YEAR CONTRACT ON SUBSEQUENT ENROLLMENT.—If an owner or operator who enrolls eligible farm land in a one-year conservation reserve program contract under subsection (b) submits a bid to enroll the same land in the conservation reserve under a long-term conservation reserve program contract that would commence on October 1, 1998, and the Secretary accepts the bid and enters into a long-term conservation reserve program contract with the owner or operator, then the one-year contract shall be considered to be the first year of that long-term conservation reserve program contract.

(e) MAXIMUM ENROLLMENT.—The maximum number of acres in the conservation reserve during fiscal year 1998, including land enrolled by the Secretary under one-year conservation reserve program contracts under subsection (b), may not exceed 30,000,000 acres.

(f) APPLICATION OF CONSERVATION RESERVE LAWS.—Except as specifically provided in this section, the terms and conditions of subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) shall apply with respect to one-year conservation reserve program contracts authorized by this section.

(g) EFFECT OF COMPLETION OF 15TH ENROLLMENT.—If, as of the date of the enactment of this Act, the Secretary has already acted on the bids submitted during the enrollment period that ended on March 28, 1997, to enroll land in the conservation reserve, either by accepting or rejection the bids then the authority provided by this section for special one-year conservation reserve program contracts shall not take effect.

SEC. 2. SPECIAL EARLY TERMINATION AUTHORITY FOR CERTAIN CONSERVATION RESERVE PROGRAM CONTRACTS EXPIRING IN 1997.

(a) EARLY TERMINATION AUTHORITY.—A farm owner or operator described in subsection (b) who is a party to a conservation reserve program contract expiring during fiscal year 1997 may terminate the contract at any time after June 30, 1997. Notwithstanding section 1235(e) of the Food Security Act of 1985 (16 U.S.C. 3835(e)), the termination shall take effect immediately upon submission of notice of the termination to the Secretary of Agriculture and shall not result in a reduction in the amount of the rental payment due under the conservation reserve program contract for fiscal year 1997.

(B) ELIGIBLE OWNERS AND OPERATORS.—A farm owner or operator referred to in subsection (a) is a farm owner or operator with respect to whom one of the following circumstances apply:

(1) Nether the owner, operator, nor any other eligible person submitted, during the enrollment period that ended on March 28, 1997, an eligible bid to enroll all or part of the land covered by the expiring conservation reserve established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.).

(2) An eligible bid was submitted during the enrollment period to enroll all or part of the land covered by the expiring contract in the conservation reserve, but the Secretary of Agriculture rejected the bid and the owner or operator did not notify the Secretary, in the manner provided in section 1(b), that the owner or operator desired a one-year contract under section 1.

(c) CONSERVATION RESERVE PROGRAM CONTRACT DEFINED.—In this section, the term ''conservation reserve program'' means a contract entered into under subchapter B of Chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) for enrollment of farm acreage in the conservation reserve established under such subchapter.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon [Mr. SMITH] and the gentleman from Texas [Mr. STENHOLM] each will control 20 minutes.

The Chair recognizes the gentleman from Oregon [Mr. SMITH].

Mr. SMITH of Oregon. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SMITH of Oregon asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Oregon. Mr. Speaker, today the House considers H.R. 1342, a bill reported by the Committee on Agriculture on April 17 by voice vote.

This bill will provide a one-time legislative remedy to a problem that many of us have seen coming for many months, and that is a specific timing problem for winter crop producers whose current CRP contracts will expire this September.

Members of the Committee on Agriculture, the gentleman from Virginia Mr. MORAN, who introduced the bill in February seeking to solve this matter, the gentlemen from Texas, Mr. COMBEST and Mr. STENHOLM, and many others in a bipartisan effort have been working diligently to find the correct fix for this problem. We believe H.R. 1342 is a limited remedy to a very real problem that many landowners are now facing.

As a matter of information, this bill is different from the committee bill adopted in that if the Secretary awards CRP contracts prior to enactment, this bill is void. If the bill is enacted prior to any Secretarial announcement, then eligible landowners will be offered a 1-year contract.

Many farmers who needed to know some time ago whether or not they were going to get another CRP contract, will not know in time and will not be able to plant a winter crop of wheat, barley, or oats. And, by the way, through CBO we understand that the loss to farmers is somewhere in the neighborhood of $600 million for a lost crop.

For those of my colleagues who may not know, producers do not just hop on the tractor and put a crop in the ground. Farmers with the major part of their operations currently in CRP need significant time for securing seed, fertilizer, pesticides and, yes, even a bank loan.

Those of us from arid areas of the country know that precious soil moisture is being consumed now by required CRP cover crop. That cover crop should have been removed some time ago in many of the areas of the country to save moisture for the coming winter crop planting.

As Deputy Secretary of Agriculture Richard Rominger pointed out to the Committee on Agriculture during hearings last year, the benefits of CRP to the U.S. environmental areas are substantial and quantifiable: 2.4 million acres planted in trees and 8,500 miles of filter strips along water bodies, 1.7 million acres of wildlife practices and more than 30 million acres of lands devoted to grass cover.

The Natural Resources Conservation Service estimates CRP contracts have saved nearly 700 million tons of soil annually. By any terms, the CRP has been a Federal policy success; from an environmental standpoint and from any budgetary standpoint. CBO now identifies this bill, if passed, to save $75 million.

Of course, the problem is here. Most of these producers cannot and will not gamble on waiting for the USDA to make a decision. Of course, should that occur, all the conservation benefits over the past 10 years will be lost. The huge blocks of land which conservationists have identified as bringing back our native bird populations in the Great Plains will be broken up into smaller segments, far less beneficial to wildlife. Miles of filter strips buffering water courses will be torn up. Millions of acres of grasslands will be returned to annual production. I do not believe we should let that happen.

Again, this bill seeks a technical fix that will allow winter crop producers to know if they have a CRP contract for the coming year. If they are eligible under the terms of the CRP bid process that concluded March 28, they would receive a contract at rental rates offered for this new enrollment.

If the Secretary awards them a contract later, this spring or early summer, then they will be provided a new 10-year contract. On the other hand, if they are not awarded a contract, the 1-year contract provided in this bill will expire next year, giving the landowner plenty of time to seed a crop in 1998.

This bill does not harm the current CRP program. There are no changes made in eligibility criteria or overall standards for entry or early exit. We believe landowners who have made a credible bid will be considered by the Secretary under the terms of the new rental rates and the new environmental benefits index.

As I said earlier, this bill is a technical remedy to a specific problem. Remember, this bill saves $75 million to the taxpayers, if enacted. Without it, farmers will lose $600 million. It is farmer friendly, it is budget friendly, and it is environmentally friendly. I urge its adoption.

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

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

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

Mr. STENHOLM. Mr. Speaker, I rise in support of H.R. 1342.

Mr. Speaker, it has become apparent from meeting with farmers and discussing the situation with the chairman, that farmers in winter wheat States who have expiring Conservation Reserve Program [CRP] contracts will probably not have adequate time to react should those contracts not be reenrolled in the CRP.

In other words, these particular producers will not be able to prepare the ground and begin to summer fallow their acreage in time to ensure adequate moisture for fall planting. I am supporting the chairman's efforts to help these producers who were caught in a timing crunch through no fault of their own.

I would have preferred that we would have completed the farm bill in a reasonable time so that we wouldn't be in this position today. We have a large number of acres expiring in 1 year because a great deal of them received a 1-year extension due to the fact that the farm bill was not completed in 1995. Now the USDA is under tremendous pressure to make quick decisions on how many acres of the nearly 26 million bid into the program should be accepted.

There seems to be some question of fact as to how much time these farmers need to prepare their land. In addition, USDA has several concerns in regard to how this bill will affect the 15th sign-up. In any event, if USDA maintains its schedule to announce the results of the 15th sign-up, then this bill will become moot.

I look forward to working with the Department to ensure the integrity of the new CRP remains intact. That is why I am supporting the chairman's legislation. This is a small fix for a major problem for a specific group of producers.

We also give some flexibility to producers such as those in Mr. Peterson's district who are going to have very limited options should there be remaining effects from this spring's flooding or a repeat during planting season next year. By allowing landowners who were not eligible to rebid existing contracts or whose bids to reenroll were not accepted to early out of their contracts, we are giving them maximum flexibility to ensure they will be prepared for planting in the spring of 1998.

Again, I rise in support of the chairman's legislation, and urge my colleagues to support the passage of H.R. 1342.

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

Mr. SMITH of Oregon. Mr. Speaker, I yield 2 minutes to the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Speaker, I rise in opposition to this bill, and I rise reluctantly because my good friend, the gentleman from Oregon [Mr. SMITH], knows that we are both interested in the same things, but this bill would prevent new environmentally sensitive land from being enrolled in the Conservation Reserve Program. Instead, it would allow farmers who have highly productive land currently in the program the opportunity to collect a Federal check for not producing for 1 more year. Those farmers who have land that they could enroll in the program, that would have very positive environmental benefits on the nearby communities by being in the program, would be shut out for another year.

I suggest if we want to do right by conservation programs and the environment, we should vote ''no'' on this bill. This bill goes backward in efforts to protect our environment, not forward. I must, with all due respect to my friend from Oregon, oppose the bill.

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

Mr. SMITH of Oregon. Mr. Speaker, I yield myself such time as I may consume.

In closing, let me reiterate again, as I mentioned in my statement, that this bill saves the taxpayers money. This is for farmers in America. Without this bill, farmers could lose $600 million in crops. This is environmentally friendly, as I have stated.

Mr. BARRETT of Nebraska. Mr. Speaker, I rise today in support of H.R. 1342. I do not intend to take a lot of time on this issue. However, I would like to share the Nebraska wheat growers support for this bill with my colleagues.

For quite a while, Nebraska's wheat growers have been concerned USDA would not decide which bids to accept into CRP until it was too late for fall-seeded crops. My wheat growers would have faced the difficult decision of planting on land that has the possibility of being enrolled in CRP, or waiting for USDA's decision which could be negative.

The bill will allow winter crop producers to know now that they can be enrolled in CRP for the coming crop year. This will solve a minor, but very serious timing problem.

H.R. 1342 makes this situation a little easier for all winter wheat growers. I'm pleased to support the 1-year CRP option for fall-seeded crops, and I urge my colleagues to support H.R. 1342.

Mr. MORAN of Kansas. Mr. Speaker I rise today in support of H.R. 1342, a bill to provide technical corrections for the Conservation Reserve program. I would like to first thank the chairman of the Agriculture Committee for bringing this legislation before the House of Representatives.

For those of us with producers caught by the timing of these new CRP regulations, this bill offers a sensible method of returning the ground to production agriculture and protecting the conservation benefits of the program for as long as possible. H.R. 1342 is a narrow solution to a real problem.

At a hearing on February 26, 1997, held by the Subcommittee on Forestry, Resource Conservation and Research, I shared my concerns on the timing of the new CRP regulations. On February 27, I introduced legislation, H.R. 861, that shares much in common with the bill before this Chamber. H.R. 1342 allows producers whose land is not accepted to extend their contract for up to 1 additional year at the owner's new bid. For producers in winter wheat country, this bill allows for a reasonable transition of land back into production.

Under the current CRP enrollment situation established by the USDA, producers are faced with the option of losing 11 years of production in a 10-year program or being told to tear up the ground prior to being notified of a CRP decision and then trying to receive cost-share funds to replant the land back into grass if that land was indeed accepted. Neither one of these situations made sense to Kansans whose land is in the program or to this Member of Congress.

The Conservation Reserve program is an extremely important, popular, and effective program for the people of the first district of Kansas and across the country. Nationwide, over 30 million acres of environmentally sensitive land have been enrolled in this important program. The benefits of this program are readily seen through reduced runoff and soil erosion, improved wildlife habitat, and better air quality by reducing wind erosion. These benefits are important and I am optimistic that through the efforts of this legislation, the conservation benefits can be extended and maintained.

Again, Mr. Speaker, I urge my colleagues to support H.R. 1342 and take a positive step in supporting one of this Nation's most successful conservation programs.

Mr. HILL. Mr. Speaker, I rise in support of H.R. 1342, a bill to allow farmland in winter wheat and fall-planted crops to remain in a conservation program for one more year.

This temporary measure would provide certainty to Montana farmers and ranchers whose Conservation Reserve Program contracts are expiring in September.

Frankly, I am very concerned about the situation Montana farmers face. They are caught between the rules of nature and those of the Department of Agriculture.

Nature tells them there is a time for preparing their land and the Department tells them to wait.

In last year's farm bill, we asked producers to manage risk; to produce for markets. The Department's delay makes that impossible. Clearly, the situation calls for correction.

The Congressional Budget Office indicates that the bill saves $75 million next year. Enacting this bill would also prevent the potential loss of $600 million in income for farmers nationwide. That's how much is at stake if farmers are unable to produce a viable crop while they wait for the Department's decision.

As I said earlier this year, Montana farmers need certainty. They need to know; should they prepare land for planting fall crops or for establishing a cover suitable for long-term enrollment in the Conservation Reserve Program.

If they aren't accepted in the Conservation Reserve Program, they're caught between nature's seasons and the Department's process.

We can't change nature, but we can change the rules to help not hinder our farm families.

Mr. Speaker, my friends and neighbors look to Congress for help. And, that's what this bill would deliver. I agree with Chairman BOB SMITH and I'm a cosponsor of this important legislation. I urge Members to support this legislation. It's good for the environment, good for the farmer, and good for the taxpayer.

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

□ 1445

The SPEAKER pro tempore (Mr. SNOWBARGER). The question is on the motion offered by the gentleman from Oregon [Mr. SMITH] that the House suspend the rules and pass the bill, H.R. 1342, as amended.

The question was taken.

Mr. SKEEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. SMITH of Oregon. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just considered.

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

There was no objection.

AWARDING CONGRESSIONAL GOLD MEDAL TO FRANK SINATRA

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 279) to award a congressional gold medal to Francis Albert Sinatra.

The Clerk read as follows:

H.R. 279

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

SECTION 1. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of the Congress, to Francis Albert ''Frank'' Sinatra a gold medal of appropriate design, in recognition of his accomplishments as an entertainer and humanitarian, which include—

(1) having a career in the entertainment industry spanning 5 decades where he produced, directed, or appeared in more than 50 motion pictures, recorded thousands of songs with annual sales numbering in the millions, and won many major awards in American popular entertainment including 7 Grammys, a Peabody, an Emmy and a Best Supporting Actor Oscar; and

(2) earning the Life Achievement Award of the NAACP, the Academy of Motion Picture Arts and Sciences' Jean Hersholt Humanitarian Award, and the Presidential Medal of Freedom for his humanitarian and social justice efforts.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

(c) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated not to exceed $30,000 to carry out this section.

SEC. 2. DUPLICATE MEDALS.

(a) STRIKING AND SALE.—The Secretary of the Treasury may strike and sell duplicates in bronze of the gold medal struck pursuant to section 1 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

(b) REIMBURSEMENT OF APPROPRIATION.—The appropriation used to carry out section 1 shall be reimbursed out of the proceeds of sales under subsection (a).

SEC. 3. NATIONAL MEDALS.

The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware [Mr. CASTLE] and the gentleman from New York [Mr. FLAKE] each will control 20 minutes.

The Chair recognizes the gentleman from Delaware [Mr. CASTLE].

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

This afternoon, I rise in support of H.R. 279, the bill to award a Congressional Gold Medal to Francis Albert Sinatra, a man who is perhaps better known to many Americans as Old Blue Eyes, the Chairman of the Board, or simply the Voice.

Mr. Speaker, the standard for a Congressional Gold Medal is that the recipient must be someone who has performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient's field long after the achievement itself. Frank Sinatra's career in music and entertainment clearly meets and exceeds this standard.

Frank Sinatra is perhaps the greatest singer of popular American music of this century. His career spans over 6 decades. Sinatra's style, phrasing, timing and of course his voice have influenced and set the standard for American singers since World War II. In my home State of Delaware and across the country, there are radio stations that for years have devoted weekly shows of 3 hours or more to the music of Frank Sinatra.

There are few musicians or singers whose music can inspire and sustain that type of long-term interest and enthusiasm. From his big band days with the Harry James and Tommy Dorsey orchestras to his seminal work on the Capitol label with the Nelson Riddle orchestra in the 1950's, Frank Sinatra became the preeminent American popular singer.

He made the swinging Sinatra style of the 1960's and the 1970's the standard and continued to gain new fans in the 1980's and 1990's. Frank Sinatra helped define what Americans listen to and what people all over the world consider to be American music. From his own contemporaries to rock musicians today, everyone recognizes the impact Frank Sinatra has had on American popular music and culture.

Mr. Speaker, this legislation did not materialize overnight. It represents the hard work of a number of Members, particularly the gentleman from New York [Mr. SERRANO], the sponsor, with bipartisan help from his colleagues the gentleman from New York [Mr. KING], the gentleman from California [Mr. BONO], and others. The gentleman from New York [Mr. SERRANO] has been a longtime advocate of a Congressional Gold Medal for Frank Sinatra.

This legislation has not received any special treatment. I told the gentleman from New York [Mr. SERRANO] that it must demonstrate broad support by getting 290 cosponsors in the House. To their credit, the gentleman from New York [Mr. SERRANO], the gentleman from New York [Mr. KING], the gentleman from California [Mr. BONO], and other Members went to work to develop the support necessary to give Frank Sinatra the highest civilian honor this Congress can award. The bill has 302 cosponsors, including bipartisan support from Members of the House leadership, and the gentleman from California [Mr. HORN] wants to be a sponsor, too. He just asked me.

Mr. Speaker, before the ranking member of the subcommittee is recognized, I urge the House to show its high hopes, think of a summer wind, say I get a kick out of you and make 1997 a very good year by awarding this gold medal to the man who did it my way. I urge the immediate adoption of H.R. 279.

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

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

First of all, let me thank the gentleman from Delaware [Mr. CASTLE] for expediting getting this bill to the floor. As always, the gentleman has been most gracious with his time and flexibility to allow us to bring this bill out today. I also wish to congratulate the gentleman from New York [Mr. SERRANO] for his sponsorship, his diligence, his tenacity. I am grateful that the gentleman has expedited this bill coming, furthermore, because the gentleman from New York [Mr. SERRANO] has driven me crazy trying to make sure that at the point that he had his 290 signatures we would be willing to bring it to the floor.

So I think this is a great day for us and a great day for the Sinatra family, Frank especially, and a great day for the gentleman from New York [Mr. SERRANO] and the leadership that he has provided.

I do not intend to take much time. Several Members have comments and remarks about Mr. Sinatra to make. But let me just say that although Mr. Sinatra is from Hoboken, NJ, he has always identified with the State and city of New York. Everyone knows his rendition of ''New York, New York.''

Few, however, realize his accomplishments as a complete entertainer. He has won an Emmy, Grammy, Peabody, and an Oscar. He has also been honored

with the Presidential Medal of Freedom, the Academy of Motion Pictures, Arts and Sciences Humanitarian Award and a Lifetime Achievement Award from the NAACP.

Other Members will undoubtedly comment on the more personal reflections about Mr. Sinatra, but from my viewpoint he is an American icon. His influence is still felt today as it was when he first entered into the entertainment field, and he represents an entire generation of complete and gifted entertainers that the younger generations would do well to emulate.

With that, Mr. Speaker, I will close and extend my support for unanimous passage of this great honor and look forward to giving whatever support is necessary in assuring that Frank Sinatra is given his just and proper due as an American citizen and as one who has contributed so much to us.

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

Mr. SERRANO. I thank the gentleman from New York for yielding me this time.

Mr. Speaker, let me first of all thank the gentleman from Delaware [Mr. CASTLE], the gentleman from New York [Mr. KING], and the gentleman from California [Mr. BONO], the leadership of both Houses, the gentleman from New York [Mr. QUINN], and the gentleman from New York [Mr. FLAKE] for giving me the support necessary to bring this bill to the floor and certainly the 303 cosponsors to sign on to this bill.

I guess the best way to begin is the way I most like to start when I talk to people about Frank Sinatra. When my father came back from the Army after World War II, he brought home with him to Puerto Rico a set of 78 RPM records. It was my introduction to the English language, and it was my introduction to the voice of Frank Sinatra. I immediately fell in love with both. The English language I try to perfect on a daily basis, and the Frank Sinatra singing I was smart enough not to try to imitate. But throughout all of these 40 odd years, the love affair between Mr. Sinatra's talent and this person born in Puerto Rico and raised in the Bronx has been something that as I step back today even I find extraordinary.

I own 290 Sinatra records, LP's, hundreds of CD's and tapes, pictures, books, over 30 films, on video of course. My e-mail address is Frank 2 even though my name is JOSE, and one can hear Mr. Sinatra on my answering machine. I have been influenced by his singing to the point which I suspect is the reason why I am a New Yorker who says Tuesday rather than Tuesday because Mr. Sinatra would have never sung Tuesday. His language and his style was used by many to perfect their English.

I do not remember the last day that I have not listened to a Sinatra record. I do not remember the last time that I passed up a radio station that was playing his music. His music to me is no different than his music to so many other people. It serves this incurable romantic with the ability to listen to the best music the world has ever heard. Whether it was a swinging ballad or a sad, tear-jerking ballad, Sinatra did it his way and did it better than anyone else.

In the other language that I operate in, from Julio Iglesias to local singers like Danny Rivera, when you talk to them, they all tell you that the master of them all is and has been Frank Sinatra. Who stays at the top of their game for 60 years? We have had a couple of people here who stayed past 50, and we knew what a record they set. Longevity for him has been something to really look at. But then there is Frank Sinatra the humanitarian, Frank Sinatra the American citizen, the one who raised money for so many different organizations, the one who sold war bonds at the beginning of his career and, may I say, this bill mandates that the Mint will sell replicas of this medal to the public, and I suspect that at the end of the career Sinatra once again will be part of pulling a lot of money into the Treasury.

For me personally, this is a very important day, because it is my way of saying thank you. It is my way of saying thank you to this individual who brought so much joy to the world through his singing and through his talent. It is my way, also, of saying thank you for not being afraid in a society that is pretty tough to cry in public, for, you see, Mr. Sinatra in his love songs cried on a daily basis, and we Americans are not supposed to cry.

My father once told me, in Spanish, that the English language had taken a bad rap, that some people had suggested that it was not a romantic language, and my father Jose, I will never forget this, said to me, but if the language is sung and spoken properly, it is as romantic as Spanish, French, or Italian. Well, my father was right. And Mr. Sinatra was the living example and is the living example of the fact that English is indeed a romantic language.

He is watching us today on TV at this very moment. His family is all watching the proceedings of the House. He has received the Presidential Medal of Freedom. He has received the NAACP Lifetime Achievement Award. He has received an Oscar for humanitarian work in addition to an Oscar for costarring in a movie. He has received every possible award you can receive in this country, in Israel and France, in Italy, in Brazil, all over the world.

But today as the people's representative, we are all saying that we are a grateful Nation. We say thank you, Frank Sinatra, thank you for singing, thank you for performing, thank you for being you.

I say personally, thank you, Frank Sinatra, for proving that my father was right. English indeed is a beautiful and romantic language and you showed the world how to do it right.

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

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

To my friend, the gentleman from New York [Mr. SERRANO], we have some time over here and if I could, if the Speaker would allow us to yield time to him to sing whatever he would like of Frank Sinatra's works. I even have a tape that my chief of staff said was his best, ''Only the Lonely.'' We could put that on and the gentleman could sing for a while. We would appreciate that.

Mr. FLAKE. If the gentleman will yield, I think the gentleman ought to be made to sing it in Spanish and in English. I think that would be great for us.

Mr. CASTLE. Mr. Speaker, the gentleman from New York [Mr. SERRANO] has done an admirable job on this legislation. It is not easy to get 300 signatures of the Members of Congress to anything, for all that matters. We did sort of crack the whip on it, he has worked on it a long time, and I do congratulate him. This is a great day for him as well as the Sinatra family.

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

□ 1500

Mr. KING. Mr. Speaker, I thank the gentleman from Delaware [Mr. CASTLE] for yielding this time to me, and I thank him for the tremendous job he has done in moving this to the floor, and of course the distinguished ranking member, my neighbor in the next-door community of Queens, NY [Mr. FLAKE] for always being such a worthy advocate of so many good causes, and most importantly of course we have to commend and congratulate the gentleman from Bronx, NY [Mr. SERRANO] for all he has done. And I fully concur with the gentleman from New York [Mr. FLAKE] in that the other gentleman from New York [Mr. SERRANO] drove us all crazy in getting this done. There was not a day that went by that he was not on the floor working it, making sure that I was working and making sure that the gentleman from California [Mr. BONO] was working, making sure that everything was in order to make sure that this was done and done properly. I just want to thank the gentleman from New York, [Mr. SERRANO] for once again showing the tremendous leadership that he shows on so many of the issues and, of course, to commend the gentleman from California [Mr. BONO] for his work, and also Senator D'AMATO, who has attained the passage of similar legislation in the U.S. Senate.

Mr. Speaker, Frank Sinatra is truly an American legend. Frank Sinatra, as much as anyone ever, deserves this gold medal which is being voted to him today. Frank Sinatra, as the gentleman from New York [Mr. SERRANO] has pointed out, was and is an amazing singer, a person who was able to touch

the hearts of so many millions of Americans generation after generation. He was also an outstanding actor. He also, though, probably most importantly personified what it means to be an American. Frank Sinatra gave of himself to so many philanthropic causes and charitable causes, helped out so many people which most people do not even know about, always there, a helping hand, a person willing to help out and a person who fought his way up, a person who climbed out of poverty, a person who worked his way up all the way to the top to the very pinnacle of success, but never ever forgot where he came from.

Mr. Speaker, as the gentleman from New York [Mr. SERRANO] said, Frank Sinatra certainly did do it his way, and today this is a most fitting tribute to him and to his family for all that he has meant to so many generations of Americans. I know my father, my uncles and my mother and all of us always cherished the voice of Frank Sinatra and cherished what Frank Sinatra meant to so many people. And as a New Yorker, without any reflection on Chicago or whatever, I would say that ''New York, New York'' is the national anthem of New York. It was sung by Frank Sinatra and in many ways personifies the spirit of New York.

So I am very proud to be joining with all of my colleagues today in supporting this legislation, and again I want to thank my friends, the gentleman from New York [Mr. SERRANO] and the gentleman from Delaware [Mr. CASTLE] and the gentleman from New York [Mr. FLAKE] for their help, and I certainly urge the adoption of this resolution.

Mr. MENENDEZ. Mr. Speaker, I want to thank the sponsors of this resolution awarding the Congressional Gold Medal to Frank Sinatra. This honor is special for me since my congressional district is the birth place of the ''Chairman of the Board.''

Frank Sinatra has been the idol of generations of Americans from the 1930's onward. His unique voice has touched Americans of all races and nationalities. In addition to his talents as a singer, he has had a distinguished acting career, including earning an Academy Award for Best Supporting Actor in 1953 for his performance in ''From Here to Eternity.''

His countless musical hits will inspire Americans for generations. Although his accomplishments in the field of entertainment are legendary, he has also donated his time and effort to charitable and philanthropic work for organizations such as the Red Cross and the National Multiple Sclerosis Society among others.

With these accomplishments, he has distinguished himself as a great American. He serves as a notable example of the worthwhile contributions Italian-Americans have made to the Nation. From the Hoboken Four to Hoboken's No. 1, it is only fitting to honor Frank Sinatra, Hoboken's favorite son, with the Congressional Gold Medal.

Mr. MCGOVERN. Mr. Speaker, I stand before the House today to encourage each and every one of my colleagues to join me in recognizing the talents, accomplishments, and legacy of one Francis Albert Sinatra.

The world has been paying tribute to Frank Sinatra for more than 50 years, and I dare say will continue for another 550, so rather than try to top all the accolades that have already been heaped on this great artist, I will simply offer some thoughts on the impact Frank Sinatra has made on me and on the rich and diverse community that is the 3rd Congressional District of Massachusetts.

Mr. Speaker, I have had the great fortune to attend a number of Frank Sinatra's live performances at The Centrum in Worcester, MA. To walk into that great hall and see the wonderful diversity of Sinatra lovers is testament to the impact this man has had on American culture. White, Black, young, old and in-between, Democrats and Republicans, we were all brought together by the common thread of our love and appreciation for the music of Frank Sinatra.

Mr. Speaker, on a personal level, I owe much to the ''Chairman of the Board.'' It is a fact, Mr. Speaker, that I first wooed my wife with the lyrics of a popular Sinatra ballad, ''I've Got the World on a String.'' And I dare say, millions of my fellow Americans can track the progress of their romances through the lyrics and croonings of ''Old Blue Eyes.''

Sinatra is romance, Mr. Speaker, Sinatra is love. Just listen to the titles of some of Frank's love songs: ''Almost Like Being in Love;'' At Long Last Love;'' ''Can I Steal a Little Love;'' ''Don't Take Your Love From Me;'' Everybody Loves Somebody;'' ''Falling in Love With Love;'' ''I Can't Believe That You're in Love With Me;'' ''I Fall In Love Too Easily;'' ''I Love Paris;'' ''I Love You;'' ''I Wish I Were In Love Again;'' ''I Would Be In Love Anyway;'' ''Let's Fall In Love;'' ''The Look of Love;'' ''Love's Been Good to Me;'' ''Love Walked In;'' ''Love and Marriage;'' ''Lover;'' ''Melody of Love;'' ''The One I Love Belongs to Somebody Else;'' ''Our Love is Here to Stay;'' ''This Love of Mine;'' ''This Was My Love;'' ''To Love and Be Loved;'' and one of my favorites, ''What is This Thing Called Love?''

Frank Sinatra did not invent American popular music; and he certainly was not alone among the many great artists, composers, arrangers, and musicians who—together—comprise the foundation of this most American of music forms. However, Mr. Speaker, it was Frank Sinatra who defined American popular music—from the moment he first appeared on the stage during the years of the Roosevelt administration—through the years of Mitch Miller, Elvis, the Beatles, heavy metal, disco, punk, rap, new wave, grunge, and everything in between. Sinatra endures, Mr. Speaker, because his music, his grace, his presence and his message are worth enduring.

Say what you like, Mr. Speaker, but when our children, and our children's children look back on this great century—the American century—the paramount cultural icon of the period will be Francis Albert Sinatra.

His voice, his style, his artistry, his class, all qualify him for this tribute today. As Frank's daughter, Nancy, put it: ''He is a man with a public image built partly on fact and largely on myth. He is a man who embraces consistency, yet embodies contradiction. A man who treats the room to caviar and champagne and himself to a sandwich and Coca-Cola.'' Well, Mr. Speaker, it is time for this body to treat Frank Sinatra to some caviar and champagne. It is time to recognize the man and his music. Frank, God bless you, thank you, and on behalf of all of your friends and fans in the 3rd Congressional District of Massachusetts, thank you for sharing your many gifts with us.

Mr. FLAKE. Mr. Speaker, we have no further speakers and I yield back the balance of my time.

Mr. CASTLE. Mr. Speaker, I encourage the passage of the legislation, and I, too, yield back the balance of our time.

The SPEAKER pro tempore (Mr. SNOWBARGER). The question is on the motion offered by the gentleman from Delaware [Mr. CASTLE] that the House suspend the rules and pass the bill, H.R. 279.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Financial Services be discharged from further consideration of the Senate bill (S. 305) to authorize the President to award a gold medal on behalf of the Congress to Francis Albert ''Frank'' Sinatra in recognition of his outstanding and enduring contributions through his entertainment career and humanitarian activities, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the the Senate bill, as follows:

S. 305

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

SECTION 1. FINDINGS.

The Congress finds that—

(1) Francis Albert ''Frank'' Sinatra has touched the lives of millions around the world and across generations through his outstanding career in entertainment, which has spanned more than 5 decades;

(2) Frank Sinatra has significantly contributed to the entertainment industry through his endeavors as a producer, director, actor, and gifted vocalist;

(3) the humanitarian contributions of Frank Sinatra have been recognized in the forms of a Life-time Achievement Award from the NAACP, the Jean Hersholt Humanitarian Award from the Academy of Motion Picture Arts and Sciences, the Presidential Medal of Freedom Award, and the George Foster Peabody Award; and

(4) the entertainment accomplishments of Frank Sinatra, including the release of more than 50 albums and appearances in more than 60 films, have been recognized in the forms of the Screen Actors Guild Award, the Kennedy Center Honors, 8 Grammy Awards from the National Academy of Recording Arts and Sciences, 2 Academy Awards from the Academy of Motion Picture Arts and Sciences, and an Emmy Award.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The President is authorized to present, on behalf of the Congress, a gold medal of appropriate design to Francis Albert ''Frank'' Sinatra in

recognition of his outstanding and enduring contributions through his entertainment career and numerous humanitarian activities.

(b) DESIGN AND STRIKING.—For the purpose of the presentation referred to in subsection (a), the Secretary of the Treasury (hereafter in this act referred to as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, and at a price sufficient to cover the costs thereof, including labor, materials, dies, use of machinery, overhead expenses, and the cost of the gold medal.

SEC. 4. NATIONAL MEDALS.

The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS; PROCEEDS OF SALE.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be charged against the Numismatic Public Enterprise Fund an amount not to exceed $30,000 to pay for the cost of the medal authorized by this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sales of duplicate bronze medals under section 3 shall be deposited in the Numismatic Public Enterprise Fund.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 279) was laid on the table.

AUTHORIZING TRANSFER TO STATES OF SURPLUS PERSONAL PROPERTY FOR DONATION TO NONPROFIT PROVIDERS OF NECESSARIES TO IMPOVERISHED FAMILIES AND INDIVIDUALS

Mr. HORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 680) to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to States of surplus personal property for donation to nonprofit providers of necessaries to impoverished families and individuals, as amended.

The Clerk read as follows:

H.R. 680

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

SECTION 1. TRANSFER OF SURPLUS PERSONAL PROPERTY FOR DONATION TO PROVIDERS OF NECESSARIES TO IMPOVERISHED FAMILIES AND INDIVIDUALS.

Section 203(j)(3)(B) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(j)(3)(B)) is amended by inserting after ''homeless individuals'' the following: '', providers of assistance to families or individuals whose annual incomes are below the poverty line (as that term is defined in section 673 of the Community Services Block Grant Act),''.

SEC. 2. TRANSFER OF SURPLUS REAL PROPERTY FOR PROVIDING HOUSING OR HOUSING ASSISTANCE FOR LOW-INCOME INDIVIDUALS OR FAMILIES.

(a) IN GENERAL.—Section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)) is amended by adding at the end the following new paragraph:

''(6)(A) Under such regulations as the Administrator may prescribe, the Administrator may, in the discretion of the Administrator, assign to the Secretary of Housing and Urban Development for disposal such surplus real property, including buildings, fixtures, and equipment situated thereon, as is recommended by the Secretary as being needed for providing housing or housing assistance for low-income individuals or families.

''(B) Subject to the disapproval of the Administrator within 30 days after notice to the Administrator by the Secretary of Housing and Urban Development of a proposed transfer of property for the purpose of providing such housing or housing assistance, the Secretary, through such officers or employees of the Department of Housing and Urban Development as the Secretary may designate, may sell or lease such property for that purpose to any State, any political subdivision or instrumentality of a State, or any nonprofit organization that exists for the primary purpose of providing housing or housing assistance for low-income individuals or families.

''(C) The Administrator shall disapprove a proposed transfer of property under this paragraph unless the Administrator determines that the property will be used for low-income housing opportunities through the construction, rehabilitation, or refurbishment of self-help housing, under terms that require that—

''(i) any individual or family receiving housing or housing assistance constructed, rehabilitated, or refurbished through use of the property shall contribute a significant amount of labor toward the construction, rehabilitation, or refurbishment; and

''(ii) dwellings constructed, rehabilitated, or refurbished through use of the property shall be quality dwellings that comply with local building and safety codes and standards and shall be available at prices below prevailing market prices.

''(D)(i) In fixing the sale or lease value of property to be disposed of under this paragraph, the Secretary of Housing and Urban Development shall take into consideration and discount the value with respect to any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or nonprofit organization.

''(ii) The amount of the discount under clause (i) shall be 75 percent of the market value of the property except that the Secretary may discount by a greater percentage if the Secretary, in consultation with the Administrator, determines that a higher percentage is justified.''.

(b) CONFORMING AMENDMENTS.—Section 203(k)(4) of such Act (40 U.S.C. 484(k)(4)) is amended—

(1) in subparagraph (C), by striking ''or'' after the semicolon;

(2) in subparagraph (D), by striking the period at the end and inserting ''; or''; and

(3) by inserting after subparagraph (D) the following:

''(E) the Secretary of Housing and Urban Development, through such officers or employees of the Department of Housing and Urban Development as the Secretary may designate, in the case of property transferred under paragraph (6),''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. HORN] and the gentlewoman from New York [Mrs. MALONEY] each will control 20 minutes.

The Chair recognizes the gentlewoman from California [Mr. HORN].

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

H.R. 680, originally introduced by the gentleman from Indiana [Mr. HAMILTON], is a bill for the transfer of surplus personal property for donation to providers of necessities to impoverished families and individuals. This bill would authorize the transfer of surplus personal property to organizations that provide assistance to impoverished individuals. Currently Federal agencies declare about $6 billion per year in excess Federal personal property. The property is screened by other Federal agencies to determine whether the property is needed by another Federal user. The remaining property is declared surplus and donated to State and local governments, law enforcement agencies, and other eligible groups. Agencies then sell the remaining property, generally the oldest and most obsolete property, generating very little in proceeds, about $8 million annually.

H.R. 680 would expand the list of entities eligible to receive surplus property by authorizing the donation of surplus property to charities that provide services to poor families. These groups would be eligible for the property on the same basis as State and local government agencies. This is especially important because State and local governments and charitable organizations are assuming an even greater role in social programs as Federal assistance policies are implemented. Private charities such as food banks and Habitat for Humanity are a major source of support for the poor. The administrator of General Services may establish under this legislation restrictions on resale as necessary to insure that any property transferred is used to promote the public purpose of assisting poor families.

A volunteer conference known as the President's Summit for America's Future is currently being held in Philadelphia. This worthy goal of community voluntarism will be assisted by the passage of H.R. 680.

In addition, H.R. 680 would make available surplus Federal real estate to self-help housing groups such as Habitat For Humanity. This would promote home ownership by providing a public benefit discount to such organizations.

It is not intended that real property transferred under this act shall be used for any purpose other than providing for the construction, rehabilitation, or refurbishment of housing for occupation by low-income individuals who provided some portion of the labor associated with the housing. Congress does not intend to authorize the transfer of real property under this section for subsequent sale by any self-help housing organization except to the owner-occupant. The administrator of General Services shall condition the donation of this real property upon several requirements: First, that the housing be occupied by the owner-occupant rather than any rental tenant of the owner for a period to be established by the administrator; and second, that the self-help housing organization

limit the sale until after such reasonable period of time as the administrator considers necessary to promote home ownership while protecting the Federal financial interests. Through a contract or mortgage, the administrator shall require that the self-help housing organization ensure that any sale by the owner-occupant prior to the end of a 5-year period causes the property to revert to the self-help housing group.

Additionally, the administrator of the General Services Administration may require by contract or mortgage the owner-occupant to repay any assistance given by the Federal Government or the self-help housing organization if the property is sold within a longer period of time determined by the administrator. It is expected that the administrator would phase out this requirement after a period of 30 years. Assistance under this authority is deemed to be the difference between the estimated fair market value and the amount which the self-help housing organization paid; that is, the public benefit discount.

Additionally, Congress expects that the public benefit discount shall be 75 percent of the estimated fair market value of the property in order to get at least a 25-percent return for the taxpayers who initially purchased the property. In setting the amount of the public benefit discount, the administrator should determine whether the amount of discount would interfere with or substantially defeat the intent of this act.

I look forward to the passage of H.R. 680, and, Mr. Speaker, I now yield to the gentlewoman from New York [Mrs. MALONEY], the ranking Democrat on the Subcommittee on Government, Management, Information, and Technology of the Committee on Government Reform and Oversight that developed this legislation in consultation with the gentleman from Indiana [Mr. HAMILTON].

Mrs. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 680.

Mr. Speaker, we all know that one person's junk can be another person's jewel. That is why the Federal Government must, like any other well run organization, offer those goods, that it can no longer use, to people who need them.

Current law limits the Federal Government's ability to give. It allows donations only to homeless people. That is an admirable start. H.R. 680, as amended, extends the giving arm of government to people who may not have lost their homes but are needy. The change will allow food banks and other organizations to better serve those people who, according to local standards, are living in poverty.

In New York City, I am assured that organizations such as City Harvest, the Phoenix House, Day Top Village and local branches of the Salvation Army, where the real war on poverty is waged, will be better off with passage of this amendment.

In addition, we all know that land is one of America's most precious resources. When the Federal Government finds itself with more than it needs, it has a moral responsibility to use it to help others.

H.R. 680, as amended by the gentleman from Ohio [Mr. BOEHNER], would also allow the donation of Federal surplus land to nonprofit groups such as the Habitat for Humanity, which provides homes for low-income families. People will only have to contribute a significant amount of good old-fashioned sweat equity instead of dollars to the actual building of the home in order to qualify. Of course, all local building codes must be met. These provisions preserve the GSA central role in the disposal process and have been very carefully crafted to prevent abuse.

My thanks to the gentleman from California [Mr. HORN] for seriously considering the concerns of the minority and incorporating them in the manager's amendment; the gentleman from Indiana [Mr. HAMILTON], the author of this bill, also deserves all our thanks for his efforts to achieve this clearly needed change to help the impoverished; and also the gentleman from Ohio [Mr. BOEHNER].

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

Mr. HORN. Mr. Speaker, I thank the gentlewoman for her kind comments. She has been instrumental in developing most of the legislation that comes out of our subcommittee.

Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. BOEHNER] who has had a major hand in developing this legislation.

Mr. BOEHNER. Mr. Speaker, I would like to congratulate my colleagues who serve on the Committee on Government Reform and Oversight for their work in moving this bill, and in particular the gentleman from California [Mr. HORN] and the gentlewoman from New York [Mrs. MALONEY] for the work that they have done in putting this package together, particularly the manager's amendment, to help deal with those who are in need in our society.

As we all know, President Clinton is in Philadelphia in an effort to promote volunteerism throughout the Nation, and I commend him for doing so. I think it is particularly appropriate today that we are considering H.R. 680. This legislation removes obstacles to volunteerism and literally puts tools in the hands of real people who want to make a difference in their own neighborhoods.

While current law allows Federal agencies to use surplus property to help low-income families, it prohibits private volunteer groups such as Habitat for Humanity from doing so. I learned about this firsthand in my own community when the Voice of America found surplus property in my district. The local community, putting together a plan to use that property, wanted to include a section for a local Habitat for Humanity group and were told clearly by GSA that they could not do so and were prevented from doing so by Federal law.

If our goal is to make it easier for individuals to do for themselves what Government cannot, then this simply does not make sense.

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Habitat for Humanity and other volunteer groups like it have proved that they often do a better job than Government in helping low income families, but in this case Washington has not let them. H.R. 680 will finally solve this problem by simply adding private volunteer groups like Habitat to the list of community organizations that qualify for land that the Federal Government no longer needs. By giving these groups access to the land and tools that they need, they will be able to make a difference in their communities. I think we take a positive first step toward helping ordinary Americans answer the President's bipartisan call to community service. I hope that the President and others will join us in this important effort.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to add that as we speak, as we are on this floor, the President and former presidents are holding a bipartisan conference on volunteerism. This legislation is a concrete tool that will help not-for-profits and private volunteer organizations really participate more in volunteer efforts by enabling them to gain surplus property, both land and other surplus property, to meet needs for the poor in our country. It is an important piece of legislation. It is creative, it does not cost taxpayers one cent, and yet it will help many, many people.

I congratulate my colleagues for working on this, particularly the gentleman from Indiana [Mr. HAMILTON], the original sponsor, and the gentleman from Ohio [Mr. BOEHNER], for the meaningful amendment which he added.

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

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

Mr. Speaker, I think as most would agree from their comments, this is a very innovative, progressive piece of legislation, one that is bipartisan in nature, which will meet needs all over this country and help provide home ownership for a lot of our citizens who are at the poverty level in this country and cannot afford access to housing.

Mr. Speaker, I look forward to the passage of this legislation.

Mr. DOYLE. Mr. Speaker, I rise today to express my support for H.R. 680, which would

give more community organizations the ability to draw resources from the Federal Surplus Program.

Families across the Nation donate unwanted but usable items to organizations such as Good Will and the Salvation Army who, in turn, distribute them to families in need. The Federal Government also donates excess personal property, through the Federal Surplus Program. Usable items such as office equipment, vehicles, furniture, clothing, and other supplies are transferred to the States, who serve as collection points and distribute the items to community organizations who assist needy families and individuals.

However, current law limits the Government's donations through this initiative by restricting which organizations can receive the property. Subsequently, many organizations that could benefit from this program cannot participate. While the organizations currently taking advantage of this program are deserving of this benefit, so are many other entities that work to improve the safety and well-being of poor families in our communities. I would like to reiterate that this legislation does not give any organization or category of organizations priority to the donated items. It simply gives additional organizations the opportunity to participate in the Federal Surplus Program.

Throughout Allegheny County in my home State of Pennsylvania, there are organizations dedicated to helping those who are less fortunate, but they do not fit into categories currently eligible to participate in the Federal Surplus Program. For example, the Twin Rivers and Pittsburgh affiliates of Habitat for Humanity build affordable housing for families with low incomes. Constitution equipment has been available through the Federal Surplus Program in the past, which could go a long way in helping these groups serve more families. However, under current law, Habitat affiliates are not eligible to receive such items. Additionally, food banks, such as the Hunger Services Network, the Lutheran Service Society, and the Greater Pittsburgh Community Food Bank, which provide vital nutritional support to so many families and individuals, would become eligible for the program if this legislation were passed.

Many organizations, in addition to those I have mentioned today, would be helped by the passage of this important measure. For all of these organizations, and the individuals and families they serve, it is my hope that the 105th Congress can approve this legislation, and it is enacted into law.

Mr. HAMILTON. Mr. Speaker and Members of the House. I rise today to express my strong support for H.R. 680, a bill I introduced that would amend the Federal Property Act to make Federal surplus personal property available for donation to nonprofit, tax-exempt organizations that serve the poor.

I would like to take this opportunity, first, to thank Congressman STEPHEN HORN, chairman of the Subcommittee on Government Management; Congresswoman CAROLYN MALONEY, ranking Democrat on the subcommittee; Congressman DAN BURTON, chairman of the Government Reform and Oversight Committee; and Congressman HENRY WAXMAN, ranking Democrat on the full committee. I appreciate their support for and prompt consideration of H.R. 680 this year.

I also would like to thank Congressman JOHN BOEHNER for his leadership on this measure. His amendment relating to surplus real property has improved the bill, and I appreciate his involvement.

I introduced this bill in previous Congresses and again this year to fill a significant gap in the donation program for Federal surplus property. The House approved an identical measure in the 103d Congress, and I am pleased the House is considering the measure again today.

In 1976 Congress authorized the General Services Administration [GSA] to transfer surplus personal property to States so that it could be donated for public purposes. States established surplus property agencies to serve as central collection and distribution points for eligible recipients, including public entities and certain nonprofit, tax-exempt organizations, such as schools, hospitals, and groups whose sole mission is providing services to the homeless.

This program has been successful in States throughout the country. Personal property made available through the program has included tools, office machines and supplies, furniture, appliances, medical supplies, clothing, construction equipment, communications equipment, and vehicles.

There is, however, a major gap in the existing program. Under current law, surplus property cannot be made available for donation to many nonprofit organizations that serve the poor. Habitat for Humanity and good banks, for example, do provide services to the homeless, but this is not their exclusive mission. They also provide services to needy individuals who are not homeless, and, consequently, are ineligible for the donation program.

Making Federal surplus property available to these organizations would greatly assist them in aiding the poor. It would help the food banks that provide food to shelters, soup kitchens, and food pantries, as well as groups that recycle building materials for use in the repair and construction of homes for low-income families.

H.R. 680 would amend current law to make these organizations eligible for the Federal Surplus Program. The proposed change in law would not give these organizations preference, but just make them one of many eligible nonprofit entities.

H.R. 680 is not controversial. The House approved an identical bill—H.R. 2461—in the 103d Congress with bipartisan support. The CBO concluded at the time that the bill would result in no cost to the Federal Government or State and local governments. GSA supports this proposal. Senator LUGAR has introduced an identical bill in the other body this year.

Federal, State, and local governments have been looking to nonprofits to assume more responsibility for providing needed services to the poor, particularly in an era of budget constraints. H.R. 680 will help nonprofits provide those services more effectively by granting them access to donated Federal surplus property.

I strongly support H.R. 680, and urge my colleagues to approve the measure.

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

The SPEAKER pro tempore Mr. SNOWBARGER. The question is on the motion offered by the gentleman from California [Mr. HORN] that the House suspend the rules and pass the bill, H.R. 680, as amended.

The question was taken.

Mr. HORN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

EXTENDING THE ELECTRIC AND MAGNETIC FIELDS RESEARCH PROGRAM

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 363) to amend section 2118 of the Energy Policy Act of 1992 to extend the Electric and Magnetic Fields Research and Public Information Dissemination program, as amended.

The Clerk read as follows:

H.R. 363

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

SECTION 1. AMENDMENTS.

Section 2118 of the Energy Policy Act of 1992 (42 U.S.C. 13478) is amended—

(1) in subsections (c)(5), (e)(5), (g)(3)(B), (j)(1), and (l) by striking ''1997'' each place it appears and inserting in lieu thereof ''1998''; and

(2) in subsection (j)(1), by striking ''$65,000,000'' and inserting in lieu thereof $46,000,000''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado, Mr. DAN SCHAEFER, and the gentleman from Texas Mr. HALL, each will control 20 minutes.

The Chair recognizes the gentleman from Colorado, Mr. DAN SCHAEFER.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield myself 5 minutes.

(Mr. DAN SCHAEFER of Colorado asked and was given permission to revise and extend his remarks.)

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, H.R. 363 extends for a period of 1 year the Department of Energy's authorization to conduct research on electric and magnetic fields. In 1992 it became clear to Congress that there was a need for more research and more coordination within this particular area and more public dissemination of the information, mainly on the health effects of EMF, and thus the 5-year DOE-EMF RAPID program was authorized.

Since its creation, the RAPID program has added a great deal to our understanding on the effects of EMF. Unfortunately, however, the authorization to conduct the 5-year EMF RAPID program will expire before the program is scheduled to conclude. At the subcommittee hearing we learned this is not because the program is behind schedule, but because money was not appropriated for the program until after the first year's authorization had already passed. We want to now extend that authorization for one year to get this concluded in a logical manner.

Importantly, this program has been cost effective. Industry stakeholders have matched the Government dollar for dollar in funding this particular program. This has allowed the Government to do more with less, a concept which both Republicans and Democrats certainly can support. In fact, when the program is concluded, it is expected to cost nearly $20 million less than what was originally contemplated. The cost to the Federal Government of extending this program another year is $4.5 million.

Mr. Speaker, I would urge my colleagues to support H.R. 363.

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

Mr. HALL of Texas. Mr. Speaker, I yield myself such time as I may consume.

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

Mr. HALL of Texas. Mr. Speaker, I rise today in strong support of H.R. 363. It is a bill to reauthorize the Electric and Magnetic Fields Research and Public Information Dissemination Program. This important 5-year program, this very important 5-year program was first authorized by Congress in 1992 in response to public concerns about the possible adverse health effects of exposure to electric and magnetic fields.

The program first received appropriations in fiscal year 1994 rather than 1993, yet the authorization will expire at the end of this year. Now, this reauthorization for fiscal year 1998 is necessary to complete the fifth and final year of funding and to fulfill the program's original objectives. These objectives are to determine whether or not exposure to electric and magnetic fields affects human health, to conduct research with respect to technologies to mitigate any adverse human health effects, and to disseminate this information to the public.

Without this funding, the risk assessment portion of the program would be completed without the research due to be provided in mid-1997. More importantly though than that, the National Institute of Environmental and Health Sciences, which is conducting this program jointly with the Department of Energy, will have to produce risk assessment through a closed process rather than through the public process currently planned.

The program's cost will be much less than originally projected. It was authorized at $65 million over the 5-year period, but it is now projected to cost nearly $20 million less than originally estimated, about $46 million. Fifty percent of the funding comes from non-Federal sources, including electric utilities, electrical equipment manufacturers and realtors. The cost to the Federal Government will be $23 million over the 5-year period. Supporters of the reauthorization include the American Public Power Association, Edison Electric Institute, National Electrical Manufacturers Association, and the National Rural Electric Cooperative Association, among others.

Mr. Speaker, the program's research is on target and will be successfully completed by 1998, at which time the final report will be issued concerning potential health effects of exposure to electric and magnetic fields. Our citizens are depending on us to give them complete and accurate information, and the credibility of the final report would be compromised without this 5th and final year of funding.

Mr. Speaker, I ask my colleagues to vote yes on H.R. 363 so that this important program can achieve the objectives that Congress intended and provide the public with the information they deserve to have.

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

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER], the chairman of the full Committee on Science.

Mr. SENSENBRENNER. Mr. Speaker, I rise today in support of H.R. 363 to amend section 2118 of the Energy Policy Act of 1992 to extend the Electric and Magnetic Fields Research and Public Information Dissemination Program.

This bipartisan bill is designed to fulfill the intent of legislation enacted in 1992 to conduct a 5-year research and public information dissemination program on the health effects of electric and magnetic fields.

Section 2118 of the Energy Policy Act of 1992 directed the Secretary of Energy to establish a 5-year, cost-shared program, the EMF RAPID Program, starting on October 1, 1992, and expiring on December 31, 1997. The EMF RAPID Program objectives are: To determine whether or not exposure to EMF produced by the generation, transmission, and use of electric energy affects human health; to carry out research and development and demonstration with respect to technologies to mitigate any adverse human health effects; to provide for the dissemination of scientifically valid information to the public.

Under the act, the Department of Energy and the Department of Health and Human Services National Environmental Health Sciences Institute are jointly responsible for directing the program. DOE has responsibility for research, development, and demonstration of technologies to improve the measurement and characterization of EMF and for assessing and managing exposure to EMF, while NIEHS has sole responsibility for research on possible human health effects of EMF. EPACT also authorized $65 million for the period encompassing fiscal years 1993 through 1997. At least 50 percent of the total authorized funding must come from non-Federal sources, and before the Federal funds can be expended in any fiscal year, they must be matched by non-Federal contributions. In addition, not more than $1 million annually may be spent for the collection, compilation, publication, and dissemination of scientifically valid information.

The act also established two advisory committees to help guide the program: The Electric and Magnetic Fields Interagency Committee, composed of 9 members, and the National Electric and Magnetic Fields Advisory Committee, a 10-member body.

Finally, EPACT establishes a number of reporting requirements, including the following: By March 31, 1997, the director of NIEHS is to report to the Congress and to the agency his or her findings and conclusions on the extent to which exposure to EMF affects human health.

Not later than September 30, 1997, the committee, in consultation with the other committee, is to report to the Secretary and to Congress on its findings and conclusions on the effects, if any, of EMF on human health and remedial actions, if any, that may be needed to minimize any such health effects.

Periodically, the National Academy of Sciences is to submit reports to both committees that evaluate the research activities under the program and to make recommendations to promote the effective transfer of information derived from such research projects.

Although the act authorized the EMF RAPID Program to begin in fiscal year 1993, no funds were appropriated because the 1993 energy and water development appropriation bill was enacted before EPACT. Consequently, the first year of available appropriations was fiscal year 1994. In 1996, DOE submitted legislation to extend the EPACT authority for the EMF Rapid Program through 1998, and former Committee on Science Chairman Walker introduced this proposal in the last Congress. However, the last Congress adjourned sine die without taking action on the measure.

The President's fiscal year 1998 budget contains $8 million in funding for the fifth and final year of the EMF RAPID Program and completion of the DOE long-term commitment to EMF research. The Department continues to believe the 1-year extension is appropriate in the interest of completing the work contemplated by EPACT, and the DOE and non-Federal participants testified at a hearing conducted by the Committee on Science's Subcommittee on Energy and Environment that a total authorization of $46 million will be sufficient to complete the 5-year effort.

As amended by the Science Committee, H.R. 363 amends section 2118 of the Energy Policy Act of 1992 by extending by 1 year: First, the EMF RAPID Program, the Electric and Magnetic Fields Interagency Committee, and the National Electric and Magnetic Fields Advisory Committee to December 31, 1998; second, the Environmental Health Sciences' report to the EMFIAC and to Congress is extended by 1 year, to

March 31, 1998; and third, the deadline of the EMFIAC's final report to the Secretary of Energy and to Congress is extended by 1 year, to September 30, 1998.

Finally, the bill, as amended, reduces the EMF RAPID Program 5-year authorization from $65 to $46 million, consistent with the testimony by DOE and the non-Federal participants on the funding requirements needed to complete the program.

In closing, I wish to thank the gentleman from California [Mr. CALVERT], the chairman of the Subcommittee on Energy and Environment of the Committee on Science, and the gentleman from Indiana [Mr. ROEMER], the subcommittee's ranking member, for their hard work on this legislation. I would also like to thank the Committee on Science's ranking member, the gentleman from California [Mr. BROWN], for his bipartisan support.

I also want to commend the efforts of the gentleman from Virginia, [Mr. BLILEY], chairman of the Committee on Commerce; the gentleman from Michigan, [Mr. DINGELL], the ranking member of the Committee on Commerce; the gentleman from Colorado, [Mr. DAN SCHAEFER], chairman of the Committee on Commerce's Subcommittee on Energy and Power, the gentleman from Texas, [Mr. HALL], the subcommittee's ranking member; and also the gentleman. from New York [Mr. TOWNS], the bill's author, for their work on this legislation.

Mr. HALL of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. BROWN], the ranking member on the Committee on Science, and a very venerable former chairman of Science, Space, and Technology.

Mr. BROWN of California. Mr. Speaker, what did the gentleman call me? Venerable?

Mr. Speaker, I rise in support of H.R. 363, which provides a 1-year extension with no extra funding to the electromagnetic field and health effects research and development bill and information dissemination program with the Department of Energy.

□ 1530

As we heard from testimony before the Subcommittee on Energy and Environment of the Committee on Science on March 19 of this year, this 5-year program seeks to clarify the risks to public health posed by electromagnetic fields.

Mr. Speaker, in an effort to be brief, I would just point out that other speakers have already indicated the adverse effects of terminating this program 1 year before it is completed. I certainly join in my own feelings with regard to that.

The issue of health effects of electromagnetic fields, such as those created by high voltage electric lines, was a very highly emotional and politically potent issue a number of years ago, and it was this increasing public concern that led to the original enactment of this legislation. Families that live near such high voltage lines have wondered whether their children are at greater risk for contracting leukemia or a host of other maladies, and there has been research conducted, some of it in other countries, in Europe, for example, which lent credence to the possibility that such might be the case.

The issue, therefore, had to be put to rest with an authoritative and complete research program which would deal with that issue, and that is what this program has done. It has accomplished its goal so far well under budget and ahead of schedule, and we think it deserves to move ahead to completion.

I am also glad to say that the Committee on Science has been able to move expeditiously on this bill in a bipartisan manner, and this is due in large part to the efforts of the subcommittee chairman, the gentleman from California [Mr. CALVERT], and to the ranking member of the subcommittee, the gentleman from Indiana [Mr. ROEMER], as well as to the efforts of the full committee chairman, the gentleman from Wisconsin [Mr. SENSENBRENNER], whose efforts as chairman I have commended on previous occasions and I will continue to do so.

I have enjoyed working with each of them as well as other members of the committee and they enjoy my highest respect.

Mr. HALL of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TOWNS].

Mr. TOWNS. Mr. Speaker, I want to thank the gentleman from Colorado [Mr. SCHAEFER] and the gentleman from Texas [Mr. HALL] and the Committee on Science. I know that they have made a special effort to move this bill as an early priority. Since the authorization expires at the end of 1997, the program will terminate after 4 years instead of the 5-year period originally envisioned.

The need for the extension is plain and very clear. It will ensure that the original program's objectives set by Congress are met and enhance the credibility of the RAPID final report regarding potential human health aspects of exposure to electric and magnetic fields.

During consideration of H.R. 363, the Committee on Commerce received testimony from industry stakeholders who all agreed that a 1-year extension was necessary to complete the risk assessment through an open, public workshop approach that was originally planned by the National Institutes of Environmental Health Sciences.

Upon completion of the 5-year study, a final report to Congress on the electromagnetic field effects, if any, on human health will be submitted. The report will allow the Federal Government to confidently speak to the American people with one voice on this very important issue. Anything less than a 1-year extension would render the study incomplete and jeopardize the credibility developed over the last 4 years with EMF issue stakeholders and the public as well.

The RAPID Program has been very successful to date. In addition to the research initiated, the program has distributed 180,000 copies of questions and answers about electric and magnetic fields associated with the use of electric power to the public. Additionally, RAPID has published EMF in the work force and EMF InfoLine, managed by the Environmental Protection Agency and funded by the RAPID Program. It has also responded to the thousands of calls from the general public.

The program conducts research jointly with the Department of Energy and the National Institute of Environmental Health Sciences and is funded equally by the annual appropriations and matching contributions from the electric utilities, electrical equipment manufacturers, and realtors.

This 1-year extension has the support of the administration, Congress and the industry stakeholders such as the Edison Electric Institute, the American Public Power Association, the National Rural Electric Cooperative Association, and the National Electrical Manufacturers Association.

Mr. Speaker, I would like to again thank all of the participants in making this possible. I would like to thank the subcommittee chairman, and of course the ranking member as well, and all of the staff that worked very hard to move this legislation very quickly.

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

Mr. ROEMER. Mr. Speaker, I rise in support of H.R. 363, which provides a 1-year extension, with no extra funding, to the electromagnetic fields and health effects R&D and information-dissemination program at the Department of Energy. As we heard in March 19, 1997, in testimony before the Subcommittee on Energy and Environment, this 5-year program seeks to clarify the risks to public health posed by electromagnetic fields.

The authorization for this program currently ends in 1997—5 years after passage of the Energy Policy Act of 1992. However, with this termination date, the program will have actually had only 4 years to complete its tasks, because, through no fault of its own, the program began a year late due to the logistics of the budget cycle.

If the program were to terminate at the end of fiscal year 1997, important tasks assigned to the program by the Energy Policy Act of 1992 would go undone. With a 1-year extension, however, these essential functions will be completed and presented to the public in a concise manner.

As many Members are well aware, the issue of the health effects of exposure to electromagnetic fields, such as those created by electric high wires, have been controversial and emotional issues. Families that live near such wires have wondered whether their children are at greater risk for contracting leukemia or a host of other maladies. And, unfortunately as is often the case with research, the answers have been a long time coming, and have wrought their own controversies at times.

As directed by the Energy Policy Act of 1992, the Department of Energy has nevertheless pursued a complete airing of the issues in an open process that solicits public opinion and lets any expert challenge the results of their work. Learning from past mistakes, the Energy Policy Act required that the data and final analysis be shared in order to gain the trust and confidence of the public. Without this openness, the study would be just another Government study over which opposing factions bicker.

In fact, just such a closed study was recently completed by the National Academy of Sciences, and it found no credible evidence for a significant public health threat due to exposure to electromagnetic fields. While I fully respect the work of the academy and this study did reassure many of us, skeptics remain concerned with these results and their views also need to be considered in a public forum.

As promised in the Energy Policy Act, the EMF program at DOE will provide such a forum and analyze the opinions of skeptics and mainstream researchers alike. I look forward to the results of this work, and I think that it is an important step in public understanding of these health risks.

I am also glad to say that the Committee on Science has been able to move expeditiously on this bill in a bipartisan manner. This is due, in large part, to the efforts of the subcommittee chairman, Mr. CALVERT, and the full committee chairman and ranking member, Mr. SENSENBRENNER and Mr. BROWN. I have enjoyed working with each of them, as well as the other members of the committee, and they enjoy my highest respect.

Mr. CALVERT. Mr. Speaker, I thank the chairman of the Commerce Committee for yielding me this time.

I also thank the chairman of the Committee on Science and the ranking member, Mr. BROWN, for their support in expediting passage of this bill.

As Chairman SENSENBRENNER has pointed out, this bill will allow the Electric and Magnetic Fields research program to complete its original 5-year authorization. At the same time, we will save the taxpayers money by reducing the authorization some $19 million to the $46-million-agreed-upon budget for the program. I should add that 50 percent of this budget is cost-shared by industry.

Mr. Speaker, at the time of the markup of this bill in the Energy and Environment Subcommittee, the distinguished vice-chairman of the full Science Committee, Mr. EHLERS, made the point that all the research to date on this issue has failed to find a significant link between electric and magnetic fields and serious health problems. I agree and I doubt that will change.

Nevertheless, this program was agreed to by both Government and industry to put to rest public concern and, once started, I think it's worth finishing.

Finally, I want to particularly thank my friend from Indiana, our ranking minority member of the subcommittee, Mr. ROEMER, for cosponsoring this bill and working closely with us to expedite the process. Mr. Speaker, this bill has strong bipartisan support and I urge its passage. I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. SNOWBARGER). The question is on the motion offered by the gentleman from Colorado, Mr. DAN SCHAEFER, that the House suspend the rules and pass the bill, H.R. 363, as amended.

The question was taken.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 363, the bill just considered.

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

There was no objection.

PERMISSION TO INSERT EXTRANEOUS MATERIAL DURING CONSIDERATION OF H.R. 1271, FAA RESEARCH, ENGINEERING, AND DEVELOPMENT AUTHORIZATION ACT OF 1997, IN THE COMMITTEE OF THE WHOLE TODAY

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent during the debate on the bill H.R. 1271, the Federal Aviation Administration Research, Engineering, and Development Authorization Act of 1997, that I be able to insert extraneous material into the RECORD, specifically, an exchange of correspondence between the gentleman from Pennsylvania [Mr. SHUSTER] and myself.

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

There was no objection.

FAA RESEARCH, ENGINEERING, AND DEVELOPMENT AUTHORIZATION ACT OF 1997

The SPEAKER pro tempore. Pursuant to House Resolution 125 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1271.

□ 1539

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1271) to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 through 2000, and for other purposes, with Mr. STEARNS in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Wisconsin [Mr. SENSENBRENNER] and the gentleman from Tennessee [Mr. GORDON] each will control 30 minutes.

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

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

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

Mr. SENSENBRENNER. Mr. Chairman, H.R. 1271 authorizes the FAA to carry out its research, engineering, and development program for fiscal years 1998, 1999, and 2000. The objective of the RE&D program is to develop and validate the technology and knowledge required for the FAA to ensure the safety, efficiency, and security of our national air transportation system. Advances developed through the RE&D program are helping transform the FAA into a modern air traffic management system capable of meeting the increased aviation demands of the coming century.

I would like to thank the Chair of the Subcommittee on Technology, the gentlewoman from Maryland [Mrs. MORELLA], and the ranking member of the subcommittee, the gentleman from Tennessee [Mr. GORDON], for the hard work they have done in crafting H.R. 1271. The legislation was reported out of the Committee on Science with strong bipartisan support.

Overall, H.R. 1271 authorizes $217 million in fiscal year 1998, $224 million in fiscal year 1999, and $231 million in fiscal year 2000 for the FAA to carry out the critical projects and activities of the FAA RE&D program, including research and development in the areas of capacity management, navigation, weather, aircraft safety, systems security, and human factors.

While including some increases for critical FAA research activities such as weather and computer security, H.R. 1271 does not provide a blank check to the FAA. The legislation contains language that restricts noncompetitive research grants and prohibits funding of lobbying activities.

Further, as chairman of the House Science Committee, I plan to work in a bipartisan fashion with the ranking member, the gentleman from California [Mr. BROWN], and other members of the committee to provide responsible FAA oversight that protects our Nation's investment in aviation research and development. I have also notified the FAA that the Committee on Science intends to take an active role this year in the development of the agency's overall strategic plan as required by the Results Act.

At this point, I insert into the RECORD an exchange of correspondence between the gentleman from Pennsylvania [Mr. SHUSTER] and myself relative to jurisdictional concerns that

will be addressed in a few minutes by an amendment that the subcommittee chair, the gentlewoman from Maryland [Mrs. MORELLA] will propose.

The correspondence referred to follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, DC, April 23, 1997.

Hon. BUD SHUSTER,
Chairman, House Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR BUD: On April 16, 1997, the House Committee on Science marked up and reported out H.R. 1271, FAA Research, Engineering, and Development Authorization Act of 1997.

Traditionally, provisions in this bill have been incorporated into the FAA Authorization Acts when considered on the House Floor, indicating your substantive interest in the research components of the FAA.

Because of our Committee's desire to expeditiously consider H.R. 1271, it is my understanding that you will not object to its consideration by the House.

I acknowledge that H.R. 1271 in no way impacts the traditional jurisdictional lines under which the Committee on Science and the Committee on Transportation and Infrastructure have operated for years. Under the Rules of the House, the Science Committee only has jurisdiction over civil aviation research and development funded through the Research, Engineering, and Development account. The Committee on Transportation and Infrastructure has jurisdiction over FAA's other functions. Historically, the Transportation and Infrastructure Committee has had exclusive jurisdiction over the Facilities and Equipment account. H.R. 1271 is not intended to change that.

I appreciate your willingness to work with us to expedite the consideration of H.R. 1271. I look forward to continuing to work with you on these issues.

Sincerely,
F. JAMES SENSENBRENNER, Jr.,
Chairman.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 23, 1997.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on Science,
Rayburn Building, Washington, DC.

DEAR JIM: Thank you for your letter of April 23, 1997 concerning H.R. 1271, the FAA Research, Engineering, and Development Act of 1997 which your Committee has reported out. This legislation authorizes funding for FAA's R&D programs for fiscal years 1998–2000.

As you correctly point out, the Transportation and Infrastructure Committee has traditionally taken a great deal of interest in the research components of FAA. This letter is to confirm that because of your willingness to accommodate our concerns about the bill and because of your desire to take the bill to the Floor expeditiously, I have no objections to its consideration. Also, I appreciate your acknowledgment that the bill in no way impacts the traditional jurisdictional lines under which our Committees have operated, especially with regard to the Transportation and Infrastructure Committee's exclusive jurisdiction over the Facilities and Equipment Account.

Finally, I would ask that a copy of our exchange of letters on this matter be placed in the Record during consideration of the bill on the Floor. Thank you for your cooperation and assistance on this matter.

With warm personal regards, I am

Sincerely,
BUD SHUSTER,
Chairman.

Mr. Chairman, I strongly urge my colleagues to support H.R. 1271, which continues to demonstrate our Nation's commitment to aviation research and development. H.R. 1271 will enable our country to continue to lead the world in developing and implementing new aviation technologies that make aviation more efficient while improving safety.

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

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

Mr. Chairman, I rise in support of H.R. 1271, the FAA Research, Engineering, and Development Act of 1997. H.R. 1271 is a product of a bipartisan process to strengthen the research and development activities of the FAA.

Chairman SENSENBRENNER and Subcommittee Chairman MORELLA and I are in complete agreement that the FAA's R&D programs will be the key to increasing the capacity and efficiency of the airspace system while ensuring its safety and security.

H.R. 1271 reverses the downward trend in the FAA's Research, Engineering and Development Account, which has declined by 20 percent in the last 2 years. The fiscal year 1998 funding levels are at the President's request in 6 of the 10 accounts. The remaining four accounts are funded at a higher level than the President's request. These funding increases also improve research in such areas as noise abatement and weather prediction, areas identified by outside advisory panels that need increased support.

Finally, I would like to thank Chairman MORELLA for her support of my proposal establishing a competitive research grants program for primarily undergraduate institutions. This program will support research relevant to FAA's technology needs and, perhaps more importantly, will help develop the technical expertise to address FAA's future technological requirements. I urge my colleagues to support H.R. 1271.

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

□ 1545

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. LOBIONDO].

Mr. LOBIONDO. Mr. Chairman, I wish to engage in a colloquy with the chairman.

It is my understanding that because H.R. 1271 would authorize $672 million over the next three fiscal years for the Federal Aviation Administration's research, engineering and development programs, some of the functions of the FAA technical center in Pomona, NJ, are within that authorization.

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

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

Mr. SENSENBRENNER. Mr. Chairman, the gentleman is correct. The FAA does conduct some of the research projects and activities authorized by this legislation at the technical center in New Jersey.

Mr. LOBIONDO. Mr. Chairman, as the gentleman may be aware, this facility, located in the congressional district which I represent, is the FAA's premier research and development center. Perhaps the gentleman is also aware that this facility has performed and is performing cutting-edge research and testing in the areas of advanced air traffic control and navigation technology, airport security, fire safety technology and runway safety and pavement durability systems.

Mr. Chairman, I should note for the RECORD that the Hughes Technical Center maintains and operates the only configuration managed lab in the world capable of testing new equipment and systems without disrupting or compromising the safety of air traffic. In other words, these labs allow the FAA to test all equipment and systems in an environment that is identical to the actual air traffic control facilities so we know how the equipment will work together and otherwise function with existing systems before it is fielded.

This work and capability is largely responsible for the unparalleled record of aviation safety in this country.

For purposes of clarification, Mr. Chairman, I ask the gentleman if there is anything in the bill to require consolidation of the functions and activities of the Hughes Technical Center with any other Federal Aviation Administration facility?

Mr. SENSENBRENNER. Mr. Chairman, if the gentleman will continue to yield, H.R. 1271 does not include language to require the consolidation of any technical centers.

Mr. LOBIONDO. Mr. Chairman, I thank the chairman of the Committee on Science and the staff of the Subcommittee on Technology for the opportunity to clarify for the RECORD the impact of H.R. 1271 on the Hughes Technical Center.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. EWING] for purposes of a colloquy.

Mr. EWING. Mr. Chairman, I wish to engage in a colloquy with the esteemed chairman of the Committee on Science.

The Center of Excellence for Airport Pavement Research at the University of Illinois Champaign-Urbana is a unique partnership between the University of Illinois, the FAA and the aviation industry. The state-of-the-art pavement research that takes place at this center will create economical and reliable new pavement design to accommodate all aircraft, including heavier next generation aircraft. The improved materials and construction methods tested at this facility are of crucial importance to the future of the Nation's airport runways and facilities.

Mr. Chairman, it is my understanding that the airport technology account of H.R. 1271 is authorized at

$5,458,000, more than double the fiscal year 1997 enacted level of $2,654,000. Is this a correct statement?

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

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

Mr. SENSENBRENNER. Mr. Chairman, the gentleman from Illinois is correct. H.R. 1271 fully funds the administration's request for the airport technology account at $5,468,000 for fiscal year 1998.

Mr. EWING. Mr. Chairman, would it also be correct to state that there is nothing in the airport technology section of the FAA Research, Engineering and Development Authorization Act of 1997 that would preclude the FAA from fully funding the Center of Excellence for Airport Pavement Research at the University of Illinois Urbana-Champaign?

Mr. SENSENBRENNER. Mr. Chairman, if the gentleman will continue to yield, again, the gentleman is correct.

Mr. EWING. Mr. Chairman, I thank the gentleman.

Mr. GORDON. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Chairman, I thank the gentleman from Tennessee for yielding me the time.

I support the provisions of H.R. 1271, the FAA Research, Engineering, and Development Authorization Act of 1997. The gentlewoman from Maryland [Mrs. MORELLA], working with the ranking member, the gentleman from Tennessee [Mr. GORDON], has developed legislation which strengthens the RE&D activity of FAA.

H.R. 1271 takes steps to reverse the downward trend in FAA's research, engineering and development account, which has decreased 20 percent during the last 2 years. These increases will allow additional research in areas which have been identified as needing increased support by the National Research Council and other outside advisory bodies, including the research just referred to by the previous speaker.

Mr. Chairman, as a result of active bipartisan cooperation on this bill, the Committee on Science has developed a strong and effective piece of legislation, and I urge my colleagues to support it.

Mr. SENSENBRENNER. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Maryland [Mrs. MORELLA], chair of the Subcommittee on Technology.

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding me the time, the chairman of the Committee on Science.

First, I want to compliment the gentleman from Wisconsin [Mr. SENSENBRENNER] for the Committee on Science's remarkable accomplishment of reporting out all 10 of the civilian science authorizations in such a timely and fair manner. Of course our committee's ranking member, the gentleman from California [Mr. BROWN], deserves his share of credit for his cooperation in this endeavor.

As chair of the Subcommittee on Technology, I am certainly pleased to support H.R. 1271, the FAA Research, Engineering, and Development Act of 1997. It has been a pleasure working on this bill with the ranking member, the gentleman from Tennessee [Mr. GORDON]. It is indeed bipartisan legislation. It authorizes the FAA to conduct research, engineering, and development projects and activities over the next 3 fiscal years to improve the national aviation system by increasing efficiency and safety.

The Federal Aviation Administration has developed a national aviation system that universally is recognized as the safest and most technologically advanced system in the world. Each day the aviation system supports 1.5 million passengers. The agency's research, engineering, and development programs have produced many of the advances in aviation that have taken us from an era of vacuum tube radios and beacon lights to the satellite based communications, navigation, and surveillance systems of today.

H.R. 1271 recognizes the critical role RE&D programs play in the FAA's mission to provide safe and efficient air travel by authorizing $217 million in fiscal year 1998, $224 million in fiscal year 1999, and $231 million in fiscal year 2000 for the programs.

In fiscal year 1998, the legislation restores funding for the capacity and air traffic management account to the fiscal year 1997 enacted level primarily to safeguard sensitive computer and information system data from unauthorized disclosure. The weather account is authorized above the request to reflect recommendations by the FAA RE&D Advisory Committee and the National Academy of Sciences that the FAA assign a higher priority to weather research projects and activities.

The environment and energy account is authorized above the request to bolster research activities helping the FAA to meet its goal of reducing aircraft noise, 80 percent, by the year 2000. The innovative cooperative research account is authorized above the request to establish a new undergraduate research grants program. Finally the authorization fully funds the fiscal year 1998 budget request for both aircraft safety and security projects and activities.

Mr. Chairman, I am pleased to offer this legislation which demonstrates our continued strong commitment to aviation research and development. It was crafted in a bipartisan fashion, is cosponsored by the ranking member of the Subcommittee on Technology, the gentleman from Tennessee [Mr. GORDON], along with the gentleman from California [Mr. BROWN], the gentleman from Michigan [Mr. EHLERS], the gentleman from Virginia [Mr. DAVIS], and the gentlewoman from Texas [Ms. JACKSON-LEE].

I encourage all my colleagues to join me in supporting H.R. 1271. I want to offer my thanks also to the committee staff on both sides of the aisle working on this bill, particularly Jim Wilson on the minority staff and Michael Quear, and on the majority staff my wholehearted thanks to Richard Russell and to Jeff Grove.

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

As we bring this bill to a conclusion, let me just briefly say thanks to the chairman, the gentlewoman from Maryland [Mrs. MORELLA] for her sincere effort to bring this bill as well as other bills to the floor in a bipartisan manner with good cooperation. I concur with her accolades for the staff. Mike Quear particularly, with the minority, has done an excellent job for us.

And let me also say that the Committee on Science now, through no fault of its own, was the last committee to organize yet the first committee to present all of its authorizing bills to the floor with virtual unanimous support. If not unprecedented, it is at least very rare, and much congratulations should go to our chairman, the gentleman from Wisconsin [Mr. SENSENBRENNER], for the really no nonsense bipartisan approach he has taken. It has translated down to the staff, to the subcommittee chairs and ranking members as well as the rest of the members. I am pleased to be a part of this team. I think it is good legislation for the country.

On a personal note, I get enough fighting during elections. I get enough squabbling here on other types of issues. I did not come to Washington, I did not run for Congress to squabble about a lot of petty issues. I came here to try to work together to get things done for this country. I think this committee, with the leadership of the gentleman from Wisconsin [Mr. SENSENBRENNER] and the gentleman from California [Mr. BROWN] really has shown how that can work. I thank them for their cooperation. I look forward to continuing this partnership.

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

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

I thank the gentleman from Tennessee for his good words. I think it shows that, when we confine our arguments to genuine disputes over policy, which are fairly narrow on the Committee on Science, rather than arguing over procedure or perceived or real unfairness, we can get a lot accomplished in a very short period of time. The fact that this is the 6th of the 10 authorization bills to come up, all of which have been relatively noncontroversial, I think is proof of that.

The other four bills are of shared jurisdiction with other committees, and the Committee on Science will be working with the chairs and the leadership of the other committees in order

to eliminate the jurisdictional problems so that we can complete the job as expeditiously as possible.

Mr. SKAGGS. Mr. Chairman, I commend the chairman of the Science Committee, Mr. SENSENBRENNER, and its ranking member, Mr. BROWN of California, as well as the subcommittee chairman, Mrs. MORELLA, and its ranking member, Mr. GORDON, for working together to produce this important legislation. The committee has set a good example, not just on this bill but also on the other science authorization bills that it has recently reported.

One modest but crucial element of H.R. 1271 is the authorization for the Federal Aviation Administration's Aviation Weather Research Program. There are more than 500 weather-related aviation accidents in the United States each year, and billions of dollars are lost due to weather delays. Although we may never be able to get those figures down to zero, we know that the FAA's research efforts are playing a critical role in limiting such accidents and losses.

Weather-related research has indeed been instrumental in improving aviation safety and efficiency. This research is designed to protect airplane passengers and the rest of the aviation community against weather-related hazards such as thunderstorms, in-flight icing, turbulence, ceiling and visibility problems, and ground conditions that cause de-icing problems.

While the FAA conducts its weather research in close coordination with other agencies such as the National Oceanic and Atmospheric Administration [NOAA] and the National Weather Service, much of the work is done at federally funded research centers.

The National Center for Atmospheric Research [NCAR] in Boulder, CO, performs substantial research for the FAA. One such item of NCAR research allows researchers from NCAR and NOAA to fly research aircraft through high winds to study the kind of mountain-area turbulence that may have caused the tragic accident near Colorado Springs in 1991.

FAA funding of NCAR and other research centers has resulted in the development of the Terminal Doppler Weather Radar, which alerts air traffic controllers to dangerous wind shear and microbursts. TDWR is operating or scheduled for deployment at some 50 airports around the country. This is a technology that will reduce the loss of life and property. It is just one example of the value of FAA's funding of weather-related research.

The Aviation Weather Research Program authorized by H.R. 1271 is modest when measured by its cost, but it is extraordinarily valuable and cost-effective. Perhaps we should expand the program in the near future, but in the meantime I commend the Science Committee for recognizing the significance of the program in this legislation.

Mr. SENSENBRENNER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered by sections as an original bill for the purpose of amendment and, pursuant to the rule, each section is considered as having been read.

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

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''FAA Research, Engineering, and Development Authorization Act of 1997''.

Mr. SENSENBRENNER. Mr. Chairman, I ask unanimous consent that the remainder of the bill be printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the committee amendment in the nature of a substitute is as follows:

SEC. 2. AUTHORIZATION OF APPROPRIATIONS

Section 48102(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2)(J);

(2) by striking the period at the end of paragraph (3)(J) and inserting in lieu thereof a semicolon; and

(3) by adding at the end the following:

''(4) for fiscal year 1998, $217,406,000, including—

''(A) $75,550,000 for system development and infrastructure projects and activities;

''(B) $19,614,000 for capacity and air traffic management technology projects and activities;

''(C) $15,132,000 for communications, navigation, and surveillance projects and activities;

''(D) $9,982,000 for weather projects and activities;

''(E) $5,458,000 for airport technology projects and activities;

''(F) $26,625,000 for aircraft safety technology projects and activities;

''(G) $49,895,000 for system security technology projects and activities;

''(H) $10,737,000 for human factors and aviation medicine projects and activities;

''(I) $3,291,000 for environment and energy projects and activities; and

''(J) $1,122,000 for innovative/cooperative research projects and activities;

''(5) for fiscal year 1999, $224,000,000; and

''(6) for fiscal year 2000, $231,000,000.''.

SEC. 3. BUDGET DESIGNATION FOR RESEARCH AND DEVELOPMENT ACTIVITIES.

Section 48102 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(g) DESIGNATION OF ACTIVITIES.—(1) The amounts appropriated under subsection (a) are for the support of all research and development activities carried out by the Federal Aviation Administration that fall within the categories of basic research, applied research, and development, including the design and development of prototypes, in accordance with the classifications of the Office of Management and Budget Circular A–11 (Budget Formulation/Submission Process).

''(2) The President's annual budget request for the Federal Aviation Administration shall include all research and development activities within a single budget category. All of the activities carried out by the Administration within the categories of basic research, applied research, and development, as classified by the Office of Management and Budget Circular A–11, shall be placed in this single budget category.''.

SEC. 4. NATIONAL AVIATION RESEARCH PLAN.

Section 44501(c)(2)(B) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of clause (iii);

(2) by striking the period at the end of clause (iv) and inserting in lieu thereof ''; and''; and

(3) by adding at the end the following new clause:

''(v) highlight the research and development technology transfer activities that promote technology sharing among government, industry, and academia through the Stevenson-Wydler Technology Innovation Act of 1980.''.

SEC. 5. RESEARCH GRANTS PROGRAM INVOLVING UNDERGRADUATE STUDENTS.

(a) PROGRAM.—Section 48102 of title 49, United States Code, is amended by adding at the end the following new subsection:

''(h) RESEARCH GRANTS PROGRAM INVOLVING UNDERGRADUATE STUDENTS.—

''(1) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration shall establish a program for awarding grants to researchers at primarily undergraduate institutions who involve undergraduate students in their research on subjects of relevance to the Federal Aviation Administration. Grants may be awarded under this subsection for—

''(A) research projects to be carried out at primarily undergraduate institutions; or

''(B) research projects that combine research at primarily undergraduate institutions with other research supported by the Federal Aviation Administration.

''(2) NOTICE OF CRITERIA.—Within 6 months after the date of the enactment of the FAA Research, Engineering, and Development Authorization Act of 1997, the Administrator of the Federal Aviation Administration shall establish and publish in the Federal Register criteria for the submittal of proposals for a grant under this subsection, and for the awarding of such grants.

''(3) PRINCIPAL CRITERIA.—The principal criteria for the awarding of grants under this subsection shall be—

''(A) the relevance of the proposed research to technical research needs identified by the Federal Aviation Administration;

''(B) the scientific and technical merit of the proposed research; and

''(C) the potential for participation by undergraduate students in the proposed research.

''(4) COMPETITIVE, MERIT-BASED EVALUATION.—Grants shall be awarded under this subsection on the basis of evaluation of proposals through a competitive, merit-based process.''.

''(b) AUTHORIZATION OF APPROPRIATIONS.—Section 48102(a) of title 49, United States Code, as amended by this Act, is further amended—

''(1) by inserting '', of which $500,000 shall be for carrying out the grant program established under subsection (h)'' after ''projects and activities'' in paragraph (4)(J);

''(2) by inserting '', of which $500,000 shall be for carrying out the grant program established under subsection (h)'' after ''$224,000,000'' in paragraph (5); and

(3) by inserting '', of which $500,000 shall be for carrying out the grant program established under subsection (h)'' after ''$231,000,000'' in paragraph (6).

SEC. 6. LIMITATIONS.

(a) PROHIBITION OF LOBBYING ACTIVITIES.—None of the funds authorized by the amendments made by this Act shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this subsection shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

(b) LIMITATION ON APPROPRIATIONS.—No sums are authorized to be appropriated to the Administrator of the Federal Aviation Administration

for fiscal years 1998, 1999, and 2000 for the Federal Aviation Administration Research, Engineering, and Development account, unless such sums are specifically authorized to be appropriated by the amendments made by this Act.

(c) ELIGIBILITY FOR AWARDS.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall exclude from consideration for grant agreements made by that Administration after fiscal year 1997 any person who received funds, other than those described in paragraph (2), appropriated for a fiscal year after fiscal year 1997, under a grant agreement from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this subsection shall be effective for a period of 5 years after the person receives such Federal funds.

(2) EXCEPTION.—Paragraph (1) shall not apply to the receipt of Federal funds by a person due to the membership of that person in a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

(3) DEFINITION.—For purposes of this subsection, the term ''grant agreement'' means a legal instrument whose principal purpose is to transfer a thing of value to the recipient to carry out a public purpose of support or stimulation authorized by a law of the United States, and does not include the acquisition (by purchase, lease, or barter) of property or services for the direct benefit or use of the United States Government. Such term does not include a cooperative agreement (as such term is used in section 6305 of title 31, United States Code) or a cooperative research and development agreement (as such term is defined in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))).

SEC. 7. NOTICE.

(a) NOTICE OF REPROGRAMMING.—If any funds authorized by the amendments made by this Act are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committees on Science and Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) NOTICE OF REORGANIZATION.—The Administrator of the Federal Aviation Administration shall provide notice to the Committees on Science, Transportation and Infrastructure, and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the Federal Aviation Administration for which funds are authorized by this Act.

SEC. 8. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.

With the year 2000 fast approaching, it is the sense of Congress that the Federal Aviation Administration should—

(1) give high priority to correcting all 2-digit date-related problems in its computer systems to ensure that those systems continue to operate effectively in the year 2000 and beyond;

(2) assess immediately the extent of the risk to the operations of the Federal Aviation Administration posed by the problems referred to in paragraph (1), and plan and budget for achieving Year 2000 compliance for all of its mission-critical systems; and

(3) develop contingency plans for those systems that the Federal Aviation Administration is unable to correct in time.

SEC. 9. BUY AMERICAN.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds appropriated pursuant to the amendments made by this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

(b) SENSE OF CONGRESS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under the amendments made by this Act, it is the sense of Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(c) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under the amendments made by this Act, the Administrator of the Federal Aviation Administration shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

AMENDMENT OFFERED BY MRS. MORELLA

Mrs. MORELLA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MORELLA: Page 8, line 4, before ''after'' insert ''from the Research, Engineering, and Development account''.

Mrs. MORELLA. Mr. Chairman, my amendment simply clarifies that the limitations in section 6 apply only to grants funded through the research, engineering and development account.

Mr. SENSENBRENNER. Mr. Chairman, will the gentlewoman yield?

Mrs. MORELLA. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I thank the gentlewoman for yielding to me.

Mr. Chairman, I am pleased to support the amendment on behalf of the committee leadership. Let me say that this amendment was for the sole purpose of alleviating the concerns of the Committee on Transportation and Infrastructure that our legislation does not infringe upon their jurisdiction whatsoever.

Mr. GORDON. Mr. Chairman, I move to strike the last word. Let me just quickly concur that the minority has been consulted on this amendment, and we also concur with its passage.

□ 1600

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Maryland [Mrs. MORELLA].

The amendment was agreed to:

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 5, line 11, after ''institutions'' insert '', including primarily undergraduate Historically Black Colleges and Universities and Hispanic Serving Institutions,''.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I too would like to add my appreciation, first of all, to the chairman of the Committee on Science and the ranking member for their cooperative spirit throughout the time of both our hearings and markup sessions.

Let me acknowledge as well the chairperson of this subcommittee, the gentlewoman from Maryland, Mrs. MORELLA, and the ranking member, the gentleman from Tennessee, BART GORDON, for cooperating with me on this amendment and assisting my staff.

Mr. Chairman, I want to also thank the staff members as well.

I invite my colleagues to join with me in encouraging research by undergraduate students at our Nation's historic black colleges and universities and Hispanic serving institutions. As many may know, the majority of our HBCU's and Hispanic serving institutions are primarily undergraduate institutions.

First of all, this legislation is good legislation and I applaud the work of the committee. Particularly in light of Pan Am 103, the ValuJet crash in Florida, and TWA 800, safety issues and research issues regarding flight safety for our consumers are extremely important. This is a good bill.

This amendment, however, affects section 5 of the bill dealing with research grants involving undergraduate students by simply including the words ''Historically Black Colleges and Universities and Hispanic Serving Institutions'' after undergraduate institutions. Section 5 targets researchers at primarily undergraduate institutions, which most of our institutions are.

I must add that I am pleased to note that under this subsection grants are awarded based on the evaluation of proposals through a competitive merit-based process. The ranking member, the gentleman from Tennessee, Mr. BART GORDON, was successful in including this overall undergraduate section in the bill, and this is a good section.

This bill authorizes a total of $672 million over 3 years, through fiscal year 2000, for the FAA's research, engineering, and development program; $217 million for fiscal year 1998, $224 million for fiscal year 1999, and $213 million for fiscal year 2000. Section 5 of the bill authorizes $500,000 for overall undergraduate student research grants.

Let me emphasize that this particular amendment, by the CBO estimates alone, does not add any cost to this legislation at all.

Mr. SENSENBRENNER. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I appreciate the gentlewoman's interest in this issue and commend her for offering this amendment.

Although the language in H.R. 1271 in no way restricts the FAA's ability to award research grants to historically black colleges and universities and Hispanic serving institutions, we will accept her amendment to clarify that point that the FAA has the authority to make such grants, and I support the amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the chairperson very much.

Might I just, as I conclude, and before I offer some time to the ranking member, say that according to the

President's Board of Advisers on Historically Black Colleges and Universities our minority universities are often an untapped resource for research, technological, and analytical competence. Although many HBCU's are underfunded in laboratory equipment, HBCU's and Hispanic serving institutions have an overwhelming success rate in producing the Nation's top minority mathematicians, scientists, and physicians.

And let me simply say that when we are called by name, we will most likely respond. This amendment does that. It does clarify and allows for minority universities to recognize their involvement in this important area. It also will help, I hope, to increase the numbers of applications and, therefore, grants so that we can be, of course, in the loop.

This is a good amendment because it is inclusive and it states to our population that we want all people involved in this very important research.

Mr. Chairman, I rise in order to amend H.R. 1271—the Federal Aviation Administration Research and Engineering, and Development programs for fiscal years 1988 through 2000.

I invite my colleagues to join with me in encouraging research by undergraduate students at our Nation's historically black colleges and universities and Hispanic serving institutions. As many may know, the majority of our HBCU's and Hispanic serving institutions are primarily undergraduate institutions.

This amendment to H.R. 1271, affects section 5 of the bill; research grants program involving undergraduate students, by simply including the words ''historically black colleges and universities and Hispanic serving institutions'' after the ''undergraduate institutions'' language of the bill.

Section 5 targets researchers at primarily undergraduate institutions that involve undergraduate students in their research on subjects of relevance to the Federal Aviation Administration.

I must add that I am pleased to note that under this subsection, grants are awarded based on the evaluation of proposals through a competitive, merit based process. My good colleague, BART GORDON of Tennessee, was successful in including this overall undergraduate section in the bill.

This bill, authorizes a total of $672 million over 3 years, through fiscal year 2000, for the FAA's research, engineering, and development program; $217 million for fiscal year 1998, $224 for fiscal year 1999, and $213 million for fiscal year 2000. Section 5 of the bill authorizes $500,000 for the overall undergraduate student research grants.

There is no doubt that there is an overwhelming need for research dollars to be awarded to historically black colleges and universities, as well as Hispanic serving institutions. For the FAA, the numbers speak for themselves.

In 1996, the Federal Aviation Administration awarded a total of $15 million to institutions of higher education for research and development activities. Of that total $15 million amount for 1996, only $120,000 was awarded to historically black colleges and universities, and $130,000 was awarded to Hispanic serving institutions. That is less than 1 percent.

For fiscal year 1997, of the $10 million awarded to institutions of higher education, the overall amount awarded to minority institutions doubled, but where no less impressive. Of the $10 million, $260,000 was awarded to HBCU's and $200,000 was awarded to Hispanic serving institutions. This is a sad and telling story on the state of research and development within our minority universities and colleges.

This is why this amendment is necessary. It is a good first step in reaching out to minority institutions that can and must compete in the research and development arena.

My amendment serves to unquestionably reflect that undergraduate students at minority institutions should aggressively compete for grant awards within the FAA. This amendment seeks to promote minority university awareness of research opportunities.

According to the President's board of advisors on historically black colleges and universities, our minority universities are often an untapped resource for research, technological, and analytical competence. Although many HBCU's are underfunded in laboratory equipment, HBCU's have an overwhelming success rate in producing the Nation's top black mathematicians, scientists, and physicians.

Mr. Chairman, when you are called by name, you are more likely to respond. This amendment does just that. It calls minority universities by name in an effort to highlight and bring to the attention of the FAA the fact that HBCU's and Hispanic serving institutions are alive and well and should be included in the research efforts of the FAA. It aids our minority institutions and others in understanding that minority universities and undergraduate students should effectively compete for research opportunities with the Federal Government.

Hispanic serving institutions are colleges and universities that educate mostly Hispanic students. I am proud to announce that my new district, the 18th Congressional District, includes a good portion of the heights in Houston, TX. In the heights are people of all racial and ethic backgrounds including Hispanics. Many of the residents of the heights attend both HBCU's and Hispanic serving institutions as well as majority colleges and universities. I am proud to be a representative of each.

Mr. Chairman, while some may correctly state and understand that the classification of undergraduate students should include historically black colleges and universities as well as Hispanic serving institutions, it is important to note that there are some in our country who do not appreciate this view. Consequently, our minority universities are often overlooked or forgotten.

My amendment allows undergraduate students at HBCU's and Hispanic serving institutions to definitively know that they too can participate in research that benefits the FAA and compete for research and development dollars that will help build a better America.

For these reasons, I ask that my colleagues support my amendment to H.R. 1271.

Mr. GORDON. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Tennessee.

Mr. GORDON. Mr. Chairman, I rise in support of the gentlewoman's amendment and offer my compliments for her bringing this amendment, her diligent efforts to bring this before us, and again point out that, again by CBO's scoring, this will add no cost to the Federal budget.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the gentleman very much.

Mr. HINOJOSA. Mr. Chairman, I move to strike the last word, and I rise in support of the gentlewoman's amendment to the H.R. 1271, the FAA Research, Engineering, and Development Authorization Act of 1997.

This amendment serves to highlight Hispanic serving and minority institutions' participation in the undergraduate FAA research grants program established by the bill.

There is no doubt that an overwhelming need exists for more research dollars to be awarded to these institutions. In 1996 they received less than 1 percent of available funds. That is simply not satisfactory. I encourage all my colleagues to today address and rectify this problem and to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas [Ms. JACKSON-LEE].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GOSS) having assumed the chair, Mr. STEARNS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, (H.R. 1271) to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 through 2000, and for other purposes, pursuant to House Resolution 125, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. GOSS). Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the House stands in recess until approximately 5 p.m.

Accordingly (at 4 o'clock and 8 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. GILLMOR] at 5 p.m.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1997

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight, Tuesday, April 29, 1997 to file a privileged report on a bill making emergency supplemental appropriations for recovery from natural disasters and for overseas peacekeeping efforts for the fiscal year ending September 30, 1997, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XXI, all points of order are reserved on the bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has concluded on all motions to suspend the rules.

Pursuant to clause 5, rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained, and then on passage of the bill, H.R. 1271, the FAA Research, Engineering, and Development Authorization Act of 1997.

Votes will be taken in the following order:

H.R. 1342, by the yeas and nays;

H.R. 680, by the yeas and nays;

H.R. 363 by the yeas and nays;

H.R. 1271, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

EXPIRING CONSERVATION RESERVE PROGRAM CONTRACTS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1342, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon [Mr. SMITH] that the House suspend the rules and pass the bill, H.R. 1342, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were— yeas 325, nays 92, answered ''present'' 1, not voting 15, as follows:

[Roll No. 92]

YEAS—325

Abercrombie
Ackerman
Aderholt
Allen
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady
Brown (CA)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Deal
DeFazio
DeGette
Diaz-Balart
Dickey
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Farr
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kasich
Kelly
Kennedy (RI)
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Luther
Manton
Manzullo
Martinez
Mascara
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meek
Menendez
Metcalf
Mica
Miller (FL)
Minge
Mink
Molinari
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
Riggs
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryun
Sabo
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skaggs
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stokes
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Towns
Traficant
Turner
Upton
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—92

Archer
Barrett (WI)
Becerra
Bonior
Boucher
Brown (FL)
Brown (OH)
Cardin
Carson
Clay
Clement
Conyers
Coyne
Davis (IL)
Davis (VA)
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Dixon
Dooley
Eshoo
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Gejdenson
Gephardt
Gordon
Hall (OH)
Harman
Hinchey
Jackson (IL)
Johnson, Sam
Kaptur
Kennedy (MA)
Kennelly
Kilpatrick
Kind (WI)
Kucinich
Levin
Lewis (CA)
Lewis (GA)
Livingston
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Markey
McCarthy (MO)
McDermott
McGovern
Meehan
Millender-McDonald
Miller (CA)
Moakley
Moran (VA)
Nadler
Neal
Owens
Pallone
Pastor
Payne
Pelosi
Rangel
Rivers
Roybal-Allard
Sanchez
Sanders
Schumer
Serrano
Sherman
Skeen
Stabenow
Stark
Strickland
Taylor (MS)
Thurman
Tierney
Torres
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weygand

ANSWERED ''PRESENT''—1

Ensign

NOT VOTING—15

Andrews
Berman
Capps
Engel
Gallegly
Green
Hefner
Herger
Hoekstra
Lantos
Matsui
McKinney
Mollohan
Schiff
Yates

□ 1727

Messrs. DeLAY, TAYLOR of Mississippi, FORD, SCHUMER, McDERMOTT, BARRETT of Wisconsin, WAXMAN, WATT of North Carolina, Ms. VELAZQUEZ, Mr. BROWN of Ohio, Ms. ESHOO, Mr. LEVIN, Ms. PELOSI, Mr. STRICKLAND, and Ms. RIVERS changed their vote from ''yea'' to ''nay.''

Messrs. JEFFERSON, HOYER, SCARBOROUGH, and DAVIS of Florida changed their vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 695

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 695.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the additional motions to suspend the rules on which the Chair has postponed further proceedings.

AUTHORIZING TRANSFER TO STATES OF SURPLUS PERSONAL PROPERTY FOR DONATION TO NONPROFIT PROVIDERS OF NECESSARIES TO IMPOVERISHED FAMILIES AND INDIVIDUALS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 680, as amended, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. HORN] that the House suspend the rules and pass the bill, H.R. 680, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were— yeas 418, nays 0, not voting 15, as follows:

[Roll No. 93]

YEAS—418

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
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
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
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
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
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
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, Adam
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
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Andrews
Berman
Capps
Engel
Ensign
Green
Hefner
Herger
Hoekstra
Lantos
Matsui
McKinney
Mollohan
Schiff
Yates

□ 1738

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

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer of surplus personal property to States for donation to nonprofit providers of necessaries to impoverished families and individuals, and to authorize the transfer of surplus real property to States, political subdivisions and instrumentalities of States, and nonprofit organizations for providing housing or housing assistance for low-income individuals or families.''.

A motion to reconsider was laid on the table.

EXTENDING THE ELECTRIC AND MAGNETIC FIELDS RESEARCH PROGRAM

The SPEAKER pro tempore (Mr. GILLMOR). The pending business is the question of suspending the rules and passing the bill, H.R. 363, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado, Mr. DAN SCHAEFER, that the House suspend the rules and pass the bill, H.R. 363, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 387, nays 35, not voting 11, as follows:

[Roll No. 94]

YEAS—387

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
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)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton

Clement
Clyburn
Coburn
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
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
Doyle
Dreier
Dunn
Edwards
Ehrlich
Emerson
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
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
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stupak
Sununu
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—35

Blunt
Cannon
Coble
Collins
Cox
Duncan
Ehlers
Ensign
Foley
Hefley
Hulshof
Johnson (WI)
Johnson, Sam
Jones
Kingston
Linder
Manzullo
Neumann
Norwood
Pappas
Paul
Rohrabacher
Royce
Salmon
Sanford
Scarborough
Schaffer, Bob
Shadegg
Snowbarger
Solomon
Souder
Stump
Talent
Tiahrt
Watts (OK)

NOT VOTING—11

Andrews
Engel
Green
Hefner
Herger
Hoekstra
Lantos
Matsui
Mollohan
Schiff
Yates

□ 1747

Messrs. SCARBOROUGH, FOLEY, DUNCAN, and JONES changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FAA RESEARCH, ENGINEERING, AND DEVELOPMENT AUTHORIZATION ACT OF 1997

The SPEAKER pro tempore (Mr. GILLMOR). The pending business is the question of the passage of the bill, H.R. 1271, on which further proceedings were postponed earlier today.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 7, not voting 12, as follows:

[Roll No. 95]

YEAS—414

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
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)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
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
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
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
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
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
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
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, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent

Tanner	Traficant	Weldon (PA)
Tauscher	Turner	Weller
Tauzin	Upton	Wexler
Taylor (MS)	Velazquez	Weygand
Taylor (NC)	Vento	White
Thomas	Visclosky	Whitfield
Thompson	Walsh	Wicker
Thornberry	Wamp	Wise
Thune	Waters	Wolf
Thurman	Watkins	Woolsey
Tiahrt	Watt (NC)	Wynn
Tierney	Watts (OK)	Young (AK)
Torres	Waxman	Young (FL)
Towns	Weldon (FL)	

NAYS—7

Blunt	Paul	Schaffer, Bob
Hulshof	Royce	
Neumann	Sanford	

NOT VOTING—12

Andrews	Herger	Mollohan
Engel	Hoekstra	Schiff
Green	Lantos	Spratt
Hefner	Matsui	Yates

□ 1758

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1031

Mrs. CLAYTON. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 1031, the American Community Renewal Act.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

PERMISSION FOR COMMITTEE ON BANKING AND FINANCIAL SERVICES TO FILE SUPPLEMENTAL REPORT ON H.R. 2, HOUSING OPPORTUNITY AND RESPONSIBILITY ACT OF 1997

Mr. LEACH. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Financial Services may file a supplemental report, Part II, to the bill (H.R. 2) to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes, Report No. 105–76.

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

There was no objection.

□ 1800

GENERAL LEAVE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 680.

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

There was no objection.

PASS PRODUCT LIABILITY REFORM

(Mrs. NORTHUP asked and was given permission to address the House for 1 minute and to include extraneous material.)

Mrs. NORTHUP. Mr. Speaker, a couple of weeks ago, a number of female trial lawyers approached Members of Congress to press the message that product liability reform is bad for women

As the House Committee on Commerce begins to hold hearings on product liability reform tomorrow, I want to enter into the RECORD information and documents that show not only is that message false, but it is being organized by the Association of Trial Lawyers of America, a group that strongly opposes even modest product liability reform.

In fact, Mr. Speaker, there is no group that is more harmed by the current product liability laws than women. This is true for two reasons. First of all, in terms of health, the fear of lawsuits has halted research and kept products off the market that would give many women better opportunities and remedies, things like contraceptives, breast reconstruction, and other products that are badly needed for women's health.

Second, the majority of newly created small businesses today, for the first time, are women owned. There is no group that is more impacted by product liability than small business owners. So this system is a threat to women who are beginning small businesses.

Mr. Speaker, I hope for these reasons that we will soon be able to consider and pass product liability reform.

HOW PRODUCT LIABILITY REFORM HELPS WOMEN

Federal product liability reform legislation includes modest reforms on key issues of product liability. These reforms will help to solve some of the problems inherent in our current liability system. The reforms apply across the board and do not impact any one group—especially women. Women will benefit in many ways from the enactment of these fair and well-reasoned reforms.

FEDERAL PRODUCT LIABILITY REFORM WILL REDUCE GENDER BIAS IN RESEARCH AND PRODUCT INNOVATION

Women in America have been deprived of a drug (Bendectin) approved everywhere in the world to prevent morning sickness because of a liability system out of control.

Contraceptive research is often put on hold due to liability concerns. The Committee for Contraceptive Development, jointly staffed and administered by the National Research Council and the Institute of Medicine, notes that only one major U.S. pharmaceutical company still invests in contraceptive research due to liability concerns. The Committee cited a hostile legal climate as the reason contraceptive manufacturers are abandoning this market.

Reports published in the New England Journal of Medicine (July 22, 1993) concluded that manufacturers' liability concerns are contributing to the exclusion of women from clinical studies.

Phyllis Greenberger, Executive Director of the Society for the Advancement of Women's Health Research, testified before the Senate Commerce Committee in the 104th Congress that ''liability concerns are stifling research and development of products for women.''

PRODUCT LIABILITY REFORM WILL HELP WOMEN IN BUSINESS

Women-owned businesses increased by almost 58 percent from 1982–1987 and currently account for 30 percent of all U.S. firms. The U.S. Small Business Administration predicts that women will own 40 percent of all small businesses by the year 2000.

Small businesswomen will run up against the same insurance and liability pressures that face all small businesses. Federal product liability reform legislation will help ease those barriers to commerce and competition.

In Senate Commerce Committee testimony, Schutt Sporting Group CEO Julie Nimmons—one of two remaining U.S. manufacturers of football helmets—stated: ''our employees hold their breath every time a case goes to the jury, because a runaway award could mean the end of our company.''

In House testimony, Livernois Engineering Co. President Norma Wallis stated that her company and the entire U.S. machine tool industry as a whole ''is made less competitive by the product liability system.''

VICTIMS OF DES WILL BE HELPED, NOT HURT BY FEDERAL PRODUCT LIABILITY REFORM

In over 20 years of litigation, punitive damages have never been awarded in a DES case. In fact, because DES manufacturers have not been shown to have acted in conscious or flagrant disregard of public safety, no judge has even put the question of punitive damages before a jury in a DES case. Consequently, the punitive damages reforms will not have an adverse effect on DES plaintiffs.

On the other hand, DES victims who discovered their injuries after expiration of their state's statute of limitation would have court house doors opened to them. Under the proposed federal legislation, a woman would have up to two years to file a lawsuit after she discovers or should have discovered both the injury and its cause. Because many effects of pharmaceuticals used by women may not be readily apparent, this provision is especially important in preserving the rights of women to recovery for injuries.

THE PROPOSED BILL DOES NOT DISCRIMINATE AGAINST WOMEN

Federal product liability reform legislation follows a provision of California law on the topic of joint liability. The provision was voted into California law by over 60 percent of those voting in 1986. It has been argued by opponents that the provision is ''anti-women'' because their economic damages may be lower than men and, for that reason, they depend on noneconomic or so-called ''pain and suffering'' damages. However, there has been absolutely no showing in California, a large and litigious state, that the California approach discriminates against any sex or any group. In fact, noted California trial attorney Suzelle Smith has testified that the California law is fair and has worked well for consumers. The California Supreme Court has upheld the California law on equal protection grounds under the California and the United States Constitutions. Nebraska enacted the same reform in 1991 after carefully studying various joint liability reform alternatives.

Several states have enacted limits on punitive damages and those laws have never been

challenged by women's groups because they do not discriminate. The proportionality requirement in the proposed federal legislation is similarly gender-neutral.

Phyllis Greenberger, Executive Director of the Society for the Advancement of Women's Health Research, testified before the Senate Commerce Committee in the 104th Congress that U.S. companies are shying away from the contraceptive market because of the unpredictable nature of litigation combined with the enormous cost and limited availability of liability insurance.

INCREASE FUNDING FOR PELL GRANTS

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to include extraneous material.)

Mr. MCGOVERN. Mr. Speaker, I rise today to applaud the 12 national organizations who recently wrote this Congress endorsing H.R. 744, a bill I introduced in February to increase Federal funding and eligibility for Pell grants.

The McGovern bill increases the maximum Pell grant from its present level of $2,700 to $5,000, which brings the award to the level in which it was created adjusted for inflation. My bill permits more students from modest income families to access higher education and allows more middle-income families with multiple children in college to qualify for financial aid.

□ 1415

I would also like to commend over 40 of my House colleagues from both sides of the aisle who have signed on as cosponsors of H.R. 744. As the drive to pass this bill continues to gain momentum, I am confident that many more of my colleagues will join the effort to make college more affordable for working families across this Nation. In today's competitive global economy, education is the key to America's success. My bill will help lead the way toward a stronger economy and a brighter future for our children. Let us pass it today.

I include for the RECORD a letter signed by more than 12 major national organizations urging passage of the McGovern-Pell-Grant bill.

APRIL 21, 1997.

DEAR REPRESENTATIVE: We write to express our strong support for HR 744, The Affordable Higher Education Through Pell Grants Act. By restoring much of the value of Pell grants, HR 744's passage and funding offers this Congress its best opportunity to narrow the college participation gap between low-income students and students from affluent families. This gap threatens not just the well-being of the individual students who, due to high cost, will be denied access to higher education and the opportunities that it offers; it also jeopardizes our collective future as a democracy that promotes upward mobility through education and effort.

The gap in college participation rates between the poor and the well-off is growing. Between 1980 and 1993 the gap in the college-going rate of students in the lowest income quartile and of students in the three higher income quartiles grew by 12 percent. Thus, 18 and 19 year olds from families with incomes in the top income quartile are now three times as likely to be enrolled in college as those in the bottom quartile. Similar gaps can be found in graduation rates. While nearly 48% of the young adults raised in families in the highest socio-economic quartile obtain BA's, only 7% of those from families in the lowest socio-economic quartile do.

A major cause of the growth in the gap is the soaring cost of higher education coupled with the deteriorating value of the primary form of assistance to low-income students—Pell grants.

Between 1980 and 1994 the cost of tuition, room and board at public postsecondary institutions jumped by 44%. Over approximately the same period, Pell grants lost about 50% of their purchasing power. In FY 1979 the maximum Pell grant covered 77.4% of the average cost of a public university; by FY 1997 the maximum Pell grant covered only 33.2% of those costs.

The unchecked growth of the college participation gap will lock hundreds of thousands of students out of college and into limited lives at the margins of our society. And it will cost our nation dearly. Individuals with only a high school diploma earn only half what college graduates earn, are three times more likely to be unemployed, and are five times more likely to live in poverty than are college graduates. Unless narrowed, the growing gap will make college access a destructive wedge, further dividing income groups, rather than the bridge to greater prosperity and productivity that it has been for so many Americans.

Passage of HR 744 alone is not enough to close the college participation gap, but it will certainly narrow it. Carefully constructed progressive tax policies in addition to HR 744 could narrow the gap even more. However, passage of HR 744 must be the first priority of those who wish to increase access to higher education and narrow the college participation gap.

HR 744 is a modest, common sense step toward closing the gap. We urge you to cosponsor this legislation and to work actively for its passage.

Sincerely,

The American Jewish Committee, The Center for Law and Education, The Education Trust, The Mexican American Legal Defense and Education Fund, The NAACP, The National Association of Social Workers, The National Council of Educational Opportunity Associations (NCEOA), The National Council of Jewish Women, The National Council of La Raza, The National Puerto Rican Coalition, Inc., The Rainbow/Push Coalition, The US Student Association.

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.

MEDICARE TRUSTEES' REPORT

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

Mr. GOSS. Mr. Speaker, last week four Cabinet-level members of the Clinton administration and the rest of the Medicare trustees released their annual report on the future of the Medicare Program, something of great interest to a great many Americans, and unfortunately the forecast is very bleak. The condition of the part A trust fund has gone from serious to critical, with only a few years left before flatlining altogether in this very important entitlement program. It is time for the White House to get its act together.

Mr. Speaker, 2 years ago, for the first time in the history of the program, the trust fund paid out more in expenses than it received in revenues. That was a pretty good indicator something was wrong. Last year the program lost $25 million a day every day and $9 billion over the course of the year, another indicator something might be wrong. This year that figure will climb to at least $40 million a day lost and almost $14.5 billion for the whole year. We are on the fast track to bankruptcy, with only a small window of opportunity to avoid a serious disaster in Medicare part A which so many Americans depend on.

While this projection is undisputed, the call to action from the White House has not been forthcoming. Yes, the President has moved toward us in terms of raw numbers, but he has avoided making the tough choices necessary to truly reform and improve Medicare. In fact, the President's prescription involves no heavy lifting at all. It just ambushes the American taxpayer down the road with higher taxes. Where have we heard that before? By switching the home health portion of Medicare to Part B without a corresponding increase in the premium to pay for it, this administration has signaled that its intention is not to save the program but, rather, to continue to play politics with the numbers and raise taxes.

But there is good news, and that is why I am here. The good news is that we can save Medicare as this Congress has done recently. But it is not going to happen with accounting gimmicks, misguided customer providers, or vetoes from the White House. Instead we should take a hard look at what is driving the soaring costs and address them head on.

We need medical malpractice reform to assure that our precious resources are not being wasted on defensive medicine. A Stanford study found that States that have passed some kind of tort reform, like my home State of Florida, have seen incredible savings in even the most complicated medical areas. The study confirms what many of us already knew, excessive litigation serves the trial lawyers primarily, not our senior citizens.

We can and must increase the number of options available in the Medicare Program. Every senior should have choices to go beyond the fee for service or an HMO, options that include things like provider-sponsored networks and medical savings accounts. Individual choice should be the hallmark of any reform plan.

Of course, we should always keep our eye on the fraud and abuse that still

plagues our system, regrettably. In the last Congress we instituted tougher penalties for those who cheat the system, and we should pursue identified ways to do more of that. Representative QUINN's legislation to establish an inspector general for the program I think is a fine first step. I hope that we will continue to deter and punish those who drain our Medicare resources by cheating.

Mr. Speaker, the campaign is over. The demagoguery, the distortions, the cynical misdirections might have served a political purpose in the last Presidential campaign, but they did not do anything to save the Medicare trust fund. The effect dramatically of it in this year's report has been to exacerbate the problem. As the trustees note, and again there are Cabinet members among them, ''it is misleading to think that any part of the program can be exempt from change.'' We have to fix it.

It is time we heed the trustees' warnings. It is time for structural reform that saves Medicare not merely until the next election, but well into the next century because a great many Americans are counting on it.

Mr. Speaker, I served on the Kerrey commission. We talked about the entitlement, the well-being of the entitlement programs in our country, and we discovered that we were on unsustainable trendlines, and this is just the first of others that are going to follow unless we have reform of our entitlement programs.

I am proud that Congress did its job. We passed the strength of the Medicare Act bill in the last Congress. The Senate passed it. President Clinton vetoed it. Since that veto we have lost almost $20 billion in revenues in trust fund part A. This adds up to real money, but more important, it adds up to real anxiety for our senior citizens.

It is time we heard from the White House on this program. The Cabinet members have spoken, the committee has spoken, Congress has spoken. Will the President speak?

EXPRESSING PROFOUND GRATITUDE OF THE PEOPLE OF NORTH DAKOTA FOR OUTPOURING OF SUPPORT FROM THE COUNTRY

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

Mr. POMEROY. Mr. Speaker, as North Dakota's sole Member of this body, I rise on behalf of the people of North Dakota to express the profound gratitude that we feel toward the outpouring of support demonstrated in this Chamber and across the country as North Dakotans deal with the unprecedented disasters that have afflicted our State, most particularly the city of Grand Forks.

The city of Grand Forks, a city of 50,000, has established a benchmark in terms of flooding disasters for a community of this size. Never before have we seen a city of 50,000 so completely inundated, so completely devastated by a flooding river. The river in this case, the Red River of the North, which flows normally at 16 feet, maybe 15 feet on a summer afternoon, flood stage: 28 feet; the flooding waters of 54 feet in depth ultimately reached the dikes and inundated this city. It was the flood of record. They are now saying a flood of 1,000-year-event dimensions.

As if the resulting inundation citywide was not bad enough, fire broke out in the downtown business district, and as so many watched in the television footage of the event, a fire department who normally has water as its best ally in fighting flames was rendered powerless by the fact that they could not even get at the hydrants because they were literally under the flooding Red River water that was coursing through the streets of the town.

Now as we deal with the aftermath of this unprecedented disaster, we have seen an outpouring of support from across this country that has truly touched us and gives us a great deal of assistance and moral support as well as financial support in moving forward to pick up the pieces and rebuild this community.

Examples that have occurred just in my own experience include a 7-year-old boy, who in his car noted that he was 2 years old when Hurricane Andrew devastated their family's home, brought by a box of food supplies for me to take to the people of Grand Forks. The shoe shop located in the base of the Longworth House Office Building has devoted 10 percent of its proceeds for 2 weeks on shoe repair to assisting the people of Grand Forks. Phil Jackson, famous coach of the Chicago Bulls basketball team; I am proud to say North Dakota native, graduate of the University of North Dakota, and he was a star for the Fighting Sioux basketball team, has agreed to cut a public service announcement which will inform people across the country of how they might help the people of Grand Forks recover from this disaster.

Now, Mr. Speaker, at a time when the outpouring across the country has been so significant, I also want to let my colleagues know about the outpouring that has occurred across both parties within this Chamber at a time when people, I think, are very cynical in terms of whether we have a political system that can quit its partisan bickering long enough to respond to problems. We have seen exactly that occur within the past week.

Five days after the dikes were breached, the President of the United States was there to encourage and comfort the flood victims with promises of additional assistance. Six days later the White House brings up to the Hill a supplemental assistance package. Six days after the dikes breached, Chairman BOB LIVINGSTON, the majority chairman of the Committee on Appropriations, had additional assistance inserted into the disaster supplemental bill being considered by the appropriations body. Not enough, not configured exactly how we want, but, as he indicated, more needs to be done, this is a work in process, the first crack we had in Congress to help the people of Grand Forks. Thanks to the gentleman from Louisiana [Mr. LIVINGSTON] they were assisted in action by his committee.

A day later, the Speaker devoted a Friday evening that otherwise had been scheduled for familytime to come to North Dakota to see the devastation. I was very pleased to travel along with Speaker GINGRICH, as well as the gentleman from South Dakota [Mr. THUNE], the gentleman from Minnesota [Mr. GUTKNECHT], and the gentleman from Minnesota [Mr. RAMSTAD], to visit with the people of Grand Forks and East Grand Forks and see the extent of the devastation. I am extraordinarily grateful to the Speaker and know that his presence in our area meant an awful lot to people as they deal with the unpleasant dimension of pumping out basements, assessing whether homes can be saved, and trying to pick up the pieces of their businesses.

On Monday, just 2 days later, majority leader DICK ARMEY also came to North Dakota, bringing with him a number of our colleagues including the gentleman from California [Mr. ROGAN], the gentleman from California [Mr. KIM], the gentleman from New York [Mr. LAZIO], the gentleman from Indiana [Mr. SOUDER], the gentlewoman from Kentucky [Mrs. NORTHUP], and the gentleman from Minnesota [Mr. Sabo].

□ 1815

Again, both political parties, heavy representation from the majority leaders of this body, as well as the majority Members of this body, coming to our area to extend their concern and see how they could help.

The people of North Dakota will never forget the conscientious extending of the hand of help and concern that occurred this week, and I am very proud to serve in this Chamber with the Members of both political parties that have shown how deeply they care and how much they want to help.

RENAMING THE DUBLIN, GEORGIA FEDERAL COURTHOUSE IN HONOR OF FORMER U.S. REPRESENTATIVE ROY ROWLAND

The SPEAKER pro tempore (Mr. ROGERS). Under a previous order of the House, the gentleman from Georgia [Mr. NORWOOD] is recognized for 5 minutes.

Mr. NORWOOD. Mr. Speaker and fellow Members of the House, we find ourselves today in a period of great debate as to what constitutes bipartisanship. I believe now that true bipartisanship is honorable compromise for the good of the country.

If we search for real-life models of honorable compromise, we can find no better example than the former Democratic Member from my home State of Georgia that I have brought back to the floor of the people's House for this occasion.

Congressman Roy Rowland of Dublin, GA, began a lifetime of public service long before coming to the House of Representatives. Roy Rowland spent his youth developing a keen sense of duty and honor as an Eagle Scout.

Fresh out of high school, Roy entered the U.S. Army to fight in World War II as a sergeant in command of a machine-gun crew in the European theater. He was a member of United States Forces that liberated German concentration camps, where he learned firsthand the horrifying final results of intolerance.

Roy left the Army at the end of the war with a Bronze Star for service in combat and returned to educational pursuits. He graduated from the Medical College of Georgia in 1952 and continued what was to become a lifetime of public service by providing health care to the people of Dublin, GA, as a family practice physician.

Roy not only provided health care to Georgia families, he served them in the State legislature from 1976 until 1982. And in 1983, Roy's dedication to serving his country brought him to the U.S. House of Representatives. In his freshman year, Congressman Rowland introduced and succeeded in passing legislation that stopped the illegal use of quaaludes through fraudulent prescription sales.

In the early 1980's, the abuse of quaaludes had reached epidemic proportions, and the drug was fast on its way to becoming the illegal drug of choice on the streets. Today that problem is history because of the work of Roy Rowland. Congressman Rowland's efforts were not Republican or Democratic in nature. They addressed a pressing concern for all Americans and garnered true bipartisan support.

When debate over the AIDS crisis was still locked in a state of misinformation and confusion and fragmentation, Roy Rowland stepped forward in this House with his experience as a medical professional to provide the leadership this body needed to move ahead.

Congressman Rowland introduced and passed into law legislation that created the National Commission on AIDS, which provided America with the plain scientific facts so necessary to establish sound public health policy to combat this killer disease.

When the battle over health care reform was at its peak in the 103d Congress, Roy Rowland once again led the way in finding solutions to America's problems that were outside the realm of partisanship. He succeeded in drafting health care reform legislation through a group of five Republicans and five Democrats that provided coverage for 92 percent of the American public.

The Rowland bill did not pass during that time of heated debate and multiple proposals, but the blueprint that Roy left us is one that should be carefully examined when we face contentious issues in the future.

In his 12 years of service here in the House, Roy set a standard for standing firm on conviction without resorting to partisan attacks. He fought like a tiger on the floor but never had an enemy on either side of the aisle. In his reelection campaigns, he was frequently personally attacked but never, never responded in kind.

Today I am introducing legislation that will honor and preserve the legacy of service that Doctor and Congressman Roy Rowland has left for us to follow. This bill would redesignate the Dublin Federal Courthouse in Dublin, GA, as the J. Roy Rowland Federal Courthouse in order that the example Roy Rowland set through a lifetime of service should not be forgotten.

In the spirit of true bipartisanship that our former colleague exemplified, I ask for support for this legislation.

WOMEN, INFANTS, AND CHILDREN PROGRAM SHOULD NOT BE CUT

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

Mr. DAVIS of Illinois. Mr. Speaker, as I have been moving around in the last few days and I have looked to see that the Sun was shining, I was under the impression that we were embarking upon a new season, the beginning of spring, and that we would see fresh ideas, that we would see coming to life new feelings of inclusiveness. But then I had a rude awakening.

I was awakened when the House Committee on Appropriations voted to cut the WIC Program, a program that is designed to benefit women, infants, and children; a program that is designed to provide nutrition, nutritional aid, to women, infants, and children; individuals who in many instances are disadvantaged, in many instances do not have the basic resources to meet the food requirements to grow up healthy, to have a healthy body, to have a healthy mind.

Oftentimes they do not have the resources that will put them on an even playing field with all the other members of our society, and it is hard for me to imagine how one could cut or how a group could cut something as important, something as basic, something that is so greatly needed as a program to provide food for individuals in need.

I would hope that as spring continues to emerge, that there might be a rebirth of ideas and there might be another way of looking at things; there might be another way of looking at the priorities of our Nation, the priorities that would say every person, no matter who he or she might be, would have an opportunity to grow up, to live in a country, to live in a society, the most technologically proficient Nation of the world, the wealthiest Nation of the world, which should be able to make sure that its neediest citizens are provided basic food.

So I would urge that as we move ahead, that the Members of this body would look differently at this issue than we saw the Committee on Appropriations look, and that the Members of this body would recognize that unless all of us can be healthy, it really reduces the health of each one of us; that unless all of us who need food can be fed, it reduces the feeling of each one of us; and that unless America, this Nation, can demonstrate that it understands how to look after the needs of its old, the needs of its young, and the needs of those who oftentimes cannot care for themselves, then we would never experience the potential greatness that this Nation has, we will never become the America that we can be.

UTAH LAND GRAB

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

Mr. DUNCAN. Mr. Speaker, today in the Subcommittee on National Parks we heard testimony which should be disturbing to all Americans. In fact, we heard Senator ORRIN HATCH testify that in 20 years in the Senate, he had never seen such an arrogant abuse of power.

He was referring to the sneak attack by the Federal Government just before the last election to lock up 1.7 million acres in the State of Utah to produce what is called a national monument. This monument would be in the Escalante-Grand Staircase section of southern Utah. However, there are several reasons why this particular land grab has been questioned like no other in U.S. history.

First, it was done with no public discussion or hearings of any type, no vote by the Congress, the Utah State legislature, or the people of Utah. In fact, the Governor of Utah testified at our hearing that the first notice any Utah public official had was when they read about it 9 days beforehand in the Washington Post.

This raises the second serious question, the secrecy, the coverup. Not only were high ranking officials not notified, but Senator BENNETT testified that he now has administration documents which say that it cannot be emphasized enough that public disclosure would have stopped the designation because such an outcry would have been created. It almost makes you wonder if we have people running our Government today who want to run things in the secret, shadowy way of the former Soviet Union or other dictatorships.

Third, this 1.7 million acres contains the largest deposit of clean, low-sulfur

coal in the world. Senator HATCH testified the coal alone is worth over $1 trillion. Who has the second largest deposit? The Lippo Group from Indonesia, who just happened to make some large campaign contributions to the Democrats about the time this land was locked up.

In one small rural county in Utah, this means the loss of 900 jobs. Not only does it mean jobs lost, but it means higher prices for every individual and company which uses coal in this country. Environmental extremists, who almost always come from wealthy or upper-income backgrounds, are really destroying jobs and driving up prices all over this country. Rich environmentalists who have enough money to be insulated from the harm they do are really hurting the poor and working people of this country.

Unfortunately, many in the environmental movement have become the new radicals, the new socialists of this day. They are advocating an unprecedented expansion of Federal power and, in many cases, are achieving it to the great detriment of all but a few elitists at the top.

This national monument in Utah is just another of many examples. The size of this power play is enormous; 1.7 million acres is three times the size of the Great Smoky Mountains National Park, the most heavily visited national park in this country.

Why should people in other parts of the country be concerned about this? Well, it will have a tremendous ripple effect in our overall economy. Why should people all over this country be concerned? Well, because of the secrecy, the political wheeling and dealing, the arrogance, the extremism of this whole thing. But, perhaps even more importantly, if they do this in one place, they will do it in another. If they get away with this in Utah, they will do it in your State too. If people do not speak out, it will happen again and again and again.

Already the Federal Government owns about 30 percent of the land in this Nation. State and local governments and quasi-governmental agencies own another 20 percent. So many restrictions are being placed on Federal land, and now even on private land, that this is now becoming a very serious problem.

Parents and grandparents wonder why their college-graduate children and grandchildren cannot find good jobs. We are ending up with the best educated waiters and waitresses in the world. One big reason is that some of these extremists do not want us to dig for any coal, drill for any oil, or cut any trees.

If we do not get a little moderation and balance back into our environmental policies, we will absolutely destroy our standard of living. Unfortunately, we cannot turn our entire Nation into a giant tourist attraction. Tourism is an industry filled with minimum wage jobs. Do we really want a nation made up of rich environmentalists, well-paid government bureaucrats, and almost everybody else working for minimum wage or very-low-paying jobs?

□ 1830

This Utah land grab is based on a 91-year-old law called the Antiquities Act. Supporters say apple pie and motherhood, things like this law have stood the test of time, and that it was used to protect and set aside the Grand Canyon and other great national treasures. Well, we have an entirely different situation today than we had 90 years ago or even 20 or 30 years ago.

The amount of land owned or controlled by Government has exploded in recent years. We have almost 10 times as much land in wilderness areas as just a little over 20 years ago. If this is still to be a free country a few years from now, if we are going to preserve this Nation as a Democratic republic where the people have control and where major government actions are not done in secret, then the Utah land deal should be reversed.

DEADLINE LOOMS FOR GOP LEADERS TO ACT ON CHILDREN'S HEALTH CARE

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, as my colleagues probably know, over 10 million American children are without health insurance, and Democrats have been aware of this growing problem for some time. Unfortunately, the Republican leadership has been full of inaction. Since the beginning of the 105th Republican-controlled Congress, an additional 372,900 children have lost private health coverage, according to the Children's Defense Fund. Essentially this has been due to inaction by the Republican leadership.

But at the same time, Republicans in the House Committee on Appropriations voted down an amendment last week that fully met the President's funding request for women, infant, and children, the WIC Program. This nutrition program has been cited as one of the most successful Federal programs, and I have to say that I have witnessed this firsthand. I have been in some of the places where people have signed up for the WIC Program. It has been responsible for reducing low birth weight, infant mortality and anemia, while improving the diets of mothers and children.

The WIC Program has a proven track record in providing preventive health care benefits. According to the General Accounting Office, each dollar invested in the prenatal component of WIC averts $3.50 of Medicaid and other spending.

Instead, the Republicans have voted to cut 180,000 participants of this program by this September. Some States like California, for example, are already directing health clinics to deny WIC benefits to children.

Mr. Speaker, I consider these cuts in the WIC Program to be unacceptable. Democrats support the President's funding request for WIC because we understand the value of early intervention and prevention in health care. It would appear that the Republican leadership does not.

The WIC Program that the Democrats are concerned about is just basically another example of how we can address, through preventive measures, children's health care. When we talk about the problem of children's health care and the number of uninsured growing, at least if we were involved in trying to support and back up the WIC Program, we would be able to say that we were doing something and continuing to do at least a decent job with preventive care for children.

It is relatively inexpensive, and I have said this many times on the House floor, to provide health care for children, and there are many approaches to achieving this. Many legislative proposals are circulating that reduce the number of uninsured children and assist families in providing for their children's health care needs.

I have introduced legislation that mirrors the Hatch-Kennedy proposal by providing block grants to the States to help families afford coverage for their children. Under this proposal, States would have the flexibility to administer the program and use innovative methods unique to their particular State. The only requirement is that children's health care plans must be comparable to Medicaid, meaning the inclusion of important and cost-saving preventive benefits.

I have to say that the Kennedy-Hatch proposal is only one option that is being offered by Democrats or others on a bipartisan basis. There are many others to choose from, singularly or in combination. But instead of talking about these proposals, the Republican leadership barely acknowledges the problem of uninsured children and appears to be stonewalling against it.

I think a good start for the Republican leadership would be to support full funding for WIC when it comes to the House floor for a vote. Their next move should be to move children's health care legislation through the committee process by Mother's Day, as Democrats have urged.

Congress should be expanding health care options for children, not making matters worse by cutting children's nutrition programs. I just hope, and I urge that my Republican colleagues will join with us to make sure that the WIC Program is adequately funded. At least that would be a beginning to dealing with the issue of preventive care for children, and then we can at least show that there is support, I believe, on a bipartisan basis ultimately for passing a piece of legislation that will cover all, if not most, of the 10 million children that are now uninsured.

The SPEAKER pro tempore (Mr. ROGERS). Under a previous order of the House, the gentlewoman from Connecticut [Ms. DELAURO] is recognized for 5 minutes.

[Ms. DELAURO. addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

[Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

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

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

PROGRESS REPORT ON WOMEN'S HEALTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from Maryland [Mrs. MORELLA] is recognized for 60 minutes as the designee of the majority leader.

Mrs. MORELLA. Mr. Speaker, I am really very pleased to sponsor tonight's special order on women's health with my colleagues NANCY JOHNSON, LOUISE SLAUGHTER, and ELEANOR HOLMES NORTON, and so many of our colleagues who are here this evening.

The Congressional Caucus for Women's Issues has spent a number of years attempting to address the neglected women's health research at the National Institutes of Health. The caucus asked the General Accounting Office in 1989 to investigate the NIH policy regarding the inclusion of women in clinical studies.

Women had been routinely excluded from many studies, such as the Physicians' Health Study which studied the effects of aspirin on heart disease of 22,000 male physicians. Another study, the Multiple Risk Factor Inventory Trial, a 15-year project studying the risk factors for cardiovascular disease, included 13,000 men and no women.

In 1990, the GAO reported that the NIH had made quote, little progress in implementing a 4-year-old policy to encourage the inclusion of women in research study populations. The caucus in 1990 introduced omnibus legislation, the Women's Health Equity Act, which included the establishment of an Office of Research on Women's Health and the requirement that women and minorities be included wherever appropriate in research studies funded by NIH.

Well, in the fall of 1990, at a meeting with many caucus members, NIH announced the formation of the Office of Research on Women's Health, to ensure that greater resources were devoted to diseases primarily affecting women and to ensure that women were included in clinical trials. Since 1990, great progress has been made in funding for women's health concerns, particularly breast, ovarian, and cervical cancer, osteoporosis, and the women's health initiative.

While I focus my remarks tonight on HIV AIDS, osteoporosis, and domestic violence, there are so many issues critical to women's health that will not be mentioned tonight but are still high priorities for all of us.

Since 1990 I have been the sponsor of legislation to address women and AIDS issues. Women are the fastest growing group of people with HIV, and AIDS is the third leading cause of death in women ages 25 to 44. While the overall number of AIDS deaths declined last year, the death rate for women actually increased by 3 percent, resulting in a record 20 percent of reported AIDS cases in adults.

Low-income women and women of color are being hit the hardest by this epidemic. African-American and Latino women represent 75 percent of all U.S. women diagnosed with AIDS.

NIH is currently working to develop a microbicide. This is a chemical method of protection against HIV and STD infection, which is sexually transmitted disease infection, with an emphasis on methods that women can afford, control without the cooperation and knowledge of their male partners, and use without excessive difficulty.

We must acknowledge the issues of low self-esteem, economic dependency, fear of domestic violence, and other factors which are barriers to empowering women to negotiate safer sex practices. Research on a safe and effective microbicide must be a priority for our research and prevention agendas, and we must also work to answer the full range of questions important to understanding HIV in women, including adequate funding for the women's interagency HIV study, the natural history study of HIV in women.

In order to address these priorities for women, I will be introducing my women and AIDS research bill next week, and I hope my colleagues here tonight will join me as original cosponsors.

The gentlewoman from California [Ms. PELOSI] and I have also introduced H.R. 1219, a comprehensive HIV prevention bill which includes the provisions of my bill from the last Congress to address the need for more targeted prevention programs for women. Our bill authorizes funding for family planning providers, community health centers, substance abuse treatment programs, and other providers who already serve low-income women to provide community-based HIV programs. Our bill also creates a new program to address concerns about HIV for rape victims.

In my work focusing on the needs of women in the HIV epidemic, the effectiveness of community-based prevention programs has been demonstrated time and time again. Providers with a history of service to women's communities understand that prevention efforts must acknowledge and respond to the issues of low self-esteem, economic dependency, fear of domestic violence, and other factors which are barriers to empowering women. I urge my colleagues to cosponsor this legislation.

Now on to osteoporosis. Mr. Speaker, it is a major public health threat for 28 million Americans who either have or are at risk for the disease. One out of every 2 women and 1 in 8 men over age 50 will have an osteoporosis-related fracture.

A woman's risk of hip fracture is equal to her combined risk of breast, uterine, and ovarian cancer. Often a hip fracture marks the end of independent living. Many enter nursing homes and a large percentage die within 1 year following the fracture. The costs incurred due to the 1.5 million annual fractures are staggering at $13.8 billion, or $38 million a day. Osteoporotic fractures cost the Medicare Program 3 percent of its overall cost.

I have reintroduced H.R. 1002 along with the gentlewoman from Connecticut, [Mrs. JOHNSON], the gentlewoman from New York, [Mrs. LOWEY] and the gentlewoman from Texas, [Ms. EDDIE BERNICE JOHNSON], to standardize Medicare coverage for bone mass measurement tests for the diagnosis of osteoporosis. Without bone density tests, up to 40 percent of women with low bone mass could be missed at a time when we now have drugs that promise to reduce fractures by 50 percent.

At this time, Medicare leaves the decision to cover bone density tests to local Medicare insurance carriers, and the definition of who is qualified to receive a bone mass measurement varies from carrier to carrier. H.R. 1002 would standardize Medicare coverage in order to avoid some of the 1.5 million fractures caused annually by osteoporosis. Since these tests are already covered by every carrier, the cost to the Medicare Program will not be substantial. As a matter of fact, with Congresswoman JOHNSON, we just met with representatives of the Congressional Budget Office to talk about that.

With regard to domestic violence, we have made great progress, yes, in training law enforcement personnel about domestic violence and funding battered women's shelters and starting up the national domestic violence hotline. I want to say that our speaker this evening has been certainly very cooperative and generous in the funding of the Violence Against Women Act.

But one area where we have room for improvement is in the training of our

health care professionals, doctors, dentists, nurses, and emergency personnel who are also in the frontlines in the fight against domestic violence. Many health professionals are unaware or unsure about the symptoms, treatment, and the means of preventing domestic violence, and many unknowingly send victims home with abusive husbands and boyfriends.

That is why I have introduced the Domestic Violence Identification and Referral Act, which is H.R. 884, which will amend the Public Health Service Act to give a preference in awarding Federal grants to those schools, medical, dental, nursing, and allied professionals that provide significant training in identifying, treating, and referring victims of domestic violence.

The gentleman from Vermont [Mr. SANDERS] and I have introduced the Victims of Abuse Insurance Protection Act, H.R. 1117, that would outlaw discrimination in all forms of insurance: Health, life, homeowners, auto, and liability. Although the Kennedy–Kassebaum health care reform bill included language prohibiting insurers from denying coverage to victims of domestic violence, companies can still charge domestic violence victims prohibitively higher rates; in effect, ban them from affordable health insurance coverage.

□ 1845

H.R. 1117 would also protect the confidentiality of victims records. I urge my colleagues to join us in cosponsoring these bills.

There is more we could say, but I have many of my distinguished colleagues, and I appreciate their being here, who do also want to speak.

Mr. Speaker, I yield the balance of my time to the gentlewoman from Connecticut [Mrs. JOHNSON].

MORE ON WOMEN'S HEALTH

The SPEAKER pro tempore [Mr. ROGERS]. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from Connecticut [Mrs. JOHNSON] is recognized for the balance of the time as the designee of the majority leader.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield to the gentlewoman from New York [Ms. SLAUGHTER], my colleague in this special order.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, there are a wide range of both triumphs and shortcomings in women's health that could be discussed this evening. On the one hand, a woman's life expectancy has increased from 48 years in 1900 to 79 years today. But on the other hand, many devastating women's health disorders still remain a mystery and research is desperately needed to find effective diagnostics, treatments, cures and preventive medicine.

Women are now regularly included in clinical studies after having been excluded for decades. There is now an Office of Women's Health at the Public Health Service with corresponding offices at other agencies like NIH, the CDC, FDA, and the Health Resources and Services Administration and the Agency for Health Care Policy and Research.

Breast cancer survival rates are up for women for the first time ever. And genes have been identified that are linked to early onset breast and cervical cancers as well as a number of other disorders that affect women like Alzheimer's disease. Estrogen replacement therapy has provided relief for millions of women from the harsher symptoms of menopause as well as osteoporosis and other age-related disorders.

The NIH is conducting major women's health initiative designed to study and to track women health in a large population over decades. This research will yield invaluable information about the normal aging process and its pitfalls for women. All of those things have happened since 1990, as my colleague, the gentlewoman from Maryland [Mrs. MORELLA] pointed out, when we first set up the Office of Women's Health.

But there are some shortcomings still in the health of women in the country. They suffer from a variety of gender-specific disorders that we do not really understand yet and which, in many cases, are receiving insufficient attention from the medical and research establishments.

Each year breast cancer strikes 182,000 American women and kills 44,000. We still do not know why breast cancer occurs, how to cure it or how to prevent it. We do not even know whether is for different ages and groups of cancer types and the mammography machine which we have had for the past number of years is all we still have. We need to do more.

About 12,000 babies are born each year with fetal alcohol syndrome, a disorder that is completely preventable if women just abstain from alcohol during pregnancy, and yet we have just learned that the rate of pregnant women drinking alcohol is on the increase, showing a great need for education. About 4,000 pregnancies are affected by disorders like spina bifida or hydrocephalus, which are almost totally preventable if the woman consumes adequate levels of folic acid. Again, another need for education.

One-quarter million women die each ear of heart attacks and strokes. Many of them could have reduced their risk by making dietary changes, quitting smoking, getting more exercise and, I might add, getting the kind of medical care that they need. Some of the bills that the gentlewoman from Maryland [Mrs. MORELLA] mentioned are very important, and I am sure all of us will sponsor and work for them very hard, because there are a number of things that we need to do to move along the issue of women's health.

One bill that I have introduced is the genetic information nondiscrimination bill, because I want to make sure that as the human genome mapping continues that no one man, woman or child in America is discriminated against when it comes to health insurance. Our bill just says that the insurance company cannot cancel, deny, refuse to renew or change the terms or the premiums or the condition of health insurance coverage based on genetic information.

And most importantly, it says that your genetic information belongs to you. And without your specific written concept, no one may use it.

H.R. 306, the bill number, has 96 cosponsors and has been endorsed by over 60 respected health organizations, included the American Cancer Society, the American Heart Association, the National Breast Cancer Coalition, and the Jewish Women's Community.

Congress should not be forcing women into making the Hobson's choice between learning valuable genetic information that they must have and their risk of losing their insurance or remaining ignorant and keeping the coverage.

We will also be introducing information on education efforts for DES or diethylstilbestrol, which was given to pregnant women during the 1970's so that they could have a healthy, bouncing baby. DES was given to pregnant women in the United States long after the Department of Agriculture had denied its use for cattle because they knew that it caused reproductive damage. Yet women in the country continued to be damaged.

We are seeing that their children and again into a second generation now have often been damaged by DES, and we need to have more of an understanding about DES and similar synthetic estrogens because amazing impacts and discoveries are being made on the effects of estrogen on women's health. It also authorizes a national education effort to identify DES-exposed women and their children and their grandchildren and educate them about the continuing health needs and the risks.

I have also introduced an Eating Disorders Prevention and Education Act, which I think is terribly important. We are very concerned about young women who are very unlikely to have a good diet because of their concern about their weight. Girls as young as 8 are dieting. This is a national disgrace that interferes with their normal development and their continued health. We have to make sure that young women understand that milk and dairy products will not make them fat but will indeed help to give them the calcium to lay down a good bone mass.

In conclusion, women's health should not be taking a back seat anymore. We compose over half the Nation's population and a large number of us are workers and taxpayers. And we want some of our taxpayer dollars to be used in the health of women in the country.

We want to make sure that we continue to be part of the clinical trials. We do not want to be left out anymore.

As the great statesman Benjamin Disraeli said, The health of the people is really the foundation upon which all their happiness and all their powers as a state depend.

We should remember those words.

I would also like to quote Hippocrates, who once wrote, ''Healing is a matter of time, but it is sometimes also a matter of opportunity.''

Today we have more opportunities than ever to heal the diseases and the disorders that affect human beings. We must grasp these opportunities and act.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield to the gentlewoman from Florida [Ms. ROS-LEHTINEN].

Ms. ROS-LEHTINEN. Mr. Speaker, I would first like to recognize and acknowledge the wonderful support that all of the women Members of Congress have received from the gentlewoman from Connecticut [Mrs. JOHNSON] and the Delegate from the District of Columbia [Ms. NORTON]. They have done a spectacular job of leading the charge on behalf of women in the United States, and we congratulate them for their leadership not only on women's health care that we are discussing tonight but on a myriad of issues as well.

I would like to briefly address the problem of women's health care as it relates in my community to Hispanic women. Hispanic women are of particular importance to the health care system not only as recipients of care themselves but as the member of the family most likely to deal with health care providers on behalf of children and the elderly. The health care system must learn how to deliver medical care to women that are in tune with their cultural realities.

It must be pointed out that Hispanic women are part of one of the fastest growing populations in the United States and, as such, deserve special attention by those who deliver health care. There are already 27 million people of Hispanic origin in our country, and in my area of south Florida there are nearly 1 million Hispanics. A doctor who is unaware of the cultural framework of her patient will find her job that much harder. A doctor is unaware of how cancer is viewed by some Hispanic women, for example, and may have trouble arriving at the correct diagnosis and then have to deal with the complications that follow delayed detection.

The Hispanic female population is not monolithic. The differences run the gamut from different countries of origin to different regions of those countries, from different educational levels to various lengths of time in this country. It is important that we address the health care needs and the concerns of Hispanic women and to develop plans that will work in harmony with our cultural traditions.

Hispanic women, for example, are less likely to enjoy the full benefits of our Nation's health care system. Part of this stems from the fact that 22 percent of Hispanic women are uninsured as compared to 13 percent of non-Hispanic women. As a result of underinsurance and for various cultural reasons, many Hispanic women are unlikely to receive preventative health care. For example, 39 percent of Hispanic women did not have a pap smear last year as opposed to 27 percent of the general female population who also did not have a pap smear. And 46 percent of Hispanic women did not undergo a pelvic exam last year as compared to 30 percent of the general female population who did not have such an exam.

Mr. Speaker, to eliminate this disparity in preventative care, we need to develop a comprehensive strategy to educate both the medical profession as well as the underserved Hispanic women to deal with medical and cultural realities. I urge the medical profession, our government and the entire spectrum of health care providers to focus on this rapidly growing population and find new ways to reach out and provide preventative care. I congratulate once again the gentlewoman from Connecticut [Mrs. JOHNSON] and the gentlewoman from the District of Columbia [Ms. NORTON] for leading the charge on behalf of all women everywhere.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Speaker, I am proud to be here today as a member of the Congressional Women's Caucus to talk about women's health. As we in Congress look for ways to improve the health of our children and the long-term well-being of our Nation, women's health is the place to start.

Last week President Clinton held a conference on early childhood development. We saw new scientific research from that conference that showed us that a child's future brain development depends greatly on his or her first years of life. We know that nurtured and healthy babies become children who are educated and adults who are productive.

But, Mr. Speaker, we must take it one step further. If we are going to have healthy children, we must have healthy mothers. A healthy mom is one who has access to proper nutrition and prenatal care. The WIC program, the special supplemental nutrition program for women, infants, and children, has provided critical nutritional assistance to needy pregnant women and, later, their children for the last 23 years. And now it is time for us to renew our commitment to this important program.

Mr. Speaker, WIC works. Pregnant women on Medicaid who participate in WIC have improved dietary intake and weight gain. They are more likely to receive prenatal care. Mothers on WIC have children with better learning abilities and higher rates of immunization. And WIC reduces both the number of low birth weight babies and the infant mortality rate.

Mr. Speaker, WIC works. It works because it is cost-effective. By providing nutritional assistance to pregnant women and their babies, we can prevent more serious and costly health problems associated with premature and low birth weight babies.

Studies have found that for each dollar spent on pregnant women in the WIC program, we save up to $3.50 in Medicaid, SSI, and other program expenditures.

But like so many other programs that help women and children, WIC is in danger. Congress underfunded WIC last year, so this year hundreds of thousands of poor women and children risk being thrown out of the program.

Just last week, Mr. Speaker, the Committee on Appropriations denied the administration's request for $78 million in supplemental appropriations. Instead, the committee appropriated only half of this amount, leaving 180,000 poor women and children at risk of losing nutritional assistance.

Mr. Speaker, it is simply outrageous that the budget axe is poised above pregnant women, mothers and infants.

□ 1900

Next week the House will vote on the supplemental appropriations bill. We must restore this cruel cut. And as we shape next year's budget, let us not forget the success of the WIC Program. It is time to expand WIC to include all eligible women and children; all of those who are not now covered in the program.

Above all, Mr. Speaker, we must renew our commitment to the WIC Program and to the women, infants, and children that it serves. If we want a healthy America, we must have healthy mothers and then we will have healthy, productive children. Now is the time to act. Later may be too late.

Mr. Speaker, I thank my colleague from Connecticut for having this event tonight.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentlewoman.

It is a great pleasure to have so many women here on the floor of the House to participate in this special order on women's health, and I want to recognize now my colleague from New York, SUE KELLY.

Mrs. KELLY. First, Mr. Speaker, I want to recognize the gentlewoman from Connecticut, NANCY JOHNSON, and the gentlewoman from the District of Columbia, ELEANOR NORTON, for creating a true bipartisan group concerned and focused on women's health.

Mr. Speaker, I want to take a few moments to discuss the Women's Health and Cancer Rights Act, H.R. 616. This legislation, which I introduced in February, along with my colleagues, the gentlewoman from New York, Ms. MOLINARI, and the gentleman from New Jersey, FRANK LOBIONDO, is a comprehensive measure that focuses on women and breast cancer; those who

fear it, those who live with it, and in memory of those who have died as a result of it.

As we all have heard, through new reports or personal experience, 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 costs. Other insurance companies cut costs by denying coverage for reconstructive surgery because they have deemed such procedures as cosmetic. Ironically, they do not deny reconstructive surgery for an ear lost to cancer.

The Women's Health and Cancer Rights Act guarantees coverage for inpatient hospital care following a mastectomy, lumpectomy or lymph node dissection based on a doctor's judgment, and requires coverage for breast reconstructive procedures, including symmetrical reconstruction.

In addition, this bill requires coverage of second opinions when any cancer tests come back either negative or positive, giving 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.

Several key organizations have endorsed this legislation, organizations that agree we have a responsibility to protect the doctor-patient relationship, ensuring that the medical needs of patients are fully addressed. In fact, I would like to thank the American Cancer Society, the American Medical Association, the National Breast Cancer Coalition, the Center for Patient Advocacy, the Susan G. Komen Foundation, and many, many others for their support of this bill.

Some critics claim this measure is nothing more than a mandate leading to government-controlled health care. Usually those critics believe that all health care should be individually based and should utilize medical savings accounts and other initiatives that maximize individual control over cost. I agree with these ideas, but they are not in place.

There is also a misconception that this legislation requires 48 hours of inpatient care. It does not. The length of stay under this bill is simply determined by the physician and the patient, as it should be.

Developing a system of health care which maximizes an individual's control over the health care available is the goal that I in particular strongly support, and so do these organizations. Such a system uses free market principles to ensure that the health care we receive is of the highest quality.

However, I realize that while this is a goal we strive for, we are not there yet. Most Americans do not have access to multiple health care plans from which to choose. Until they have this choice, it is going to be necessary for Congress to enact targeted reforms, such as the Women's Health and Cancer Rights Act, reforms that safeguard quality care while at the same time avoiding overly broad regulations and mandates.

I am for market-based health care, but I am not willing to stand by idly while approximately 44,000 women die of breast cancer every year. They will this year, they did last year. This is a figure which is comparable to the number of men and women who died in all of the Vietnam war.

Mr. Speaker, the Women's Health and Cancer Rights Act aims to give women with breast cancer a fighting chance and the dignity to endure the fight.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield to the gentlewoman from Florida, my colleague, Congresswoman MEEK.

Mrs. MEEK of Florida. Mr. Speaker, I thank my cochair, the gentlewoman from Connecticut, NANCY JOHNSON. It is also my privilege, Mr. Speaker, to thank the Women's Caucus for having us here today to discuss important facets of women's health.

In our focus today on issues of concern in women's health, I want to shine the spotlight on a very silent national killer of women, lupus, L-U-P-U-S. A lot of people have never heard of that term, but it is a silent killer of women.

Lupus is a serious, complex inflammatory autoimmune disease. It affects women nine times more often than men. Between 1.4 to 2 million Americans have been diagnosed with this terrible disease called lupus. Many more cases go undiagnosed, since the symptoms of this disease come and go. Lupus also mimics many other illnesses.

Although lupus may occur at any age and in either sex, 90 percent of those affected are women. During the childbearing years, lupus strikes women 10 to 15 times more often than men. In addition, lupus is more prevalent in African-Americans, Latinos, Native Americans and Asians. There is a disproportionate effect upon African-American women.

Among African-American women, the disease occurs with three times the frequency of occurrence in white women. An estimated 1 in 250 African-American women between the ages of 15 and 65 develops the disease. So it attacks women in their prime of life, this terrible disease that people have trouble remembering the name of, lupus, L-U-P-U-S.

What exactly is lupus and how does it affect those who suffer from it? Lupus causes inflammation of various parts of the body, especially the skin, joints, blood and kidneys. Many women many times think they have arthritis or some kind of rheumatism.

Our body's immune system normally protects the body against viruses, bacteria and other foreign materials. However, in one who is suffering from lupus, the immune system loses its ability to tell the difference between foreign substances and its own cells and tissues. The immune system then makes antibodies that turns them against itself. So the immune system, which is supposed to be a protector, becomes the attacker in the instance of lupus.

Many victims of this disease in the early years suffer debilitating pain, particularly in the joints. They suffer fatigue. Many of them do not know what is wrong with them. Doctors have a lot of trouble diagnosing this disease. It is very hard for a woman in her prime years to maintain employment and to lead a normal life if she has lupus.

Although lupus can range in severity from mild to life-threatening, it can be fatal if not detected and treated early. Thousands of women die each year, Mr. Speaker, and many of them who are stricken do not have the financial means for treatment which can help control this terrible disease called lupus.

Lupus is not infectious. It is not rare. It is not cancerous. It is also not well known. Lupus is not well known. In fact, it is more prevalent than AIDS, sickle cell anemia, cerebral palsy, multiple sclerosis and cystic fibrosis combined.

Perhaps the most discouraging aspect of lupus for sufferers, family members and friends is the fact that there is yet no cure for lupus. That is why research is needed so badly for this disease which catches women in the prime years of their life.

Lupus is devastating not only to the victims but to family members as well. They must watch helplessly while the victim slowly and painfully succumbs to this terrible disease. I know this from firsthand experience, Mr. Speaker, having lost a sister and a very close friend to this disease, lupus.

Because of my involvement in various lupus organizations, I have also heard firsthand the heartbreaking stories of other women and their families across this Nation. I recently received a letter from a mother of a 42-year-old woman who had heard of the lupus bill that I introduced in the 104th Congress. This woman, who I will call Jane, was finally diagnosed with lupus in 1993 after repeatedly being tested for AIDS, repeatedly being treated for arthritis, bursitis, allergies, and other ailments.

Although Jane was fortunate to encounter a doctor who specialized in disease control during a near death hospital stay, the aftermath of this discovery has been devastating. Since beginning treatment for lupus, both of Jane's hips have deteriorated to the extent that she is on crutches and is waiting for total hip replacement. This young woman.

Her medication and doctor visits cost over $900 per month. Jane is a chemist. She was laid off last year when the company she worked for downsized and was bought out by another company which denied her medical insurance

coverage because she has lupus. Many times, Mr. Speaker, the medication for lupus works against the system as badly as lupus itself.

Jane now receives Social Security benefits of only a fraction of her former $30,000 per year salary and is unable to meet her debts, buy food and pay for medication. Jane wants to work and she wants to get well, but she is no longer able to care for herself. Her mother and other family members must bear the hardship which this terrible disease, lupus, which is not well-known, has brought on Jane's life.

This is not an isolated situation. Many cases are worse, because the women who are victims of lupus have no family many times or friends to turn to for support.

Something must be done, and I appeal to our appropriations panels and also to authorizing committees and to the Women's Caucus. If they have a very strong interest in women's health, something must be done on a national level to help lupus patients.

To that end, Mr. Speaker, I have introduced H.R. 1111. It is a bipartisan bill, the Lupus Research and Care Amendments of 1997 to the Public Health Service Act. My bill has two main focuses.

First, the bill authorizes expanded and intensified research activities at the National Institutes of Health and other national research institutes and agencies. We must find a cure for lupus. This will provide for increased resources to determine reasons why so many women get lupus, especially African-American women, Latinos and Asians.

The bill also covers research on the causes of the disease, its frequency, and the differences among sexes, racial, and ethnic groups.

My bill also provides funding for the development of improved screening techniques, clinical research and development on new treatments, and information and education for health care professionals and the public.

The amount allocated to lupus research by NIH in fiscal year 1997 amounted to $34 million. We are very happy about that, but that $34 million is less than one-half of 1 percent of the National Institutes of Health budget. My bill proposes raising this allocation to $50 million more for fiscal year 1998. And the Women's Caucus is supporting this because, after all, one of their most major emphasis is on women's health.

The second part of my bill calls for the establishment of a grant program to provide for projects to set up, operate and coordinate effective and cost-effective systems for getting essential services to lupus sufferers and their families.

Mr. Speaker, American women are at high risk for this deadly and debilitating disease. Increased professional awareness and improved diagnostic techniques and evaluation methods can contribute to early diagnosis and treatment of lupus. We must step up this research to find a cure and treatment for this silent killer and for this silent disease.

Mr. Speaker, I urge my colleagues to join the Women's Caucus in saving the lives and advancing the health of American women by not only cosponsoring my bill, the Lupus Research and Care Amendments of 1997, but to support and step up the emphasis on research and development of all of these killers of women.

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Mrs. JOHNSON of Connecticut. Mr. Speaker, in view of the fact that we have quite a few speakers, I am going to limit my remarks rather more than I had intended. I do want to thank my colleagues from both sides of the aisle for their participation tonight. It is impressive, the work that Congress has done in the area of women's health in recent years, and much of it has been the direct result of the focus on that issue that the bipartisan caucus of women Members of Congress has generated.

I want to talk briefly tonight about two things. I want to talk about Medicare and women's health, and I want to talk about smoking and women's health.

It is true, and terrible, that Medicare is an illness program. It provides health care after you get ill. Medicare by law is not a preventive health program, and that is something that I believe this Congress is going to address. We have been holding hearings on preventive health, we have been generating information about which preventive tests are important to both women and men on Medicare, and I believe this year we are going to finally pass a package of preventive health services that will improve Medicare dramatically and meet the needs of both men and women far more effectively than the current program.

For women, it will mean annual mammograms. It will also mean passage of a bill I introduced recently reauthorizing the Mammogram Quality Standards Act, which will assure that those mammograms will continue to be done by well-trained people with high quality equipment, read and interpreted by able physicians. It will also, I hope, mean that we will have national standards for testing bone density to help women prevent osteoporosis and all of the crippling fragility that results from loss of bone density.

It will also mean, I hope, that we will pass a bill that the gentlewoman from New York [Ms. SLAUGHTER] has introduced this year, and she spoke about it earlier, that will guarantee that women who have had genetic indicators that they are inclined to get breast cancer or some other disease will not be discriminated against by insurers.

We made a giant step forward on this subject last year when an amendment I introduced passed and was part of the Medicare legislation of the last Congress that said that women could not be discriminated against because they had genetic tests indicating a tendency toward cancer. That was an important step, but the more extensive bill that my colleague the gentlewoman from New York [Ms. SLAUGHTER] has introduced goes on to the issues of privacy, ownership of your medical data that are terribly, terribly important as we move into the new era of genetic science and health.

Lastly, I believe that we will this year pass inclusion of women in clinical trials. It is indeed the Congresswomen's caucus that first passed legislation assuring that the National Institutes of Health would include women in all of their health research trials.

It is truly remarkable that we ran the first long-term trial looking at heart disease on a population entirely of males, and so we came out of that multi-year project knowing a lot about heart disease in men and knowing literally nothing about the course of that disease in women, only to find out later that the course of that disease in women is really quite different, as we have found out in HIV and a number of other areas. It is not only unfair to our seniors that they do not have access to some of the remarkable treatments available through our cancer clinical trials program, but it is also a disadvantage to the Nation not to know how those medications that are being tested, those procedures that are being tested affect both men and women in their senior years. This Nation needs far better health research data than our current clinical trials program provides, and it is my hope that in this session we will see Medicare expanded to provide coverage for cancer treatments in clinical trials.

Let me talk briefly also about smoking, because smoking is really the most preventable cause of death and disability and tobacco use studies have indicated is far more detrimental to women than to men. Women are far more susceptible than men to tobacco-related disease. Lung cancer has surpassed breast cancer as the leading cause of cancer death among women. Recent research suggests that women may be more susceptible than men to the development of lung cancer. Several recent reports also provide strong evidence of an association between smoking and osteoporosis. In addition, research shows a dangerous link between smoking and the use of oral contraceptives.

So while tobacco use directly increases a person's risk of lung cancer, heart disease, stroke and diseases of the blood vessels, it holds many additional perils for women. Furthermore, each day 3,000 kids become regular smokers. That is more than 1 million a year. One third of them will die from tobacco-related disease. While smoking is declining in adults, teenage girls are the fastest growing group of smokers.

Smoking by mothers during pregnancy can adversely affect the supply of oxygen and nutrients to the fetus and has been shown to increase the risk of low birth weight, miscarriage, still birth, premature birth and death in the first few weeks of life. Maternal smoking during and after pregnancy has been estimated to be responsible for one-quarter of the risk of sudden infant death syndrome, or crib death, and parents who smoke around their children put them at increased risk for developing bronchitis, pneumonia, ear infections and asthma. Children exposed to smoke may also be at increased risk for cancer in their adult years. Smoking does cause illness. It causes illness in adults, illness in children, and it is particularly lethal to women.

Let me conclude by saying that this is a Congress that not only will address some important women's health issues, it is also, I believe, the Congress that will move forward on providing coverage for children whose parents work for employers who do not provide insurance or for some other reason are without insurance. It is a crime for this Nation to leave children uncovered for simple diseases like ear infections, much less their parents exposed to the paralyzing catastrophic costs of the hospitalization of a child without coverage.

Mr. Speaker, I yield to my friend and a new Member of Congress the gentlewoman from the Virgin Islands [Ms. CHRISTIAN-GREEN].

Ms. CHRISTIAN-GREEN. I thank the gentlewoman from Connecticut for yielding.

Mr. Speaker, as the first female physician to serve in this body, I find a special cause in women's health and I would like to thank my colleagues in the Congressional Caucus on Women's Issues and our chairs, the gentlewoman from the District of Columbia [Ms. NORTON] and the gentlewoman from Connecticut [Mrs. JOHNSON], and my colleague the gentlewoman from Maryland [Mrs. MORELLA] for organizing this special order.

Mr. Speaker, women make up more than 50 percent of our Nation's population. Further, we are the primary caregivers for our husbands, children and aging parents. Consequently, we as a country have a great stake in the health of our women. To paraphrase a well-known saying, as the health of women goes, so goes the health of our country.

Traditionally, the issue of women's health had not been a political or a legislative priority. However, because of the insistence of women from different walks of life that our stories be heard, that our statistics be included in research, that the problems which specifically affect us be studied and addressed, and because of the leadership of the Caucus on Women's Issues, thank God this is changing.

There are many important issues, such as AIDS, heart disease, cancer, diabetes and violence, each in themselves deserving of our focus. However, today I choose to address one of the root causes underlying some of the dire statistics that diseases such as these represent, problems such as poverty, poor or inadequate education, lack of opportunity and limited access to health care. Central to all of these is the issue of women's access to health insurance.

According to the Institute for Women's Policy Research, 12 million women of working age between the ages of 18 and 64 have no insurance of any kind. As a result, many of these women have little or no access to our health care delivery system which is predicated on having insurance or Medicaid. The Institute for Women's Policy Research further says that women traditionally obtain health insurance indirectly through their husband's jobs. But more of these women are falling through the cracks as more men have jobs that do not provide health insurance and, in addition, many women do not marry, are divorced, widowed or have a spouse that has retired or lost his job. Studies also show that only 37 percent of women have access to insurance through their own jobs. Five million young women under age 30 have no insurance whatsoever, even though 70 percent of all births are to women in this age group. Single mothers are also more likely to be uninsured despite the presence of Medicaid.

It is a sad reality that even today for women, health insurance and as a consequence health care is available only to those who can afford to pay. With this in mind, it is imperative that we take a hard look at the needs of women with regard to health insurance. In this Congress, the cause of children's health care will be addressed, but we cannot stop there. Rich or poor, we as women must know that our needs and the needs of our families will be met when illness, accident or old age befalls us.

Mr. Speaker, quality health care should not be an option. It must be an available choice, not only for women but for all the people of this Nation. Universal health coverage and universal access to health care for all must remain our goal.

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

WOMEN'S HEALTH ISSUES

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 want to thank the gentlewoman from Connecticut [Mrs. JOHNSON] for her work with me as co-chair of the Caucus and for helping to organize this very important special order which has gone so well with its great variety.

Mr. Speaker, I yield to the gentlewoman from California [Ms. SANCHEZ].

Ms. SANCHEZ. Mr. Speaker, I rise today to discuss a serious problem that affects all our communities, but which is rarely addressed, that of teen pregnancy. Teen pregnancy burdens us all. When teenage girls give birth, their future prospects decline dramatically. Teen mothers are less likely to complete school, they are more likely to be single mothers, and they are more likely to depend on welfare and government support. Teen pregnancy is not only a serious problem, it is a growing problem. Over half a million teenage girls become pregnant each year in our country. California has the highest amount of teen births. It was over 70,000 last year. Four thousand of those teens are young girls from Orange County, my county. My home town of Anaheim has seen the highest number of teen births for all of Orange County.

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That is why I am so concerned about the young women in my district, and I call upon my colleagues to take a thoughtful look at teen pregnancy in their communities.

The United States has the highest rate of teen pregnancy in the industrialized world. Is this because our kids are more sexually active? No; it is because other nations treat teen pregnancy as a public health issue. We define it as a moral or social problem. Let us treat teen pregnancy like the health problem which it is, and let us practice preventive medicine. Reducing teen pregnancy will then prevent abortion and reduce high school dropout rates and the number of women who depend on welfare.

Teen pregnancy is preventable. It is a possible but challenging task. We need a multifaceted approach in our communities, one that addresses not only reproductive health and abstinence but also self-esteem and responsible decisionmaking. Kids need role models, and they need to have the opportunity to be involved in extracurricular activities.

That is why I will be joining the efforts of local organizations in my communities to help combat the rising rate of teen pregnancy in Orange County. I encourage all of my colleagues to take a local approach to solving a national problem.

Ms. NORTON. Mr. Speaker, I yield to the gentlewoman from California [Mrs. TAUSCHER].

Mrs. TAUSCHER. Mr. Speaker, I thank the gentlewoman from the District of Columbia for yielding to me. Mr. Speaker, I rise today to speak about a subject of great importance to the women and families of the 10th Congressional District of California which I am honored to represent. That subject is the need for vital funding for research into the causes, treatments, and cures for breast cancer through the National Cancer Institute of the National Institutes of Health. This is an issue I have been focusing on for many years. In 1992 I was honored to be a founding board member of the Breast Cancer Fund in San Francisco, and I

really believe that this is a very important issue for American women to be paying attention to.

Mr. Speaker, this year the President is requesting $338.9 million for the National Cancer Institute's breast cancer program, and I urge all the Members of Congress to support this needed funding. Later this spring, the National Breast Cancer Coalition will be presenting Congress and the President with 2.6 million signatures from the constituents from all over America, urging us to work together to support 2.6 billion for cancer research between now and the year 2000. I believe this is a powerful statement about the commitment of the people of the Nation to fighting this disease. The increase in funding this year will allow the National Institutes of Health to continue its work in basic research, prevention, treatment, and community outreach as well as to initiate any studies.

Mr. Speaker, I remain committed to working with my colleagues, the President, and the National Cancer Institute to defeat this killer of American women.

Ms. NORTON. Mr. Speaker, I thank the gentlewoman for her remarks.

Mr. Speaker, it is no accident that we have focused on women's health. This is the 20th anniversary of the women's congressional caucus. In those 20 years we have probably had our greatest success by focusing on women's health. So we come forward this evening in order to press again this issue.

The women's caucus and women members and other members have essentially over the past 20 years made what can only be called great discoveries when it comes to neglected women's health issues. The inclusion of women in clinical trials, for example, was a historic step forward.

During the 105th Congress the congressional women's caucus is going to have a legislative agenda which we will be publicizing in the next several weeks. The reason for that legislative agenda is to measure ourselves and to measure this Congress against real goals. Had we not done that, then the gains we have made, for example with respect to women's conditions like osteoporosis or cervical cancer, simply could not have been made. When we began to work on research in cervical cancer, for example, it was a dreaded disease. Once you got it, nobody knew what to do about it, and now half the cases can be caught and cured.

We might well get the most out of this special order if we could get the agreement of the House and the Senate to pass what I can only call an easy bill. That would be the Mammography Quality Standards Reauthorization Act, or H.R. 1289, that has, of course, been mentioned in this special order this evening, but I mention it as we close out the evening because it is a fitting bill to be the first significant bill affecting women, women's health, passed this year. It is simply a reauthorization of a bill that would assure that mammograms are performed under safe circumstances and conditions. It is fitting also because we have just gone through the storm with the doubt and uncertainty that was there over mammography for women in their forties that has been cleared up. We now know that women in their forties should have mammograms at least every other year, if not every year. We come forward this evening, therefore, to remind ourselves not only of what we have accomplished in 20 years bringing women's concerns to the House, but to vigilantly keep ourselves focused on what is yet to be done.

WOMEN'S HEALTH ISSUES

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

Mr. ROEMER. Mr. Speaker, I would just like to hopefully wrap up this very successful special order on women's health issues and congratulate my classmate, the gentlewoman from the District of Columbia [Ms. NORTON], and the gentlewoman from Connecticut [Mrs. JOHNSON] for a very, very successful hour of discussion on very critical matters of women's health.

I would like to be the last speaker on that particular issue and talk about an issue that is very important to me as a Congressman, as a father, as a taxpayer, as somebody that believes in a woman's health issue known as the WIC program.

What is the WIC Program? It is the Women, Infants and Children Program, and it is a program that has always enjoyed wide bipartisan support. Republicans and Democrats alike have supported this program because it accomplishes some very important things.

First, it reduces low birth weight in babies. Second, it reduces the infant mortality rates, death rates for babies born prematurely. Third, it reduces child anemia. And last, it has been directly linked to improving cognitive development for children.

Now why am I as a Member of Congress concerned about this? I am concerned, Mr. Speaker, because milk prices have increased this year and last, and the caseload experience and the caseload numbers have increased in the WIC Programs in an alarming rate. So the White House has very, very wisely asked for a $76 million increase to take care of this increase in milk prices and caseload.

Mr. Speaker, just recently in a Committee on Appropriations markup, the Republicans cut this $76 million increase in half, cut $36 million out of the WIC Program. Now at a time, Mr. Speaker, when we are learning from Newsweek and Time Magazine, on the front covers of these magazines, that everything we can do when that child is in the womb, the fetus, or when that child is between 1 and 5 is critical to help these children to learn and grow and that this is the most critical time for a child to maybe pick up a new language and learn intellectual skills and cognitive development.

We are talking about cutting this program by $36 million. What does a $36 million cut result in?

It results in 180,000 children not getting access to this good program. One hundred and eighty thousand children. Now I do not think that is smart.

I support balancing the budget, and I am willing to cut a space station that does not work, I am willing to cut Star Wars in half, but I am not willing to cut children and women out of the WIC Program. Why? The General Accounting Office has said not only is this the best thing for children and young mothers, but for every dollar we invest in the WIC Program, we save $3.50 on Social Security disability payments and on Medicaid and on other government programs.

So, if we cut $36 million and cut 180,000 children out of this program, we are probably going to cost the taxpayer $120 million later on down the line in increased costs.

So I strongly urge this body to adopt an amendment and put this $36 million back into the WIC Program this week when we consider the emergency supplemental program and continue to do what the White House urged us to do last week in their conference on early childhood development. Let us invest in our children. Let us not just talk about an America that puts their children and their families first. Let us put our money where our mouth is. Let us make sure that the WIC Program is adequately funded.

Mr. Speaker, I would just say in conclusion that I am strongly committed to this program, I am strongly committed to making sure that our children have access, all children across America, and I would just say that I am honored to be the last speaker on this special order on women's health and delighted that it went so well.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise tonight to speak about an issue of vital importance to the women of this Nation—breast cancer. As a woman and a mother, I feel that there are few issues as important as the breast cancer epidemic facing our Nation.

As you may know, breast cancer is the most commonly diagnosed cancer in American women today. An estimated 2.6 million women in the United States are living with breast cancer. Currently, there are 1.8 million women in this country who have been diagnosed with breast cancer and 1 million more who do not yet know that they have the disease. It was estimated that in 1996, 184,300 new cases of breast cancer would be diagnosed and 44,300 women would die from the disease. Breast cancer costs this country more than $6 billion each year in medical expenses and lost productivity.

These statistics are powerful indeed, but they cannot possibly capture the heartbreak of this disease which impacts not only the women who are diagnosed, but their husbands, children, and families.

Sadly, the death rate from breast cancer has not been reduced in more than 50 years.

One out of four women with breast cancer dies within the first 5 years; 40 percent die within 10 years of diagnosis. Furthermore, the incidence of breast cancer among American women is rising each year. One out of eight women in the United States will develop breast cancer in her lifetime—a risk that was one in fourteen in 1960. For women ages 30 to 34, the incidence rate tripled between 1973 and 1987; the rate quadrupled for women ages 35 to 39 during the same period.

I am particularly concerned about studies which have found that African-American women are twice as likely as white women to have their breast cancer diagnosed at a later stage, after it has already spread to the lymph nodes. One study by the Agency for Health Care Policy and Research found that African-American women were significantly more likely than white women to have never had a mammogram or to have had no mammogram in the 3-year period before development of symptoms or diagnosis. Mammography was protective against later-stage diagnosis in white women but not in black women.

We have made progress in the past few years by bringing this issue to the Nation's attention. Events such as Breast Cancer Awareness Month are crucial to sustaining this attention. There is, however, more to be done.

It is clear that more research and testing needs to be done in this area. We also need to increase education and outreach efforts to reach those women who are not getting mammograms and physical exams.

We cannot allow these negative trends in women's health to continue. We owe it to our daughters, sisters, mothers, and grandmothers to do more. Money for research must be increased and must focus on the detection, treatment, and prevention of this devastating disease.

Mr. BARRETT of Wisconsin. Mr. Speaker, as history has proven, research for women's health issues has consistently been underfunded. I rise today to recognize yet another case of injustice concerning women's health. Currently there are 10 million U.S. citizens suffering from temporomandibular jaw disorder, (TMD). This disorder targets women; nearly 90 percent of TMD patients are female. TMD is a very painful condition that can lead to severe dysfunction of the muscles that control chewing.

Complicating the disorder even further, in 1973, medical devices containing silicone were approved to replace part of the jaw in an irreversible surgery. This procedure, although not adequately researched, was aggressively marketed by alloplastic device suppliers. Approximately 150,000 women with TMD received implants between 1973 and 1990. Today, these implants have proven disastrous.

In 1989, nearly 20 years after they went on the market, the FDA declared alloplastic implants unsafe. The medical complications caused by the sharding of the silicone in TMD implants over time has resulted in bone and tissue deterioration as the alloplastic particles travel throughout the body. Bone loss in some cases has resulted in holes in the skull leading to the brain. Many women have been left disfigured; lacking bone structure and/or muscular control. The magnitude of suffering undergone by TMD patients with implants can only be categorized as a medical catastrophe.

Compounding the issue, there is currently no procedure to treat women with silicone implants other than removal. In the case of TMD, however, the implants often cannot be removed because there are no good alternative materials and the ramus of the jaw cannot be replaced. Women who have undergone alloplastic surgery now require life-long dependency on medical technology. It is not uncommon to find patients with 15, 20, 30 or more surgeries on their TM joint. This only exasperates the emotional and financial complications that accompany the disorder. I quote from Stan Mendenhall's article in Orthopedic Network News:

> One woman had over five surgeries on her joints and was unable to find a dentist in three states who would treat her and is now suicidal. A 30-year old woman must now be cared for by her parents after 32 surgeries and $300,000 in medical expenses. Another patient received a bill from an oral surgeon in excess of $30,000 for a procedure which was a revision for a previous surgery and will, at best, only provide temporary relief from constant pain. One physician wrote on behalf of one of his patients who had applied for social security disability payments: ''As Leigh's physician, I've witnessed her decline throughout 7 of her surgeries and seen her travel all the avenues of TMJ surgery. Instead of improving after each method, she has developed more daily pain. Unfortunately the surgeries that she has had, I feel, have probably left her joint in much worse shape. Her depression has now reached a dangerously high level in which she describes herself as having nothing left, having no hopes, no dreams. She states only that she hopes her life will be short in duration so that she will not have to exist in the constant painful state that she is in.''

The silicone TMD implants, so hastily marketed, have victimized women with TMD.

To make matters worse, women suffering from TMD have a hard time finding a health insurance program that will carry them. Because there is not a clear diagnosis of TMD and treatment is often considered experimental, health insurance companies refuse to underwrite patients. Without the proper research, there will never be proper diagnosis and without proper diagnosis, there will never be proper coverage.

This is very unfair. These women have been served a great injustice and have no where to turn. Women suffering from TMD are paying the price for someone else's mistakes. Should TMD victims have to pay the consequences for devices that the FDA approved and their doctors recommended? Should patients have to pay for high-cost long-term medical bills because the government has not properly funded basic research? Temporomandibular joint disorder is a medical tragedy and it is time to do something about it.

The question we must ask now is—how do we help these women that have been treated so unjustly?

I urge the Congressional Caucus for Women's Issues to take up the cause of women suffering from TMD and help them in finding a solution to this tragedy. We must better define TMD and properly fund research to find effective treatment for people who have TMD implants. We must encourage the National Institute of Health to make TMD research a higher priority. We can no longer tolerate the lack of concern for these women.

Ms. MILLENDER-MCDONALD. Mr. Speaker, the high number of minority women infected with the HIV virus reflects their reduced access to health care which is associated with disadvantaged socio-economic status, cultural or language barriers that may limit access to prevention information as well as differences in HIV risk behaviors.

Among minority women, the most prevalent modes of contacting HIV are injecting drug use, 37 percent, and heterosexual contact, almost 38 percent.

Rates of heterosexual anal and oral intercourse in minority youths are comparable with estimated rates in adults.

In the inner-city community, there are often greater perceived notions that sex is not as good if a condom is used. Frequently women do not encourage their sexual partners to use condoms for fear of retribution. Their low-income status makes them feel more dependent upon their partners and they do not want to risk losing them insisting on safe sex.

Minority youths have a higher tendency to engage in sex with multiple partners, therefore creating higher risks for HIV infection. Minority communities are in need of better efforts to promote condom use and discourage multiple partners.

AIDS rates are highest among Blacks and Hispanics.

AIDS rates among Blacks are six times greater than among whites, and two times greater than among Hispanics.

In 1995, racial and/or ethnic minorities accounted for over 77 percent of AIDS cases among adolescent and adult females, and over 84 percent of AIDS cases among children.

By the year 2000, between 72,000 and 100,000 children and teens will have lost their mothers to HIV/AIDS. The cities that will be the hardest hit are Los Angeles, Washington, DC, Newark, New York City, Miami, and San Juan.

Ms. WATERS. Mr. Speaker, first I would like to thank Representative CONNIE MORELLA and Representative LOUISE SLAUGHTER and Members of the Congressional Caucus for Women's Issues for the opportunity to participate in this special order on women's health.

I come before you today to speak on an issue of great importance to all women, and in particular women of color, that has yet to reach prominence on the national agenda. I am speaking of heart diseases.

Cardiovascular diseases—which include heart attacks, strokes, and high blood pressure—are the No. 1 cause of death and disability among American women, yet most Americans aren't even aware of the risks facing women.

I want to talk with you about a bill to do something about this—the Women's Cardiovascular Diseases Research and Prevention Act—that I am introducing which aims to prevent and aggressively treat heart diseases among women and educate the public and health professionals alike about the grave risks of these diseases to women.

Although most people believe cancer, specifically breast cancer, is the No. 1 women's health risk, in reality five times as many women die from cardiovascular diseases than die from breast cancer. The threat is so great in fact, that 479,000 women die each year from heart disease—almost double the number of deaths from all forms of cancer combined.

And heart disease strikes broadly, affecting one in five women in the Nation. Even more ominous is the unusually silent approach of

this killer. Amazingly, nearly two-thirds of women who died suddenly of heart attack had no prior history of heart disease, and no risk was detected.

Public health experts have drawn many links between the difficulties poor and working women face and increased risk of disease. Cardiovascular diseases are no exception to these health effects of inequality.

Furthermore, cardiovascular diseases strike African-American women particular hard. African-American women die of heart attacks at twice the rate of other women, and die from strokes at a 33-percent higher rate that white women.

The risk factors that increase likelihood of cardiovascular diseases are also greater for African-American women than white women, including a higher incidence of diabetes, higher percentage with elevated cholesterol levels, less physical activity, and a greater rate of obesity.

These factors—often stemming from stress and struggle of trying to make ends meet—are commonly known with health care professionals—yet these factors and the deadly cardiovascular diseases that result are almost invisible in the policy debates and public discussions of our Nation's health and welfare.

That is why I urge you to join me in supporting the Women's Cardiovascular Diseases Research and Prevention Act. We who know better must create the kind of pressure, through broad education and study that will put this issue at the center of our public health initiatives, not stuck on the fringes, while striking, literally, at the heart of the women in America.

This bill aims to lay the critical foundation for the research and public education that is needed to turn around this largely silent killer of America's women. The bill authorizes $140 million to the National Heart, Lung, and Blood Institute of the National Institutes of Health to expand studies on heart diseases to include women and conduct outreach that will reach women. This authorization will start to make up for the many years in which women and minorities have been greatly underrepresented in heart and stroke research.

Currently, most if not all, diagnostic equipment and treatments are based on studies limited to men. The results of this research bias has meant many health care professionals remain unaware of the varied and often subtle symptoms of heart diseases women may have, like dizziness, breathlessness, and arm pain.

This bill will provide those responsible for detecting and treating women with the knowledge necessary to combat these diseases among women.

This bill seeks to use the results of this research as well, spreading this knowledge beyond the hospitals and laboratories. This bill would establish targeted outreach programs for women and health care providers alike to educate all of us on the common symptoms of and risk factors contributing to cardiovascular diseases among women.

The Women's Cardiovascular Diseases Research and Prevention Act can be a crucial first step in getting timely diagnosis, effective treatment and broad, effective prevention measures for the leading killer of American women. I look forward to working with the members of the Congressional Caucus of Women's Issues, and all other interested Members of Congress to pass this legislation. Again, I would like to thank you for the opportunity to speak to you today.

GENERAL LEAVE

Mr. ROEMER. 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 this special order this evening.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2, HOUSING OPPORTUNITY AND RESPONSIBILITY ACT OF 1997

Ms. PRYCE of Ohio (during the special order of the gentlewoman from Maryland, Mrs. MORELLA) from the Committee on Rules, submitted a privileged report (Rept. No. 105–81) on the resolution (H. Res. 133) providing for consideration of the bill (H.R. 2) to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 867, ADOPTION PROMOTION ACT OF 1997

Ms. PRYCE of Ohio (during the special order of the gentlewoman from Maryland, Mrs. MORELLA) from the Committee on Rules, submitted a privileged report (Rept. No. 105–82) on the resolution (H. Res. 134) providing for consideration of the bill (H.R. 867) to promote the adoption of children in foster care, which was referred to the House Calendar and ordered to be printed.

THE NORTH AMERICAN FREE TRADE AGREEMENT

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

Mr. BONIOR. Mr. Speaker, I will insert in the RECORD the statement by the gentleman from California [Mr. MILLER] under the remarks of this special order.

Mr. Speaker, I would also say to my friend and colleagues that I am joined this evening by a distinguished colleague of mine from the State of Vermont who has been a champion on fair trade in this country, BERNIE SANDERS. If I could, I would like to make a few brief remarks and then yield to my friend from Vermont, [Mr. SANDERS] or whomever else would like to engage in this debate.

Mr. Speaker, we have been meeting here on a weekly basis to talk about the effects of the North American Free Trade Agreement. Let me just begin by saying after 3 years, actually 40 months, we are now able to look closely at the effects of the North American Free Trade Agreement, and I would recommend to my colleagues an editorial today in the New York Times because this editorial really shows us how the issues of trade and protecting the environment are really inseparably linked. We are going to talk about the environment a little bit, and then we are going to get to some other issues with respect to corporations. The editorial discussed the environmental challenges that the Nation of Chile is facing.

Mr. Speaker, I insert in the RECORD a copy of that editorial that was in the New York Times this morning.

The article referred to is as follows:

SLIGHTING NATURE IN CHILE

When Augusto Pinochet stepped down as President in 1990, Chile's people hoped that democracy would bring an improvement in the country's environment. The dictatorship had listened mainly to its friends in industry, and Chileans hoped that a new government would heed conservationists and public health advocates. What they did not count on was that in Chile, like most developing countries eager to attract foreign investment, the desire for growth outweighed environmental concerns.

As a result, air and water pollution remain serious threats to public health. Chile is also destroying irreplaceable natural resources through logging of old-growth forests and overfishing.

Chile has some tough environmental laws but, as in other Latin nations, they are not well enforced—in part because of the desire for growth. Chile is justifiably proud of a decade of growth at more than 5 percent, much of it from exports from mining, forest products and fishing, which damage the environment unless carefully regulated.

These extractive industries exercise great political influence. Moreover, unlike their American and European counterparts, business leaders in Chile see no particular public relations value in supporting environmental causes. The Chilean industrialists' group has even hinted that it will organize a boycott of ''Oro Verde,'' a prime-time soap opera with an environmental theme.

Businesses commission the required environmental impact statements, and the government board that evaluates them often cannot afford to hire experts to do a thorough job. On several occasions when the board has rejected major investment proposals, political commissions have allowed the projects to proceed. President Eduardo Frei has often said he will not let environmental concerns stand in the way of growth.

Chile's environmental groups are small and rely heavily on volunteers. But they have helped raise public awareness of environmental issues to the point where politicians cannot risk ignoring them. And they have mounted successful court challenges. Chile's supreme court just blocked a major logging project by an American company, declaring that Chile's basic environmental law was too vague. New regulations were quickly passed.

The court is surely on the right track. No one has calculated the yearly cost of environmental damage to Chileans' health and

resources, but the figure is probably greater than the annual increase in Chile's economy. Other Latin nations have found profit in protecting the environment. That would be a natural step for Chile, whose responsible Government and strong regulatory structure have helped make it an economic model in the third world.

The linkage of trade and the environment is an issue that we will need to address in the coming weeks and the months ahead as a proposal for granting fast track negotiation authority for the Congress, the proposal that the administration wants. As the editorial shows us, we must realize that sacrificing the environment for growth will not be sustainable in the long run, while it may appear to be sustainable in the short run, and if we simply expand NAFTA to include other nations without including strong environmental standards, we will lock into place a trade agreement that will eventually include environmental degradation. Corporations should be held to the same high standards of the environment no matter where they operate, but under the agreement that we passed during this debate 40 months ago, under NAFTA, corporations are not held accountable. If they exploit the environment or if we find that a nation's environmental laws are not being enforced, all we can do is consult, just consult. There is no fines, there is no sanctions, there is just talk.

□ 1945

And that is not right. The last 3 years of experience we have had with NAFTA shows us that this system does not work. And it is true that our border areas with Mexico was an environmental mess before NAFTA went into effect. We were told that, once we pass NAFTA, the problems on the border would get better. Instead they have gotten worse.

Mr. Speaker, the border area has grown rapidly. It is known as the maquiladora area. It is an area along the California, New Mexico, Texas, Arizona border with Mexico. Its workforce has expanded by 45 percent. But with the population growth and the increase in manufacturing, not even the old environmental and health problems have been fixed. Families along the border continue to live near and bathe in water from rivers in a region that the American Medical Association has called a cesspool of infectious disease.

Not a single meaningful grant has come out of the North American Development Bank, which was put together as an answer to try to resolve some of these problems. Our colleague, the gentleman from California [Mr. TORRES], had this language adopted and has worked very hard, but folks have dragged their feet.

So what we try to do is create an institution that will help finance border cleanup projects, but neither our Government nor the Mexican Government has shown a serious commitment to it. The Sierra Club guesstimates that it would cost about $20 billion, that is billion with a B, to clean up the serious environmental problems along the Mexican border. But at that rate, the bill is just going to grow. It is not going to get any smaller. And it is no longer that contaminated strawberries from Mexico could get into our school lunch program.

Mr. Speaker, in Michigan we had a serious problem with our school lunch program and the strawberries. We see these conditions happening because of the open border. Most people probably know the story about the contaminated strawberries that came from Mexico about a month ago. Students in Michigan started to get sick, and they were coming down with hepatitis A. All told, 179 young people became sick, and more than 11,000 students in Michigan and California had to get shots. Why? Because these strawberries, which were grown in Mexico, illegally got into our school lunch program.

Now, no one will ever be able to say for sure how these berries became contaminated, but let me tell you the evidence seems clear to show that the plant in San Diego where the berries were processed had no evidence of contamination during a routine inspection conducted there at the same time that the berries in question were processed. And it is well known that there is significant pollution in the irrigation and drinking water of Mexico.

In fact, listen to this figure, 17 percent of Mexican children have contracted a hepatitis virus from contaminated drinking water, 17 percent. Now since NAFTA has gone into effect, fresh strawberry imports from Mexico have more than doubled, with only 1 percent of food coming in from Mexico getting inspected. And of this tiny portion of food that gets inspected, fully one-third of it fails inspection over dangerous pesticides. So what you have along the border in Texas, you have got 11,000 trucks coming across the border every single day. They call it a wave line because just one out of every 200 get inspected. And of those that get inspected of this tiny portion, one-third fail the test for dangerous pesticides.

Mr. Speaker, 99 percent of the food that comes across the border is not inspected. As a Nation we have seen food inspection decrease dramatically over the years in the name of free trade and deregulation. So it is not surprising that 33 million Americans become ill every year as a result of eating contaminated food.

So, Mr. Speaker, the proponents of NAFTA told us that our food standards and food safety would be harmonized upward if we passed the NAFTA. What does that mean, harmonized upward? It means that their standards would increase to meet the high level of standards that we generally have here in the United States. But, well, they were wrong. Uninspected food is surging in from Mexico at an unprecedented rate. And we know that some of it is not safe and at the very least we should require imported foods to be inspected.

But we must also strengthen the food safety requirements in our trade agreements. Now, free trade is not just about tariff rates and investment protection and intellectual property. It is an issue that affects us every day in ways that we do not even realize. We must begin to recognize the fact that the issue of human health must have a place in our trade agreement.

As the debate on the fast track proceeds, we must make sure that human health and environmental protection are recognized as trade issues. We must give these issues the same standing as we give to corporate investment and intellectual property.

Now I have just about a minute to make two more points, then I am going to yield to my colleagues, who have been so patient here. I want to talk about NAFTA's corporate bonanza. It is astonishing what some of these corporations have done.

In February of this year, a group called Public Citizens did a study to look at the record of companies who had promised to create jobs if NAFTA was passed; and they tracked all the job promises, and they found that 90 percent of these companies broke their promises, 90 percent. They did not create jobs in America as a result of NAFTA.

I want to show you this chart here, NAFTA's corporate bonanzas are good for profits, bad for workers. This new study points out just last week they tracked 28 named corporations that spent millions of dollars to pass NAFTA. They came here and lobbied, told us what a great deal it was, how it was going to create jobs. Their record is one of greed and profit at the expense of workers on both sides of the border. And 12 of these corporations laid off a total of over 7,000 workers and shipped those jobs to Mexico. These are the companies that promised to create jobs in America if we passed NAFTA.

The sad thing is that all of this has paid off for these companies. They shipped our jobs over there. The main NAFTA boosters have seen their profits go up nearly 300 percent since NAFTA, compared to 59 percent for the top 500 U.S. firms since 1973. So they are making these profits by plowing over the rights of workers. And when they get down there, they do not pay, you know, they reestablish these jobs in Mexico, they do not pay them anything.

Mr. Speaker, during the NAFTA debate, workers were getting paid a dollar an hour. They were making a few dollars a day. Now they are making 70 cents an hour. I was down there just about a month and a half ago and workers were making $5 and $6 a day working in modern facilities, working very hard, very productive, but with no environmental safety standards, nobody to really bargain and organize for them, no unions to represent them. And they are making $5 and $6 dollars a day, and their wages have dropped 40 percent.

So where is all the money going? Where is it going? Well, it is going to the corporations. You see, six of these corporations bust the unions by threatening to move jobs to Mexico. And you know the story goes on and on and on.

So it is with great sadness that we have to come to the floor and talk about these issues, because it is very clear from the record that NAFTA has not lived up to the promises that were made by the corporations or those that were concerned about the environment.

So at this point I yield to my friend from Vermont, Mr. SANDERS, who has been vigilant, very watchful and determined that, before we move on and do any other trade deals, we have got to correct the ones we are engaged in. I yield to my friend.

Mr. SANDERS. I thank the gentleman very much for yielding, and it is a pleasure to work with my colleague who has helped lead the anti-NAFTA effort for many years and has demanded a sensible trade policy which represents the needs of workers, as well as corporate America. It is nice to be here with the gentleman from Ohio, [Mr. KUCINICH], who is also joining that fight in a very strong way.

I remember some 4 years ago the gentleman from Michigan, [Mr. BONIOR] came to the State of Vermont and addressed a rally in Montpelier in Vermont, where we had 300 or 400 Vermonters who were out protesting NAFTA; and the sad truth is that much of what he and I said on that day, much of what he and I predicted would happen has in fact occurred.

NAFTA is part of a disastrous trade policy, which is resulting in record-breaking trade deficits, which is costing us millions of decent-paying jobs. I wish very, very much, as important as the national deficit is, that the Congress would pay half as much attention to the trade deficit, which is costing us millions of jobs and which is lowering the wages of workers from one end of this country to the other.

The essence of our current disastrous trade policy is not very hard to comprehend. You do not have to have a Ph.D. in economics to understand that it is impossible and wrong for American workers to be competing against very desperate people in Mexico and other parts of the world, who, because of the economic conditions in their own country, are forced to work for 50 cents an hour or 70 cents an hour.

One of the interesting developments in recent weeks, I do not know if my colleague has seen it, is the front page of Business Week. Their cover story reported that CEOs last year earned 54 percent more than the preceding year. In other words, the compensation for CEOs in this country of the major corporations went up by 54 percent, while workers are struggling with 2 or 3 percent increases in their incomes.

Now, these very same people who are now averaging over $5 million a year are precisely the same people who told us how great the NAFTA would be. Well, I suppose that they are right. NAFTA has been very good for them, but it has been a disaster for the average American worker.

What we know is not only that hundreds of thousands of decent-paying jobs have disappeared from this country, as corporation after corporation has said, why should I pay an American worker $10, $15, $20 an hour when I can get a desperate person in Mexico to work for 50 cents an hour or a dollar an hour. Not only have they done that, but in addition to that, they are moving jobs all over the world.

I was interested in this last week to read, if it were not so sad, it really would be funny, where Nike, which seems to have the inclination to move to that country in the world which is now paying the lowest wages, they have now gravitated to Vietnam. And my colleagues may have seen in the paper that in Vietnam there is now a demonstration that they are paying below what they even promised the Vietnamese workers, which I would imagine is 20 cents or so an hour.

So what we are seeing is these corporations who used to hire American workers at decent wages are now running to Mexico, to other Latin American countries, they are going to China, they are going to Vietnam, where they are hiring people for abysmally low wages. And that is part of our current trade policy.

I think I speak for the vast majority of the people in this country who say that what we have got to have is a fair trade policy which represents the interest of the vast majority of our people and not just corporate America, rather than a so-called free trade policy, which forces American workers to compete against desperate people throughout the entire world.

Mr. Speaker, one of the issues that concerns me terribly much is that every day that I turn on the television and I listen to the radio and I read the newspapers, I keep hearing about how great the economy is. I am sure the economy must be great for somebody, but it is not great for the vast majority of the people in my own State of Vermont.

The fact of the matter is that while the wealthiest people in this country are doing phenomenally well, while CEOs now earn over 200 times what their workers earn, the middle class continues to shrink and most of the new jobs that are being created are low-wage jobs, many of them part time, many of them temporary, many of them without benefits.

Mr. BONIOR. Would the gentleman yield on that point?

Mr. SANDERS. I sure would.

Mr. BONIOR. Because I want to elaborate a little about the disparity between those at the top and the average worker in this country. In 1960, the difference between what a CEO earned and the average worker was about 12 to 1. In 1974, that increased to about 35 to 1. And as you have just correctly pointed out, now it is 209 to 1.

The average worker in America today, the 80 percent of people who pack a lunch and go to work and make this country work, their wages for the last 20 years have basically been frozen, their real wages. They are not going anywhere. It is the top 20 percent that are doing very, very well; and the very top are doing exceedingly well. But they are not moving anywhere. They are frozen.

If you have one of these people who have worked all your life at a company or part of your life at a company and they decided they are going to Mexico and your job is gone, those people are able to get jobs again but about at two-thirds of the wages that they had formerly been earning, at about two-thirds of the salaries that they were making. That is what is going on, there is an incredible downward pressure on wages.

There was a study done by Cornell University for the Department of Labor, which the Department of Labor, by the way, suppressed; and you will understand why when I tell you what was in the study. They found that 62 percent, 62 percent of corporations in America today were using Mexico and other countries that pay low wages as a hedge against raising wages or keeping wages flat in this country.

□ 2000

They would tell their workers, listen, you want an increase in wages or salary, you are not going to get it. You are going to stay where you are, you are going to take a cut in health benefits or pension benefits, and if you do not we are going south. We are going to Mexico. Sixty-two percent of the companies are doing that.

So I thank my friend for raising that point, because it speaks to the increasing disparity we have in economic reality in this country.

Mr. SANDERS. Let me just say a few words and then I am going to yield to the gentleman from Ohio, [Mr. KUCINICH]. As the gentleman from Michigan [Mr. BONIOR] knows, 23 years ago the United States led the world in terms of the wages and benefits our workers received. Today, as a result of a number of factors, not least of which is our absurd trade policy, we are now in 13th place as a result in terms of wages and benefits. The fact of the matter is that the average American today is working longer hours for lower wages and they need that extra time in order to compensate for the decline in their income.

Clearly, there is something very wrong when from one end of this country to the other, we are seeing the loss of good paying manufacturing jobs and the substitution of those jobs in the service industry which pays people $6 an hour, $7 an hour, and often does not have benefits.

So I think that probably the most important issue that this Congress should be debating is to demand in one way or another, and I have some

thoughts on it, you and Mr. KUCINICH have thoughts on it, in one way or another we have got to tell corporate America who have made their money in this country that they have got to begin reinvesting in Vermont, in Michigan, in Ohio, back into the United States of America, put people to work at decent wages, rather than running all over the world to hire desperately poor people at starvation wages.

I am happy to yield to the gentleman from Ohio [Mr. KUCINICH].

Mr. KUCINICH. Mr. Speaker, it is a pleasure to join my colleagues on this issue which the gentleman from Vermont [Mr. SANDERS] has led the country on in examining and exposing the deficiencies in the NAFTA agreement.

I come from a district in Cleveland, OH, which was really built with the labor of steelworkers, auto workers, people in machine shops. It is a blue collar town in many ways. It was part of that great industrial strength of America that helped sustain this country through two world wars and really made America preeminent among industrial powers in the world.

I have seen the changes that have taken place in Cleveland and throughout Ohio since NAFTA, and it is not a pretty sight. The State of Ohio alone has lost many jobs. As a matter of fact, I was able to secure a list of jobs which I have here, and I would just like to read some of the cities which have lost specific plant to Mexico since NAFTA. When I read this list I would like my colleagues to keep in mind that these are not cold, sterile statistics: Franklin Disposables which lost 50 jobs to Mexico, Dayton Rich Products which lost 146 jobs to Mexico, Green Goodyear Tire and Rubber Company lost 60 jobs.

In each case, the statistics have behind them a story of a family whose breadwinner could no longer produce and sustain a family. I have a story of a young person who lost out on an educational opportunity because the money was not there to sustain it. There is a story of a family which worked a lifetime to have a home and, suddenly, holding on to that home is impossible; a story of medical bills that cannot be met; a story of a dream that is shattered, a dream that is deferred, a dream that is denied.

We in the Congress have a responsibility to come forward with information and to show that in Greenville, OH, for example, 180 people were laid off from Allied Signal. Those people made air filters, oil filters and spark plugs.

Mr. Speaker, that is one snapshot because we have a $39 billion trade deficit because of NAFTA, and much of it, three-quarters of it is in the automotive related sector, so multiply one family, one dream times thousands and thousands across this country and we have a sea change occurring in this country, and the American dream is changing.

This country was built with steel, automotive, aerospace. Basic industries provided the muscle for America, gave us might, helped to preserve this country and protect our democratic values, and any change which undermines those industries undermines, I contend, our basic democratic principles and traditions, because if we do not have the ability to produce steel, if we do not have the ability to have a strong automotive industry, if we cannot be strong and secure in our aerospace, we undermine our national security.

Of course the greatest security we have, as we all know, is a job, and NAFTA has cost this country thousands upon thousands of jobs. As a matter of fact, the Trade Adjustment Assistance Act, as the gentleman from Michigan [Mr. BONIOR] probably knows, because we were talking about this last week, the last count was 118,000 jobs.

Mr. BONIOR. And that is a conservative estimate. If you use the formula that the proponents of NAFTA gave us in terms of creation of jobs, if we use that very formula we have lost about 600,000 jobs as a result of NAFTA. And of course we know many, many people just do not apply for trade adjustment assistance.

Mr. KUCINICH. Mr. Speaker, the gentleman is correct, and the Trade Economic Policy Institute estimates that, in fact, jobs were lost or never created because they were created in another country due to NAFTA.

Now, the next question is, What kind of jobs are being created. We know we are losing manufacturing jobs which are good paying jobs, which have enabled people to have a decent life, live in nice neighborhoods.

Mr. BONIOR. Sure, buy a home, send your kid to college, take a nice vacation, be able to retire with dignity with good health care.

Mr. KUCINICH. One needs to be making a good wage to do that, but what is happening is that this transition in our economy, while it is wiping out good paying manufacturing jobs, it is creating jobs, according to the Department of Labor, among the top 20 occupations having the largest numerical increase in the next decade in the United States: Cashiers, now cashiers are very important, very important jobs. Janitors, retail sales clerks, waiters and waitresses. Those are all important jobs and those are our constituents. But in order to sustain those jobs, in order to sustain this economy, we have to do it with manufacturing and we have to keep creating new industries, and we are not doing that.

Mr. BONIOR. Mr. Speaker I yield to my friend from New York [Mr. OWENS] to respond to the gentleman.

Mr. OWENS. Mr. Speaker, as the ranking member of the Subcommittee on Workforce Protections of the Committee on Education and the Workforce, I want to go beyond what has been said here so far and say that what we have in motion here is that NAFTA has been giving an incentive to the corporate powers to wipe out the American work force as we know it. American labor shall not exist in 10 years as we know it if they are able to continue as they are moving.

The incentive to make more and more profits on the backs of cheap labor has led to a situation where it has been concluded by corporate power that they have to wipe out the American labor movement. Working conditions and environmental conditions are just as important as wages in these considerations with respect to cheap labor costs, and they want a situation where they are in a position to dictate not only the low wages, but also the working conditions and to be free of any environmental regulations.

As the ranking member of the Subcommittee on Workforce Protections, what I have noticed is that all of the talk in this particular session of Congress about bipartisan cooperation and civility does not apply to anything related to organized labor. We have seen an assault start in this Congress on labor, unprecedented.

Several hearings have been held on the right of labor unions to use their money for political education, and they have gone out to where it hurts a great deal in terms of how they can spend their own funds and they are challenging their ability to make decisions as a majority, that if one member of any union objects to his money being used some way, his money should be segregated from the rest and the majority rules as to how funds are spent cannot apply. That is one way to cripple unions.

Another way is, of course, to come after the Fair Labor Standards Act. A lot of people think that the comp time bill is related to families, giving people an opportunity to have time off, but the comp time bill is all about the Fair Labor Standards Act as a major weapon of labor. If you get into the heart and soul of the Fair Labor Standards Act, you have to cripple unions.

OSHA continues to be under attack. We just had a hearing on methylene chloride, a substance which causes cancer, causes pneumonia. Clearly every study has shown it to be more dangerous than they previously understood it to be, and OSHA regulations after 10 years are being resisted, and they will take the business of methylene chloride, all the businesses that need it will take it overseas.

Airplanes, for example, have to use it in order to take the paint off when they check the body of airplanes to see if they are still sound and that is probably the largest use of methylene chloride. It is a huge business. They are threatening to take it to places overseas if we have the regulations installed by OSHA, just as they are threatening, of course, on any other environmental condition we set which safeguards the health of workers.

So we have an attempt by corporate power to create a new class of workers, something between servants and peasants, in order to maximize their profits. They will come back and they will

bring the jobs back once they do that. But NAFTA, GATT, allows them to make huge profits and use the cheapest labor in the world to make those profits and acquire the power necessary to destroy the labor force and the organized labor in this country.

Mr. BONIOR. Mr. Speaker, it is a good point the gentleman makes.

I yield to the gentleman from Vermont [Mr. SANDERS] to answer it, and then I want to comment on it, because it is a very good point.

Mr. SANDERS. Let me just pick up on the gentleman's point, and that is essentially, if you have desperate people in Mexico who are making 50 cents an hour, who are living in shacks, whose kids may be begging out on the street, who are forced to work under the most horrendous conditions imaginable, what corporate America is saying is hey, if we can get people to work in those conditions over there, we can drive wages and working conditions down here, because what we say to the American worker is, hey, if you do not like what you are getting today, we are going to go over there.

I just got a letter today from a corporate entity in the State of Vermont who told us about how high the wages are in Vermont, he could go elsewhere and so forth and so on. So I think it is not only a labor issue, it is an environmental issue, it is a union issue, and that is what our entire trade policy is about.

It is the race to the bottom, it is saying to American workers, there are people in China, Mexico, throughout the world who are prepared to work for almost nothing, and we are going to lower your wages and lower your working conditions, lower the environmental standards that you work under, lower and lower and lower. Not raise the other people's, but lower ours until we have an equalized work force around the world. A very, very dangerous trend, which as the gentleman indicated, is wiping out the middle class and creating pathetically low-wage jobs.

Mr. BONIOR. Mr. Speaker, years ago there was a large middle class like we have today, people struggled the same way, they did not have good wages here, they did not have any benefits. But they got together and they believed that they had certain inalienable rights, and among them were the rights to organize, the right to assemble, the right to collective bargaining and the right to strike. And that is how the movement got started, because of the abuse of the labor movement in this country. It was only through the labor movement that we built this expansive middle class in this country.

I saw something the other day, I was driving to work and I saw a banner over a bridge that said, let me recall the exact words, ''The labor movement, the people who brought you the weekend.'' And I thought to myself, that is really creative. There could have been a lot of things up there. The people that brought you a livable wage, the people that brought you safety protection, that brought you health care, that brought you Social Security, that brought you Medicare, that brought you compensation if you got laid off. I mean all of these things could have been up there on that banner. The gentleman is absolutely right.

Mr. OWENS. The Fair Labor Standards Act, that is how the weekend came.

Mr. BONIOR. That is right. What is going on is they are trying to break labor in this country today, the corporations, and they are doing it through a variety of different ways. There are hundreds of law firms in this country that specialize in nothing else but busting unions in America. That is how they make their living.

I just came back from a very interesting discussion. I came from the Methodist Building across the street, and I was listening to a group of people talk about the K-Mart strike that occurred in Greensboro, NC, in 1993.

□ 2015

A lot of workers wanted to form a union in Greensboro, NC. They were prevented from forming a union. They got together and they signed cards. And the majority of them wanted a union. And the union would not negotiate a contract. And they got the whole community involved that this was the right thing to do. It was the moral thing to do. People wanted to be represented and they needed to be represented. But the corporation, the multinational corporation, which, by the way, is located very close to my district, about 2 or 3 miles outside my district, they would not recognize them.

So what happened and what has to happen today in America and in Mexico and in other places is that you have got to get the community involved to get people organized again so they can stand up for those basic inalienable rights of being able to assemble, to collective bargaining and the right to earn their own bread.

And they did that down in Greensboro. They got the churches together. They got the progressive people in the business communities and they said, This is wrong. These people decided they wanted to come together for a decent wage and decent working conditions, and they ought to be recognized. Through a 3-year struggle they finally did it.

But even more importantly, they formed a sense of community out of that process and that is now being used to work on education issues and a whole variety of other issues. We have gotten off the track a little bit.

Mr. OWENS. Mr. Speaker, I think that is very much on track. That process is being endangered now. If you wipe out the ability to organize and you wipe out unions, who have the resources and the know-how to organize, then you are going to shut off that whole process.

There is an article in the February issue of Atlantic Monthly by a very successful capitalist named George Soros where he is saying capitalism is out of control and capitalism is going to destroy itself because there is so much great abuse of power. It is going to end the open society, what I call the society of checks and balances. Institutions like organized labor become a check on the power of corporations. Corporations are running rampant over everybody so the process of being able to organize is going to be wiped out.

Mr. BONIOR. There is no countervailing force today like there used to be. Unions and government used to provide a balancing against runaway greed.

Mr. SANDERS. Mr. Speaker, let me pick up on that point, if I could. Let us examine that point for a second.

In terms of distribution of wealth in America, you have the richest 1 percent now owning 42 percent of the wealth, which is more than the bottom 90 percent. One of the problems that all of us have is in dealing with the media. In terms of getting information out to people, one of the reasons that half the people in America no longer bother to vote is they are not getting information that is relevant to their lives. Who owns the media? When we talk about NAFTA, I remember this very clearly, it was quite unbelievable, poll after poll showed that the country was pretty evenly divided. Some were for NAFTA; some were anti-NAFTA.

We went through every single major newspaper in the United States of America, every single one of them. Were they evenly divided? Were they two-to-one pro-NAFTA? Every single one of them was pro-NAFTA, as was virtually every corporation in America. So you see who owns the media, we are seeing in terms of contributions to both political parties. Not an accident that you have this trade policy. This is a trade policy that works well for corporate America. It hurts the working people.

Where does the money come from to fund the parties? It comes from the wealthy people. And we see the results of that in terms of our trade policy. In almost every aspect of our lives we are seeing a greater and greater concentration of wealth and power. And in many ways I must say this country is beginning to look more like an oligarchy than it is like a democracy.

Mr. OWENS. Every new NAFTA, every new GATT adds to that corporate power. It allows them to make higher and higher profits, 59 percent since 1993. That is light stuff compared to what is going on now, I am sure, in terms of the stock market still booming. They get more and more wealth to use to oppress the people who are, the overwhelming majority in America who do not have a voice. Like the gentleman said, they own the media. They snuff out open society. They snuff out the checks and balances. And they are going to snuff out the consumer, the

consumer market that is the driving engine for capitalism. As Soros puts it, they are going to destroy themselves if there is no check and balance on them.

Mr. BONIOR. When you have people like Soros and the Goldsmith fellow from Europe, these are very wealthy and prosperous and well-known capitalists in the world starting to speak out like maybe we are going too far here, when you have that kind of voice starting to be heard, then you know something is really out of whack.

When the people at the very top start to say, wait a minute, maybe we are piling up too much greed here by getting 294 percent profit increases since 1993.

I want to make one other quick point here and that is with respect to labor unions. Then I will yield to the gentleman from Ohio.

When labor unions were at their peak in this country, when 35 percent of the American people in the work force belonged to a labor union, they would produce 90 percent. I will give you the figure. Late 1950's, they were producing 90 percent in productivity. They were getting about 99 percent back in wages.

In about 1974, they were getting about half of what they were getting in wages in what they were producing. And then in the 1980's, it was about a third of what they were getting back in terms of wages from what they were producing in productivity. So as labor's numbers started to decline in terms of representing people in this country, from 35 percent in the 1950's down to the present, I think 14, 15 percent, their take, workers' take in terms of what they took home was less and less of what they produced in terms of proportion.

And that is one of the tragedies of this equation that has now allowed the corporate folks in America to move with impunity down to places like Mexico and exploit workers down there at 70 cents an hour.

Mr. Speaker, I yield to the gentleman from Ohio [Mr. KUCINICH].

Mr. KUCINICH. Mr. Speaker, when you think about the history of the growth, the economic growth in this country, which permitted the rise of the middle class, which permitted people to go from $10 to $15 to even $20 an hour, it is really somewhat of a miracle that America sustained this. And then comes trade agreements like NAFTA and people start to see those jobs slip away.

And the question arises, why would someone pay $20 an hour, let us say, as opposed to 91 cents an hour, as some workers in Mexico, are making for basically doing the same work that someone who had a job that paid $20 an hour did prior to that job leaving?

The reason why you pay that amount is, in order to maintain a democracy, you have to make sure people have a lot of choices, and they have to have a good income. And that income gives them the ability to be free economically. Because let us face it, if you do not have economic freedom, your political freedom is compromised.

Mr. OWENS. And consumer spending is still two-thirds of our economy. We are going to wipe out consumer spending.

Mr. BONIOR. There was a piece written by Stanley Sheinbaum, a friend of mine who lives in California, in his quarterly that publishes entitled, who is going to buy the goods. He kind of lays it all out. If we keep driving wages down, downward pressure on wages, at some point in this process, we are not going to have and our families are not going to have the wherewithal to make the purchases that make the engine of this country run.

Mr. KUCINICH. In 1997 in January, the Economic Development Corporation of Tijuana was advertising that they would pay wages and benefits together of 91 cents an hour in maquiladora areas. Those are the kinds of jobs that are moving to Mexico from areas like Ohio, manufacturing jobs.

The problem is, though, if you are making 91 cents an hour, you are not buying a new home that costs $60,000, $70,000. You are not buying a new car that costs $18,000 to $20,000. You are not purchasing an education for your child if you are making 91 cents an hour.

The wage level promotes economic activity in this country that sustains the type of society we have. If we were to turn that around and say, what happens if you make 50 cents in some cases or 91 cents an hour, you cannot aspire to those kinds of things which we in this country have come to expect as what we call the American way of life.

And the great thing about this country is that we think we can reach even higher. Once we reach a certain niche, we are going to reach a little bit higher. We get there, we reach a little higher. Now we are finding we cannot do that because the jobs are starting to go away and out of this country.

My colleagues raised the issue earlier, the gentleman from Michigan [Mr. BONIOR] and the gentleman from New York [Mr.OWENS] and the gentleman from Vermont [Mr. SANDERS], all raised the issue of the attack that is going on on working people due to NAFTA, how people are being threatened, look, if you start organizing, we are going to move your jobs, your jobs are gone. I got a hold of a Cornell University report which I am sure you are familiar with.

Mr. BONIOR. That is the one I referred to, the Labor Department, Cornell did for the Labor Department. They suppressed it by the way. The Labor Department would not let it out, and it finally came out.

Mr. KUCINICH. Mr. Speaker, I know the gentleman has seen it because this is close to his district. And as I read it, I was shocked when I saw the kinds of tactics that were used. Would it please the gentleman, could I read this into the RECORD. This is a very interesting report from Cornell. Here is the kind of things that they found out:

In our follow up interviews with organizers in campaigns where plant closing threats occurred, we learned that specific unambiguous threats ranged from attaching shipping labels to equipment throughout the plant with a Mexican address, to posting maps of North America with an arrow pointing from the current plant site to Mexico, to a letter stating the company will have to shut down if the union wins the election.

This is just part of the kinds of things that were put. They gave the example of the ITT automotive plant in Michigan where the company parked 13 flatbed tractor trailers loaded with shrink-wrapped production equipment in front of the plant for the duration of an organizing campaign that had a hot pink sign on it which read, Mexico transfer job.

Now, think about that. That is just one example. How can people then try to aspire to a higher wage? How can people hope for better benefits? How can they get their health benefits improved? How can they hope that they will have more time to spend with their families? They cannot, because they are held captive by this.

That is one of the reasons why I appreciate, Mr. Speaker, having an opportunity to participate in this debate with these gentlemen and in this discussion of the importance of this issue to the American people, because it has real effects. I started off this discussion, I have a list of dozens of cities that are losing the life blood of the community because of this trade agreement.

Mr. SANDERS. I think, picking up on the point of the gentleman from Ohio [Mr. KUCINICH], that the truth of the matter is the average American worker is scared to death.

Mr. BONIOR. Very scared.

Mr. SANDERS. People are scared to death precisely because of what the gentleman is saying. Because if they stand up for their rights, their company is going to say, we do not need you anymore. We are going to Mexico; we are going to China.

Ultimately I think, after all of this discussion, after all of what is said and done, it seems to me our challenge is a very simple one. It is to tell corporate America that they no longer have the right to run all over the world and throw American workers out on the street and then be able to bring their products back into this country duty free. You do not have to be a genius to know that you would make a lot more money paying a Mexican kid or a Chinese young lady 20 or 30 cents an hour than paying an American worker a living wage. And the problem is, we have allowed them to do that. We have allowed them to run all over the world. And the end result is what the chart of the gentleman from Michigan [Mr. BONIOR] tells us, corporate profits are soaring.

The end result is what Business Week told us two weeks ago, that the top

CEO's in this country saw an increase in their compensation last year of 54 percent, and they now earn 209 times what the average American worker earns. I had not realized that one person is worth 209 times more than another person, that their children are worth 209 times more than the children of a worker. It is obscene. It is wrong.

Mr. KUCINICH. Mr. Speaker, it is possible that many Americans for years and years have understood and even accepted those kinds of disparities as long as they had jobs. We all expect that the bosses and the people that head the corporations are going to make more money. What is happening now, though, is that the salaries are going up for the officers, and I am all for people making good salary, but the workers are losing their jobs.

Mr. BONIOR. They are losing jobs and finding other jobs that pay considerably less.

What happens when that occurs? That starts a cycle. Well, you work overtime or you work two jobs or you work three jobs, and that cycle produces a situation where you are not home at night to see your son or your daughter's soccer game. You are not there for the PTA meeting. All those other social maladies that we all talk about and we all wrestle with and struggle with around here occur. And it is a vicious cycle. It starts with wages often.

Mr. KUCINICH. It goes to family values and democratic values which underpin our ability to celebrate family values.

Mr. OWENS. Mr. Speaker, the gentleman from Vermont [Mr. SANDERS] was implying before that the challenge to us is to stop them from making products in other countries with the cheapest possible labor and then bringing them back here to sell them duty free. That option is gone already. NAFTA is like the international law. GATT is international law. You cannot stop them anymore from bringing those products back. We will be violating the treaties that we have already agreed to.

□ 2030

Mr. SANDERS. That is why we have to repeal those pieces of legislation.

Mr. OWENS. That is the task before us, to repeal those pieces of legislation; also to do everything possible to get laws in place which will not allow them to keep beating down the work force, to wipe out organized labor.

There are a lot of things we can do right now to stop this. Our own tax laws allow the CEO's of American corporations to earn these obscene salaries. By the way, they earn the highest salaries in the world.

Mr. SANDERS. By far.

Mr. OWENS. The Japanese CEO's, the German CEO's, and other CEO's around the world are not earning those kinds of salaries.

Mr. BONIOR. Not even close.

Mr. OWENS. And if we had some tax laws with the people who are making the profits, instead of the present situation where individuals and families are paying 44 percent of the income tax in this country while corporations are paying a little more than 11 percent, there are a lot of things we could do to help to begin to bring some sense back into American capitalism.

It was capitalism that worked before. It worked. Henry Ford recognized it when he said, ''I really need these people to make more money to buy my cars.''

Mr. BONIOR. So he paid them 5 bucks an hour.

Mr. OWENS. That was the basic principle that ought to be the bedrock of American capitalism, and they are throwing it away because we are not producing workers that can buy the products any more.

Mr. KUCINICH. I remember a time when a label that said ''made in America'' was something you could not help but see no matter where you went, and now it is difficult when you shop for goods and check for a label to find things that are made in this country. Again, if they are made in America, somebody has made them, they had a job, and they were supporting a family.

And I want to stay on that because, to me, the essence of supporting the Democratic tradition in America is to make sure that people have jobs.

I take issue with our friends over at the Fed. In a Democratic society, I do not think there is any such thing as a certain amount of unemployment necessary to the functioning of the economy. The fact of the matter is that in a Democratic society, if we want to maintain that democracy, we have to make sure people have a chance to participate through their jobs and with a decent wage level.

That is what NAFTA has affected. There is a myth. People talk about the benefits of NAFTA. We have heard people say that exports to Mexico have increased. That is true, but what they do not tell us is that the imports have increased at a higher rate so, therefore, the trade deficit grows and the job loss continues.

We will hear people say that the Mexican workers have a better life. Well, that is not necessarily true. Because what has happened, and this will surprise many people, people think that it is the Mexican workers that are benefiting. Not necessarily true. In 1994, before the peso collapsed, real hourly wages were 30 percent lower than in 1980, in Mexico. After the peso fell, the wages fell another 25 percent.

I know that the gentleman from Michigan has tracked this. Listen to this. The earnings in the maquiladora sector are only 60 percent of the former manufacturing sector. So the Mexican workers are being attacked as well.

Mr. BONIOR. I was down in Mexico, in Tijuana, on the border, in the maquiladora area about 6 weeks ago, and I had the chance to talk with workers, visit their villages and their colonia. They work at very modern facilities. The Hyundai Company from Korea and Samsung from Korea and Panasonic. These are new plants, efficient.

These workers are good workers, they work hard, but they get paid $5 a day. 5 bucks a day. And they live in just very terrible conditions. Their housing is not good. They live, as I said earlier, in situations where the water that they bathe in and drink is contaminated. The American Medical Association called it a cesspool of infectious disease.

These corporations do nothing about establishing any type of a tax base to improve the environment, to improve wages or health conditions. I talked to one leader of a colonia, that is a village, where most of the people worked at this factory, and he told me that a lot of his friends and relatives in this village were losing fingers and hands because the line was going so fast. Enough to alarm people. It was not just one or two.

So since there was no real union representation, they decided to shut the place down for a couple of hours one day to protest. Of course, he was fired as the leader. He eventually ended up in jail when he tried to form an independent union.

That is what these people are up against. They cannot buck an indifferent government and a corporate mentality that just does not want to deal with this at all. That is the hedge. That is the wedge, I should say, which our workers are competing against. It is this drive to the lowest standard, as the gentleman from Vermont has said. What we need to do is raise their standard up to our level.

Mr. KUCINICH. And that is something that certainly fast track must be challenged to do, but it does not do that. It does not provide for the kinds of worker and environmental protections which we need to see established so that we do not find our standards under attack.

Mr. BONIOR. These trade agreements have all kinds of wonderful protection for property. Intellectual properties, CD's, all this type of stuff. We have an agreement with Mexico where we can go to jail if we do that, if we pirate the stuff. When it comes to properties, there are sanctions and they are tough. But when it comes to people and the environment, there is nothing on the books to protect them.

Mr. KUCINICH. The importance of us taking a stand on this cannot be repeated enough, because I remember when I was first starting my career, back in the city of Cleveland, and as all politicians do, I went through a crowd and shook hands, and I remember some of the older men in particular who worked in the assembly lines. I would shake hands, but occasionally someone would come up and they would be missing fingers or part of their hand was gone or part of an arm was gone, or maybe they lost sight of an eye because a piece of steel went into it or something at work.

We realized in this country over a period of decades that it was important to maintain certain safe working conditions and America helped set world standards for that. We were the ones, because of the standards we set, which gave workers everywhere a chance to be better protected on the job and, therefore, also help industry become more efficient because they were not losing the services of workers who were performing needed work and did not want to interrupt it through injury. So through a whole series of laws, occupational safety acts and through acts that dealt with safety in the workplace and environmental laws, we were able to guarantee that workers would have a little bit of protection on the job.

Now, what happens if we do not keep that standard up there, that standard starts to slip? Then we are back to the days where people are not safe in the workplace.

Mr. SANDERS. If I can interrupt for a moment, it is not a question of is it happening. It is happening. Let us not be naive about this. What is going on now is the standard of living of the average American worker is in serious decline. The gap between the rich and the poor is growing wider. The control of the political parties is growing sharper by the very wealthy.

Ultimately, I think as a nation, we have to ask ourselves how much is enough? When does it end? How much do they want: 209 times more than the workers, 500 times more than their workers? Will we hear a movement here to bring back slavery? When does it end?

We have people in this country, in my State, that are not working one job, they are working two jobs and three jobs, as the gentleman from Michigan said. I have met a husband and wife who hardly ever see each other. They are both working three part-time jobs. When does it end?

This is a wealthy country. This is a great country. But we need policy so that we redevelop our manufacturing sector; we create decent paying jobs in this country. With all of the new technology, the working hours should go down, should they not? With all these new machines, people should be producing more.

Mr. BONIOR. And working less.

Mr. SANDERS. And working less. Yet what is happening? Just the opposite is happening. And what is the end result? The end result is corporate profits soar, CEO salaries soar, and distribution of wealth becomes more and more unfair.

Mr. OWENS. We had a capitalism that worked for both the owners and the managers and the corporations and the workers. We had a capitalism that worked. Common sense will tell us that the present measures that are being undertaken, the abuses by the corporate powers, are going to destroy that capitalism.

I think one appeal we can make to the American people and the American voters is to say enough is enough. We will put some chains on the abilities of corporations to dictate how our economy is run.

We need to begin right away to make the necessary laws, to stop the tremendous abuse of power that is taking place. We need to exercise common sense and say we will not take conditions like the present post office is about to negotiate for a single source for the postal uniforms. We should say to the post office, ''No, we demand those uniforms be made in this country. Do not go all over the world for these things.'' The policeman, the post office man, whatever uniforms are being made, we should demand that they be made in this country.

There are a lot of other common sense arrangements that we should start demanding now before we move to try to repeal NAFTA and GATT and some of these other laws. We must wake up because the hour is quite late.

Mr. BONIOR. The tragedy about all these trade issues, to me, is that we are moving backwards to the 19th century. We are establishing wages and working standards and human rights standards that are over 100 years old and that our mothers and our fathers and our ancestors and grandparents fought very hard to change.

People struggled hard to get a livable wage in this country, to get the right to organize, the right to strike, the right to collective bargaining, to establish a lot of the things in the environment that were important to us. And we are just kind of giving it all away because we are moving to this lower standard. We are moving to a lower standard.

This is the most important fight I have been involved with since I have been in elected political life, and it is up to us, I think, to try to demonstrate and to show our colleagues and the country that we are in a very, very serious slide unless we develop some moral force and a countervailing force to this runaway greed.

The capitalist system is what we have, and it works well when it works together with workers and the community. But when workers and the community are not part of the equation, what we see is what we find in our society today, and I do not think many people like it.

So I thank my colleagues for joining me this evening. I guess our time is just about up, and I appreciate their efforts. If they have a last word or two, I would be delighted to entertain it.

Mr. SANDERS. I thank the gentleman for organizing this special order. We are fighting for our lives, we are fighting for our parents, we are fighting for our kids, and I would hope the American people would get actively involved in this struggle.

Mr. MILLER of California. Mr. Speaker, after 3 years, we need to ask the question: Has NAFTA been fair to the American people? Would its expansion be fair to workers and the environment? Would it be fair to American consumers? Based on the past 3 years, we'd have to say, ''no.''

The basic premise of free trade—that the manufacturer who makes the best product at the cheapest price wins—does not constitute fair trade unless consumers know what they are buying. Otherwise, that cheap price may mask dreadful working conditions, inadequate pay, exploitation of children or environmental practices that, were they known, would cause American consumers to make other purchase decisions: To avoid Mexican tomatoes sprayed with pesticides banned in the United States; to refuse to purchase vegetables picked by children who work in the fields instead of going to school; to reject tuna harvested by slaughtering thousands of dolphins.

Most of us remember the TV commercials ''Look for the union label.'' Americans took that message to heart, and many shop specifically for products labeled ''Made in USA.'' Even in those cases where consumers purchase imported goods, however, they have a right—and some would argue an obligation—to know the conditions under which merchandise has been manufactured, and to avoid purchasing products manufactured under conditions considered abhorrent in this country.

NAFTA is premised on the notion that consumers, not governments, should make decisions about what to purchase. But consumers cannot make those choices unless they are provided full information about the products offered to them. And make no mistake: When we purchase products manufactured under shocking conditions, we are encouraging those conditions to persist with our dollars.

It seems like a simple premise: American consumers have a right to know what they're buying.

Who can argue with it? The United States is the most sought-after market in the world. Americans purchase more food, more clothing, more cars, and more toys than anyone else in the world. It would follow that we'd like to choose our purchases wisely. What manufacturer or retailer wouldn't support the consumers' ''right to know''?

The sad truth is, many manufacturers do not support that right, and neither do some high in our own government who should know better.

Two weeks ago, while the parents of Michigan schoolchildren were still reeling from an outbreak of hepatitis traced to Mexican strawberries, Members of Congress from California and Florida introduced legislation to require that the country of origin be clearly labeled for all fresh fruits and vegetables sold in the United States.

Who could disagree? Consumers should know whether their strawberries came from Mexico or California, or whether their tomatoes were grown in Florida or Chile. But amazingly, it's not at all that simple—because importers and many retailers—and some in our own government—don't want the American people to know where their purchases come from, and they certainly don't want you to know how they were grown or made. Because they know—and the polls indicate—that, given accurate information about the effects of a product on the environment, children, women, or worker rights, most consumers will purchase responsibly.

Does all this sound melodramatic? Let's look at the facts.

Right now, retailers and importers—led by the American Frozen Food Institute—are vehemently opposing requirements to label frozen foods with the country of origin on the front of the package, where consumers can see it clearly at the time of purchase. In fact, Canada has already filed a protest against such labeling. Why? Because other countries believe clear, easy-to-read, conspicuous labels are a ''nontariff trade barrier.'' In other words, American consumers may choose not to purchase an imported item.

Nontariff trade barriers are trade-speak for anything that might help American consumers to choose American-made or American-grown goods over foreign products. And under the rules of free trade, nontariff trade barriers are illegal. In fact, under the rules of free trade as imposed by NAFTA, anything that restricts trade in any way is illegal—and that includes information labels on where and how your purchase was made, harvested, or grown.

If Mexico has its way, and we expand NAFTA to other Latin American nations, American consumers will be unable to determine where the next load of hepatitis-infected strawberries came from, and they'll no longer be able to assure their children that their tuna fish sandwich wasn't caught at Flipper's expense.

Within the next few weeks, Congress will be voting on a bill that will change the meaning of the famous Dolphin-Safe label found on every can of tuna in this country for the past 7 years. Dolphins will be chased with helicopters and high-speed boats, caught in nets, seriously injured, mothers separated from their calves—and as long as no dolphins are observed to die, that tuna will be labeled ''safe'' for dolphins.

Why?

Because Mexico insists on it. Mexico is well aware that American consumers will not choose to purchase tuna caught by harming dolphins; therefore, to gain a large share of the U.S. tuna market, they are lobbying to dupe American consumers into purchasing tuna labeled with a redefined ''Dolphin Safe'' label.

The Administration, supporting this change, offers a thin defense for their capitulation to Mexico: the Administration asserts that no studies have been conducted to indicate that the capture method was not safe for dolphins. Applying this view to other products would result in the application of a ''Child Safe'' label to toys provided that no studies have been conducted to prove them harmful to children. This is a sweeping and damaging precedent for other U.S. labeling laws designed to protect and inform American consumers.

This is where NAFTA has brought us.

Now, I do not pretend that these problems exist only in other nations. Just last week, I joined with human rights and labor groups to release a report documenting the systematic exploitation of foreign workers—mostly young women—in the sweatshops and other manufacturing industries located in our own territory of the Northern Mariana Islands. My legislation would compel that territory to meet Federal standards for minimum wage and immigration, and would deny manufacturers there the right to continue to use the ''Made in USA'' label on their products unless they were manufactured in full compliance with our own labor laws.

I conducted that investigation and introduced that bill for the same reasons that motivate me on NAFTA and international trade: American consumers should not inadvertently promote and support, with their dollars, the exploitation of workers, or the rape of the environment, or other practices that we will not tolerate in this country and should not subsidize in the name of ''free trade.'' The trade may be free, but the workers sure aren't.

Let's face the fact that there are nations and there are businesses that rely on the exploitation of children, women, or the environment to attract investment in their country. And let's face the fact that these nations rely on the rules and rhetoric of the free trade game to pull all of us down to the lowest common denominator. The American people should be outraged.

UNION JOBS LOST DUE TO CUTS IN DEFENSE SPENDING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Pennsylvania [Mr. WELDON] is recognized for 60 minutes.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise this evening to focus on several major concerns of mine. But let me say at the outset before beginning my discussions that I am of the other party from the gentlemen who just appeared in the well and spoke against NAFTA, but I as a Republican opposed NAFTA, voted against NAFTA, and even more than that, appealed the ruling of the Chair on the bailout of Mexico which the President and the Speaker and the majority leader all had agreed should not come to a floor vote in this House and which we were not given privy to vote on.

I think the loss of jobs in this country because of the North American Free Trade Agreement is very pronounced. It has certainly hurt the northeastern Midwestern area, the rust belt area, and it is something that continues.

I would grant that the white collar industries have benefited from NAFTA, but by and large our manufacturing industry has, in fact, lost.

But, Mr. Speaker, let me kind of move into the topic that I want to focus on tonight, because from the broadest possible context it, too, deals with the jobs issue, and for those Members who may be in their offices listening to the discussion of NAFTA, perhaps there is another segment of the job loss that was not even discussed over the past hour. That relates to the 1 million union men and women who lost their jobs over the past 5 years, Mr. Speaker, as this President cut defense spending to a level that we have not seen since before World War II.

Now, we do not hear any talk coming out of the AFL–CIO leadership on this issue, and we do not hear much talk coming out of the mainstream side of the opposition on this issue, because they have largely not been supportive of stabilizing our defense industrial base. But let us talk about that impact, Mr. Speaker, as I start off my 1-hour session this evening.

Over the past 5 years, under this administration, over 1 million American workers have lost their jobs, workers who worked for large defense companies, small machine shops, subcontractors, and because of the cuts that this Congress and this administration have imposed, largely through an administration totally unsupportive of adequate defense spending, 1 million union workers have become unemployed.

□ 2045

These are not the fat cat CEO's that we heard about being discussed during the previous hour. These are UAW workers, these are IUE workers, these are machinists workers, these are the building trades workers who do in fact the bulk of our construction work at our military sites around the country that are required under Davis-Bacon prevailing wage laws to be given a priority in terms of the jobs that are provided through our military construction budget.

We have not heard the AFL–CIO issue a peep about the loss of these 1 million jobs nationwide. Yet these workers too, Mr. Speaker, were paying their union dues, these workers too were out there concerned about their families and being able to feed their kids, but nothing came out of the AFL–CIO or this administration to protect those workers and the loss of their jobs.

I will grant, Mr. Speaker, that it is a different world today. I would argue that one could make the case that it is actually more destabilized today than it was when we in fact had Communist domination of the former Soviet Union. Then there are those, Mr. Speaker, who would say we are spending so much more on the military today that it is outlandish, that it is outrageous.

Let me take a moment, Mr. Speaker and talk about defense spending, because I think we have to put things into perspective. For those of our constituents who are thinking that we are spending so much more money on the military today, let me do a very simple and basic comparison. There are two basic ways that a country can compare its level of defense spending or its level of Federal spending in any particular given area. The first is what percentage of our gross national product as a nation is being used to fund our military.

Let us take a period of time when we were at relative peace. The 1960's, when John Kennedy was President, we were at peace. It was after the Korean war and yet it was before the Vietnam war. We were not involved in a major international conflict. During those Kennedy years, Mr. Speaker, we were spending 9 percent of our gross national product on the defense budget. In fact, 52 cents of every Federal dollar coming into Washington went back to pay for the military, 52 cents of every Federal dollar. That was during John Kennedy's era.

What about today? In today's budget, Mr. Speaker, we are spending less than 3 percent of our gross national product on the military, and we are spending 16 cents of the Federal tax dollar coming

into Washington on the military. Anyone who would compare numbers I think would admit that is a substantial decrease in the total amount of Federal revenues that we are spending on the military. As we have drawn down that military, we have in fact drawn down a significant number of jobs. But there are those who say, well, out of that 16 cents that we are spending of the Federal tax dollar on the military, it is providing so much money for these big corporations.

Let us look at that issue, also, Mr. Speaker, because back when John Kennedy was the President, we did not have an all-volunteer military. Kids were drafted out of high school, 17, 18, 19 years of age. They were drafted and they served for far less than the minimum wage. In fact, it was 10, 15 cents an hour. They were required to serve their country for a period of 2 years. Today, Mr. Speaker, we no longer pay people peanuts to serve in the military. We have an All-Volunteer Force. Our kids in the service today, Mr. Speaker, in fact our men and women, are very well educated, many of them have college degrees, they have technical training. In fact most of them have families. They have spouses, they have children.

So, therefore, Mr. Speaker, to support the new military we have today, a much larger percentage of that 16 cents goes to pay for education, health care costs, housing costs, benefits and all of those quality of life issues that are important for our new military. So even though we are only spending 16 cents of the Federal tax dollar on the military today as opposed to 52 cents when John KENNEDY was President, a much larger portion of that 16 cents goes for the quality of life for the men and women who serve in the military.

So when we talk about the defense budget, Mr. Speaker, we need to put things into perspective. When someone says there have been massive increases in defense spending, go tell that to the unemployed UAW worker who lost his or her job 2 years ago. Go tell that to the machinist who lost his or her job 3 years ago, or go tell it to the union member from the IUE who was displaced because his company was consolidated with another major defense company, or tell it to one of the building trades members who had their basic industry sold down the river because we have cut back so far in terms of military construction projects. The cutbacks in defense spending have been real, they have been substantive and they have caused a significant amount of turmoil in the lives of American people, not just a few hundred, not just a few thousand, but over 1 million men and women out of work. That does not include the cutbacks in the Pentagon itself. What I am talking about are the union workers across this country who have negatively been impacted by the cutbacks in defense spending.

What can we do about this, Mr. Speaker? The President is driving all of this debate from the bully pulpit at the White House, and I want to end my comments later on this evening talking about how the President is using the bully pulpit to convey the wrong message to America and to our people. But let me talk about some options that we in the Congress are in fact pursuing. The President has some options in terms of defense spending, and I would support any one of these options.

First of all, he could raise the top line in terms of the amount of money that we spend on the military, and I would vote for that and I would support it. I do not want a massive increase, but I do want a stable funding level, because the reason we have a strong military is not just to respond in wars but to deter aggression. There has never been a nation that has been attacked or taken down because it was too strong, and so a stable funding base for the military is the key number one priority that we should work for.

I would support the President if he asked me to vote for additional money for the military, as this Congress provided in each of the last 2 years. But the President has not yet said he would do that. There is a second alternative, Mr. Speaker, for the President. He could decrease the amount of money coming out of the Defense Department's budget for environmental mitigation. Most people do not realize this, Mr. Speaker, but as we have cut defense spending to 16 cents of the Federal tax dollar collected in Washington, we are currently spending $12 billion of that money not for guns and missiles, not for the salaries of our troops and not for the CEOs of the defense companies; we are spending $12 billion of that DOD money for what is called environmental remediation. In fact, much of that money is going to lawyers who are suing each other over how clean we are going to leave a former military site.

What is especially troubling to me, Mr. Speaker, as someone who takes great pride in my pro-environmental voting record is that we have gone too far in this area. What was at one point in time a military base where the children of military personnel lived and played on the playgrounds and went to the schools on that base, as soon as that base has been closed through the base closing process, then we are told that that facility is unacceptable, that it is a danger, it is a toxic site. It was okay when the kids of those military personnel were there, but now all of a sudden it is being closed, we have to take extreme measures because that complex is no longer safe for human beings to be around.

We do have to clean up sites, Mr. Speaker. Everyone acknowledges that. But $12 billion out of the DOD budget this year is too much of a price to pay when we have other needs that are currently not being met.

So I have said to this President publicly that I will support him if he will work to help us reduce the amount of environmental spending coming out of the DOD bill. That would provide some support for these workers that we have heard about tonight who have been displaced from their jobs.

There is a third alternative, also, Mr. Speaker, that I would support, and that is the need for this President to do more than just commit our troops around the world in terms of peacekeeping operations or stabilization operations. There was a huge debate on the floor of this House about whether or not we should commit to the President's decision to put our troops into Bosnia. The debate was not about whether or not we support America's need as the world leader to go into Bosnia with our allies. That was not the concern of most of our colleagues. The debate, Mr. Speaker, was why should the United States put 36,000 troops in the theater of operation of Bosnia when the Germans right next door are only committing 4,000 troops or perhaps the Japanese, who cannot provide troops, are not putting enough in the way of dollars in to support that operation?

The problem in this Congress, Mr. Speaker, is that this administration has an internationalist foreign policy with an isolationist defense budget. There have been more deployments by this President in the last 5 years than in the previous 50 years, more deployments in the last 5 years than in the previous 50 years. Every time this President deploys our troops to Haiti, to Bosnia, to Somalia, to Macedonia, the taxpayers foot the bill. Where does that money come from? Since the President did not plan for any of those deployments, he goes into the defense budget and he robs the accounts to pay for the weapons systems that then cause these union workers to lose their jobs.

That is unfair, Mr. Speaker, and so the third alternative for this President is to say that he will work with us so that when he commits to deploy our troops that he is willing to go out and get the support of our allies to help pay for that deployment. That is what President Bush did in Desert Storm. In fact, in Desert Storm the total cost of that operation was around $52 billion. The amount of money that we collected from our allies to help pay for that was around $54 billion. It was entirely funded by those people who benefited from our presence. That is not the case in Bosnia, and that is not the case in Haiti.

In fact, we are going to be asked to vote in a few short days on a supplemental appropriations bill to provide more money for Bosnia. It is not again a question of paying our fair share, it is a question of why should the U.S. pay the brunt of this cost alone, especially when it has not been programmed in the defense budget and is simply robbing other programs that are important to the security of our kids as they serve around the world on the deployments made by this President.

In fact, Mr. Speaker, we need to send a signal that while America will be a vital partner in helping to stabilize these regional conflicts, America cannot and should not go it alone in terms of funding these operations. We should not be the only entity in the world that picks up the tab.

In fact, we found out in Haiti that we not only were paying for our troops, we were paying for the housing and food costs of other troops, in one case about 1,000 troops from Bangladesh. We found out in Bosnia that we were paying the housing and food costs of troops coming from other European and Scandinavian countries.

Mr. Speaker, that is not what is in the best interests of our country, and that is not helping us maintain our defense industrial base and also these jobs that my colleagues talked about over the past hour that have been lost not just because of a free trade agreement like NAFTA, which I opposed, but also because of the unprecedented cuts in defense spending.

There are some things this Congress is doing separate from this administration that I think we can be proud of, and I want to talk about those for a moment. We are looking at every possible opportunity to see where we can take the money that we are spending on the Defense Department and use that to help us solve other problems. In fact, Mr. Speaker, tomorrow we will have 2,000 of the Nation's emergency responders come to Washington. Many of them are already here this evening in their hotel rooms, perhaps watching our program this evening. They are coming to Washington because tomorrow evening we will have the Ninth Annual Congressional Fire and Emergency Services Caucus dinner.

This dinner, Mr. Speaker, brings leaders from every State, from every large city and small community of those people who day in and day out respond to our disasters, not just fires. These are the men and women who respond to the Murrah office building in Oklahoma City, to the World Trade Center that was bombed, to the recent floods in North Dakota and the Midwest floods that occurred, to the Long Island wildlands fires, the California forest fires, the hurricanes in Florida and the Carolinas and the earthquakes in California. These are the men and women who day in and day out respond to every disaster this country has. They represent 1.2 million men and women in 32,000 organized departments across this Nation, in every county and every city. They are here tomorrow so that we can celebrate who they are and what they do.

In fact, Mr. Speaker, you will be our keynote speaker tomorrow evening and you will follow the speakers we have had in the past. Last year we had Vice President AL GORE and we had Senate Majority Leader Bob Dole. The year before that we had President Clinton, and the year before that we had President Clinton. In previous years to President Clinton, we had President Bush, we had Vice President Quayle, we had Ron Howard and the entire cast of ''Backdraft'' the year that it was unveiled. It is our way of showing our thanks to these men and women who respond to our disasters day in and day out in this country.

Mr. Speaker, 85 percent of these people are volunteers. They are not paid for what they do. It is kind of interesting, we just had the volunteerism summit in Philadelphia and up until I raised a lot of stink with the administration the volunteers were not even invited to participate in that event. They are the only group of volunteers that I know of each year in America that lose 80 to 100 of their people, who lose their lives in the course of performing their volunteer activities, because that is how many fire and emergency services personnel are killed each year. On average between 100 and 120 and on average between 80 and 100 of them are volunteer fire and EMS personnel. They will all be here tomorrow as we talk about how we can assist them.

What does that have to do with the defense bill? Our military is our international defender. It is the group of people who protect us overseas. The fire and EMS people are our domestic defender. But there are many lessons that could be learned one to the other. So as a major part of our day tomorrow, Mr. Speaker, we are going to focus on that interaction, an interaction that began years ago that we continue today.

□ 2100

In fact, in the morning we will have a 1½ hour session where I have the leading research and development people from the Army, the Navy, the Air Force and the Marines and the Department of Defense and DARPA coming in, showcasing new technology that we are developing for terrorist incidents that can be made available for fire and EMS people in every city in the country. We are going to be showcasing resources. We are going to be showcasing training so that these men and women who are first responders in this country to every disaster will have the best possible tools and resources as they approach these situations on a day-to-day basis.

As 12:45, Mr. Speaker, here in the Capitol, actually outside the Rayburn Office Building, we will showcase the new Marine Corps capability to deal with chemical and biological incidents. We will simulate a gas attack on one of the office buildings, and our Marine Corps special response team that was initiated in Congress last year will be deployed from Camp LeJeune, and they will come up and they will showcase the way they would handle an incident of this type in any city in America.

Now that is a beginning of a process of bringing together our military with those domestic responders who have to meet these needs on a daily basis in our cities and our towns. So what are we doing with the military? As we face the threat of terrorism in our cities and our towns, we are beginning to bring together the local emergency response personnel with the professionals and the Defense Department so that they can learn from one another, so that they have access to the resources that will allow them to respond to these situations wherever and whenever they might occur.

In fact, we will also be announcing, Mr. Speaker, tomorrow a new series of legislative initiatives to assist the fire service. We will announce the fact that the Federal Communication Commission has decided to set aside the megahertz that are necessary to protect the communications capability of our emergency responders to the 21st century. We will be announcing a plan to allow the use of community development block grant monies, up to 25 percent to be used by local counties and cities to assist in fire and emergency planning and response. We will be announcing an effort to establish a national low-interest loan program not to give money away, but to provide low-cost financing assistance so that local fire and EMS personnel can have the money available to them at a discounted rate to buy the equipment and the materials that we are going to showcase that are being developed through our military today.

We are also going to announce efforts to establish an expedited process for excess Federal property so that local fire and EMS personnel across the country can get access to that surplus Defense Department material when it first becomes available. We are also going to be announcing the establishment of an effort to have in place a national urban search and rescue training center and a national chemical biological training center. And finally, Mr. Speaker, we will be announcing plans to complete a study as to what it would take to connect to the Internet all of our emergency response institutions in America, all 32,000 of them.

The point here is, Mr. Speaker, that, yes, we are cutting back on the Defense Department's budget, but we are looking at every possible opportunity to showcase defense technology to be used and applied in our inner cities, to be used and applied in our small communities so that where we have training and where we have preparation taking place that can benefit and help us and we have disasters, that is in fact taking place on a regular ongoing basis. That is saving the taxpayers money, and it is making the best possible usage of our Defense Department investment.

There is another area, Mr. Speaker, that we are also working on that is giving us a great return as we look to find ways to improve the investment in our Defense Department. In fact, last year in a series of hearings that I chaired as a chairman of the Research and Development Subcommittee, I found out

that we had nine separate Federal agencies that were responsible for studying the oceans through oceanographic efforts, nine separate Federal agencies. I learned through our hearings, Mr. Speaker, one hearing in Washington, one up in Rhode Island and one out in California, that these agencies were not coordinating their effort, that each of them was doing oceanographic work, but none of them were sharing information and technology in a real-time way.

I also learned, Mr. Speaker, that the largest funding for oceanographic work is done by the Navy. The Navy does this because it is important for our Navy to understand the mapping of the ocean floor. It is important for our Navy to understand sonar for transmitting data and information through the oceans. It is important for our Navy to understand literal waters. And so in convening these hearings we found out the Navy, in fact, through the Office of the Oceanographer, is leading the country in terms of research in the oceans. Yet we found out that we are missing a golden opportunity, because while the Navy was leading that effort dollar-wise, much of that data that is not sensitive was not being transmitted to NOAA or to NASA or to the Fish and Wildlife Service or to other Federal agencies that have similar responsibilities in understanding the ocean ecosystem and understanding why fishing stocks are declining around the world and understanding why coral reefs are being hampered and hurt or understand why we are having extensive pollution of the waters of the world.

So with that in mind, last year Congressman PATRICK KENNEDY and I introduced the Oceans Partnership Act that for the first time would bring together all nine Federal agencies working with the Department of Defense and the Navy. Senator LOTT worked the bill on the Senate side, and the bottom line is, Mr. Speaker, that bill is now law. The President signed that into law when he signed into law the Defense Authorization Act, and this year we now have a new oceans partnership arrangement. All nine Federal agencies are together under a steering committee chaired by the Secretary of the Navy so that now in this country, through our Federal Government, not only is the military doing what it needs to do to understand the oceans, but wherever and whenever possible they are sharing that technology and data with the environmental movement and with our environmental agencies so that we maximize the return on the taxpayers' dollars.

The bottom line is we get more benefit for that. The taxpayers get more out of their dollar. It is not just for the military, for the hard cold facts of what it needs to understand to go to war or to prepare for war, but it also provides us with the resources to better understand and deal with the environment.

With that in mind, Mr. Speaker, in this city on May 19 and 20 and 21 I am pleased to announce that we will be hosting the world's largest ever conference on the oceans entitled ''Oceans and Security.'' This 3-day conference is being co-hosted by ACOPS, the Advisory Council on Protecting the Seas of which I am the U.S. vice president, COERI which is the Council of Oceanographic and Educational Research Institutions, which represents every major oceanographic and marine science institution in America from Scripts to Woods Hole, and GLOBE which is an organization entitled Global Legislators for a Balanced Environment where legislators from the Japanese Diet, the Russian Duma, the U.S. Congress and the European Parliament come together at least twice a year on common environmental agendas. These three groups are all coming to Washington, and on those 3 days in the House Office Building, the Longworth Building, and in the Senate Office Building and on this Hill, we will have 300 delegates representing 45 nations who are coming here to focus for 3 days on how we can cooperate on oceans and security.

Now when we talk about security, we are not just talking about military security. We are talking about food security, we are talking about environmental security, we are talking about research and defense and economic security.

So for those 3 days we will have high-level delegations from China, from Russia, from the South American countries, Central American countries, European countries, the Middle East, Canada and Mexico, all coming together to focus on how we can cooperate, how our militaries can cooperate and how we, as nations, can cooperate to protect the oceans. In the end it will be a better investment of the American taxpayers' dollars to further assist us in understanding what we can do collectively with the world community to protect the oceans of the world and provide the security in the four areas that I have mentioned tonight.

In fact, Mr. Speaker, Vice President GORE will give the speech on Tuesday evening of the conference right here in Statuary Hall, and on Monday evening at what promises to be one of the most historical events in this city, Woods Hole Laboratory is bringing the newest oceanographic research ship, paid for by U.S. tax dollars through the Navy, to Washington where it will be unveiled in Alexandria. The ship will be tied up here for 3 days, we will be erecting tents, and on those 3 days, especially on Monday evening, we will unveil the Atlantis. We will take Members of Congress and the foreign delegates on board the ship, we will have on board the deep-diving submersible Alvin, we will showcase the technologies that we are working on to better understand and protect the world's oceans.

The bottom line of these 3 days, Mr. Speaker, is that you and Senator LOTT who will both be keynote speakers of the conference, Vice President GORE representing both parties, about 40 Members of Congress representing both parties, and representatives of 45 nations will come together to talk about how we can cooperate on understanding the oceans of the world, and, Mr. Speaker, the facilitator is the Department of Defense; again, Mr. Speaker, the primary purpose being to provide our security, but showing that we in fact can benefit in a number of areas from that investment that we are making in terms of the military.

Now in each of these cases, Mr. Speaker, in the antiterrorism cooperation that we will showcase tomorrow on the Hill and later in May in the environmental context that we will showcase at the oceans conference, this Congress is taking the lead in showing that, yes, we want to find ways to better spend our DOD money. But, Mr. Speaker, we cannot continue to have a course that takes us in a direction of cutting back so dramatically the defense resources for this Nation as we have seen over the past 5 years.

Mr. Speaker, let me shift for a moment and talk about that spending. I mentioned terrorism is one of our top priorities, and it is. Members on both sides of the aisle feel very strongly that we have to do more to protect our cities and our towns from the threat of a terrorist attack, and we are going to show some of that technology and that cooperation tomorrow. But, Mr. Speaker, one of the second biggest threats that many of us feel that we face is from the proliferation of weapons of mass destruction and especially the proliferation of missiles.

Mr. Speaker, if there has been one area where this Congress has disagreed more fundamentally with the President then any other area, it has been the area of missile defense. Over the past 2 years, Mr. Speaker, I have seen unprecedented votes in this body in disagreement with this President on missile defense spending. In fact, 2 years ago we plused up in our defense bill $1 billion over what the President requested in our missile defense accounts. We did the same thing last year. In the 11 years that I have been here, Mr. Speaker, I have never seen a defense bill, and I do not think we have ever had one in recent history where 301 Members of Congress voted in the affirmative, not just Republicans, but most of our Democrat colleagues, to support a defense bill that made a statement to this administration, and that statement was a very simple one. It was:

Mr. President, you are not focusing enough on the threat that is there and emerging in terms of missile proliferation, and you need to understand that.

Now, Mr. Speaker, that is an important point that I want to focus on because this President has been driving the debate nationwide that says that we do not need to focus on defense, the world is so much more safer today, There is no longer a threat to the security of the American people. While I do

not want to go to the other extreme, Mr. Speaker, and create some kind of a Cold War mentality, because I think that is equally wrong, the President is doing this country a terrible disservice. One hundred forty-five times the President has made speeches where he has included the following phrase. In fact, three of those speeches were right up at the podium right in front of where you stand, Mr. Speaker. In three State of the Union speeches, our President has made this statement. Looking at the American people through national television, he said:

You can sleep well tonight because for the first time in the last 50 years there are no Russian missiles pointed at your children.

Mr. Speaker, as the Commander in Chief, the President knows he cannot prove that. We have had testimony in our House committees. In fact, the chief of Russian targeting for Russia has testified on national TV that they will not allow us to have access to their targeting processes, just as we will not allow the Russians to have access to ours. But on 145 occasions, three times from the well of this Chamber, the Commander in Chief of this country has said you can sleep well, there are no missiles pointed at our children. Yet, Mr. Speaker, he cannot verify that. He cannot prove it. And, Mr. Speaker, furthermore, if he could prove it, which he cannot, and which his generals including General Shalikashvili have said on the record he cannot prove; if he could prove it, all of our experts on the record have said that you can retarget a long-range ICBM in less than 10 seconds.

□ 2115

But do you see, Mr. Speaker, the point is not so much that particular issue, but when the President makes that speech 145 times, 3 times in front of a national audience, on college campuses, in front of national groups, he uses the bully pulpit to create the perception that there is no longer a threat to the American people or allies. And that is so deadly wrong, Mr. Speaker, because it drives the American people into believing that we have a false sense of security. And once again, I do not want to recreate the cold war, but I want the President to be honest in his assessment of what the threat is worldwide. And that is not an honest assessment, Mr. Speaker, at least not according to the key generals who run the Pentagon.

When the President makes that speech, he drives all of our constituents into believing that we are doing a disservice when we want to stabilize defense spending, that we are doing the American taxpayers a disservice when we want to protect programs that provide those jobs my colleagues talked about that were lost over the past 5 years. We do not want to dramatically increase defense spending; we want to stabilize it.

Mr. Speaker, there is currently a major struggle going on between this Congress and both Members of the Democrat and Republican Parties and this President over how fast and how quickly we should deploy missile defense systems. Now this administration has come out publicly, Mr. Speaker, and they said they are for theater missile defenses.

In fact, Mr. Speaker, their new projections are that we will not have a new system in place until at the earliest 2004. Let me recount the importance of this for my colleagues, Mr. Speaker. In 1991, we had the largest loss of life that this country has experienced in recent years in one military incident, when our young, brave soldiers were killed in that desert in Saudi Arabia by that low-quality Scud missile. They were killed because we had no system that could warn them or take out that one Scud missile.

When those 28 kids were killed, many of them from my home State of Pennsylvania, Congress was in a state of shock. Congress said, why do we not have a system in place? So the Congress, in a bipartisan move, passed the Missile Defense Act of 1991. Now that act was, rather simply, Mr. Speaker, it said two things: First of all, that the Defense Department shall deploy a highly effective theater missile defense system as soon as possible to protect our troops.

The second part of that act said that by the year 1996, America should deploy a national missile defense system. Well, Mr. Speaker, 1996 came and went. We are now in 1997. We are still fighting that battle even though it was the law of the land.

Let me tell you what the most recent projections are. The administration is now telling us that they will be lucky to field our first highly effective theater missile defense system in the year 2004. What that means, Mr. Speaker, is, if the administration is right, and they are now hedging on that date, that it will have taken us 13 years from the date those kids were killed in Saudi Arabia until we have a system deployed that can prevent a future killing of our kids from a low-quality Scud missile.

Now the missile defense organization, the Pentagon tells us they probably cannot even make 2004, that is probably too optimistic. Now is the threat greater today than it was in 1991? Unfortunately, Mr. Speaker, it is our intelligence community that told us a few years ago not to worry, there were no emerging threats coming forward that we have to worry about, we will handle the Scud missiles that are used, we will take them out, even though we did not take out all the Iraqi launchers both during and after the invasion of Kuwait and our response to that invasion.

But let me tell you, Mr. Speaker, about some very troubling events that have occurred over the past several weeks. First of all, the media has been reporting that Iran has now deployed a version of a Russian rocket called a Katyusha rocket that has a range of around 800 to 900 kilometers, which means it could hit Israel and many of our key allies in that part of the world. That was a development that many of us were not expecting, according to what our intelligence committee told us.

Even more troubling, Mr. Speaker, are the press accounts that are coming out from Japanese sources and some United States sources that tell us that the newest missile coming out of North Korea, the No Dong missile, that we were told would not be deployed probably until the turn of the century, is now in fact either deployed or ready to be deployed by North Korea after just one test.

What does that mean, Mr. Speaker? That means every one of our 70-some-thousand kids, when I say kids I mean our troops, that are currently stationed in South Korea and Japan and in Okinawa are within the range of that missile that we know can go as far as 1,300 kilometers.

That means, Mr. Speaker, that we now have a risk either today or very shortly that we cannot defend against because we have not taken the aggressive steps that this Congress mandated to deploy a theater missile defense system quickly, and we are going to have to wait until, at the earliest, 2004 to have that highly effective system in place.

Mr. Speaker, that is the heart of the debate over defense spending in this Congress between this Congress and this administration. Now we are also concerned, Mr. Speaker, because the administration does not want to work with us on a national missile defense system. They told us last year they were pursuing a three-plus-three system, 3 years of development and 3 years to deploy a system that would protect America's mainland.

The American people and my constituents back home cannot believe and cannot imagine that America, with all of its might, has no system today that can defend our country against an accidental launch of a long-range ICBM coming from Russia or China or any other rogue nation. You said that is not true currently, we have to have that capability. And I say no.

As the chairman of the Subcommittee on Military Research and Development, I will tell you pointblank, we have no system or capability today to take out any incoming missile. Now the administration would say we do not need it, we have treaties. The ABM Treaty, Mr. Speaker, only applies to the United States and to Russia. Even though the administration is trying to expand it to include other former Russian states, it does not apply to them. So it does not apply to North Korea, to China, it does not apply to the rogue nations that are trying to get missiles that said they would use them if they had them against us; it only applies to us and Russia.

So, therefore, Mr. Speaker, we cannot rely on the ABM Treaty. We need a

physical capability to defend our country. Do we need a massive system that the media has trivialized in the past that would protect our entire country. We are not talking about that. We are talking about a very limited system that could protect us perhaps against five incoming missiles, that is all.

Two years ago we pulled provisions in the defense bill to require that kind of system to be deployed by the year 2003, and the administration would not buy that. And today we are now looking at a situation we probably will not have a national missile defense capability until perhaps 2005. That is totally unacceptable, Mr. Speaker.

Why do I say it is unacceptable? Am I fearful that the Russians are going to attack us? No, I am not. I worked with Russia perhaps as much as any Member of this body, and you know that, Mr. Speaker. In fact, I will be taking a delegation of our colleagues, bipartisan delegation to Moscow in May of this year for the second time I have been there this year. It will be my 9th or 10th trip. I share the new initiative with the Russian duma. My counterpart is the deputy speaker Mr. Shokhin. I want Russia to succeed.

I am not concerned about Russia attacking us. But Mr. Speaker, as we all know, Russia is an unstable country today. Many of their military has not been paid for months. In fact, they are trying to sell off their hardware and technology. The evidence of the further reliance on their strategic weapons is such that, because their conventional military is suffering and because the Russians are fearful, they rely much more on their offensive strategic weapons than ever before in their history.

Now what does that mean? That means a higher potential for risk of an accidental launch. Is there evidence of that? Just 2 years ago, Mr. Speaker, in January, the Russians have been notified by the Norwegians that Norway was going to launch a weather rocket to do some weather monitoring. The Russians were told in advance this was going to take place. The Russians, however, are so paranoid because of their conventional force breakdown; and, so, relying on their strategic force that when this weather rocket went off from Norway, the Russian defensive alert system put the entire country on an alert that would have caused within 60 seconds an offensive response.

They admitted on the record in Moscow media and media all over the world, Boris Yeltsin admitted that it was one of the first times in recent years that the black box carried around by the President of Russia himself was activated in response to a weather rocket that they had notified the Russians they were going to launch in advance.

That meant Russia was within 60 seconds of activating that response that all of us fear would have happened one day. Would it have been deliberate? No. But those are the kinds of concerns that we have in this country.

Now there is also an attempt to sell a mobile version of Russia's most sophisticated rocket, called the SS–25, that can be hauled in the back of a trailer. They have over 400 of these launchers in Russia. How long is it going to take before one of those launchers gets in the hands of a Third World nation and then we have a threat that is not covered by the ABM Treaty that we have to be prepared to respond to?

Those are the issues that we face, Mr. Speaker, and those are the issues that dominate our defense debate this year. Over the next several weeks, we will be moving into markup of the 1998 defense authorization bill. We are being very up front with the administration, Mr. Speaker; we do not want business as usual.

Over the past 6 years, this administration has decimated the defense of our country, it has caused the loss of over a million jobs. We, in the Congress, have tried to make up for that. Each of the past 2 years, Democrats and Republicans alike joined together and plussed up $10 billion 1 year and $5 billion in the other year to put money back into programs that our service chiefs said they could not live without. That is going to be the same battle this year, Mr. Speaker.

It is not about parochial issues of weapon systems in Members' directs because 98 percent of the funds that we put in the defense addition last year and years before were items requested by other chiefs. In fact, General Shalikashvili briefed Secretary Perry last year, said to the Secretary, we need $60 billion just to buy replacement equipment for the military. We never saw that briefing in Congress.

When Secretary Perry came in and briefed us in the House and the Senate, when he had Shalikashvili sitting next to him, unable to tell what he was really thinking or said, Secretary Perry said, we could live with $40 or $45 billion.

What does that mean? That means 1 billion people have been cast out of their positions in this country all over America. But more important, it meant, Mr. Speaker, that we are jeopardizing the lives of our young soldiers.

What do I mean by that, Mr. Speaker? I can tell you, as we slip programs out, as this administration does day after day after day, we drive up the cost of those programs and we make it so that they will not be into full production for 5, 10, or 15 years down the road. That is the battle we are facing this year.

The administration wants to keep all these major programs alive. They want to build three new tactical aviation programs. They want to build the F–22, the joint strike fighter, the F18F. They want to build a new attack submarine. They want to build another aircraft carrier. They want to build the arsenal ship. They want to build the Comanche, the V–22. They want to build the battlefield master program of the 21st century. And they want to do all of this with a budget that is impossible to meet the needs of the military today.

What we are saying this year, Mr. Speaker, is you cannot do that. This President and this administration has got to say no to some programs. If they are not going to raise top-line defense numbers, if they are not going to cut into the vertical costs, if they are not going to help us get our allies to pay for the cost of our operations when we deploy our troops around the world, then they have got to cut some systems; they cannot keep treading water because we are holding companies' and workers' lives outside there thinking that some day down the road some new administration is going to rapidly increase defense spending.

That is where the debate is coming down this year. We are doing our part, Mr. Speaker. We are trying to show ways where we can use defense activities to help us in other areas. I said two of them tonight, in the environmental area and in the area of terrorism. But that is still not enough, Mr. Speaker.

We are in an impossible situation; and I would ask our colleagues, as we approach a debate on the defense bill, to understand that we are at a historical crossroads. If we are not going to find other ways to free up some money out of that 16 cents that we spent in this year's Federal tax dollar, then we have got to cut some programs and cause more people to lose their jobs or we have got to transfer more people out of the military because this administration will not address any one of the three areas that I talked about that would help us deal with this budget problem that we are facing this year. Cut the deployment rate or get our allies to pick up more of the cost of it. Cut the environmental costs or raise the top-line number.

□ 2130

If you do not do any of those three things, then you have no choice but to cut the troop strength, the end strength, which I know they do not want to do, or cut some big ticket programs. When you cut big ticket programs, I hope all of those AFL-CIO members out there who listened to the hour before me talk about NAFTA's impact will remember the 1 million brothers and sisters of theirs who were laid off over the past 5 years in defense plant after defense plant around this country. These were not people making 15 cents, these were people who were middle income Americans. These were UAW workers, machinist workers, IUE workers, building trades workers, all of them today who are out of a job.

The hypocrisy of this administration, Mr. Speaker, scares me. But I want to say to this administration, because Members of both parties in this Congress have been trying to tell the story of what the threat is and what we must do to meet the need that is provided to us as a threat, how we must provide the dollar commitment to our troops

to fund these priorities that are identified as being critical to our military and also look for opportunities to share technology.

Now I talked about what the impact is when we cut these programs. Well, let me give one example. The workhorse of the Marine Corps is the CH–46 helicopter. It has been the workhorse of the Marine Corps since the Vietnam War. We should have replaced the CH–46 10 years ago. We have now slipped the replacement program to a point where it is going to cost us $5 billion extra dollars. We are going to be flying CH–46 helicopters when they are 55 years old. Now, what does that mean to a Marine?

Well, Mr. Speaker, if the constituents that we serve have young sons who are flying Marine helicopters, they need to understand that those young kids flying those 46s during a combat situation have to carry 18 troops. Oh, by the way, they cannot train carrying 18 troops, they only can carry 6 to 8 because of the age of the aircraft.

Those young pilots, when they fly this CH–46 in a combat situation, have to be able to do evasive maneuvering. But Mr. Speaker, those young pilots cannot train doing evasive maneuvering because of the age of the aircraft.

Mr. Speaker, those young pilots have to be able to fly at night in combat situations. But Mr. Speaker, because of the age of the aircraft, they have to put masking tape over the instrumentation panel so they can fly during evening hours.

What does that mean? That means we have more accidents with CH–46s. That means we have more kids killed and more kids injured. So by slipping these programs out, Mr. Speaker, we are not talking about CEOs of companies, we are not even talking about jobs. We are talking about threatening the lives of those people who are there to protect our country and our allies. That is the worst possible decision that we could make, to delay a program that directly affects the life of a young person serving our military.

Mr. Speaker, I would urge my colleagues to pay attention to the debate this year on the defense bill. I would encourage my colleagues tomorrow to come out and show their enthusiastic support for the 1.2 million men and women who serve this is country as our domestic defenders, to look at some of the ways that we are involving the military in helping us deal with terrorism incidents. I would encourage our colleagues to come out on May 19, 20 and 21, the largest oceans conference ever, against showcasing our militaries taking a lead in helping to understand environmental problems.

I would also encourage our colleagues, Mr. Speaker, to get real. The defense spending in this country is at a critical crossroads. We must provide the support against this administration making further cuts in our defense budget. We must provide the bipartisan support we have had over the past 2 years to stand up and say no. Not because it is right for jobs, even though it is, and not because it is right for companies, even though it is, but because it is right for the kids who serve this Nation and who put their lives on the line every day.

A SPECIAL TRIBUTE TO KAHUKU HIGH SCHOOL'S 100TH ANNIVERSARY CELEBRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from American Somoa [Mr. FALEOMAVAEGA] is recognized for 60 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, it is a real pleasure and a distinct personal honor for me to prepare this special order of the House to inform my colleagues of a very special occasion that will take place this week on the campus of one of Hawaii's smallest public high schools. Small in number maybe, Mr. Speaker, but dynamic in terms of the quality of its academics, its ethnic social mix, and a high school marching band that has won top awards throughout the State of Hawaii for years. The band even marched at the Rose Bowl and was rated among the top high school bands in the Nation; and yes, its athletic program is also among the best in the State of Hawaii.

Mr. Speaker, the high school I am referring to is none other than the pride of the North Shore on the Island of Oahu, Kahuku High School. As they say among the locals in Hawaii, ''Imua Kohuku High School on your 100th birthday.''

Mr. Speaker, the Hawaiian word ''Kahuku'' has a special meaning among the ancient Hawaiians. The first four letters, ''Kahu'', means guardian, or royal keepers or protectors. The last two letters ''ku'' are in reference to an ancient Hawaiian god named Ku.

According to ancient Hawaiian tradition, the god Ku was a member of the godhead of three gods, and their names were Kane, Ku, and Lono. Those three gods were all powerful. They created the heavens and the earth and, yes, from red earth they made man in their express image, and they even breathed into his nostrils and man became a living soul.

Mr. Speaker, if one wants to give specific meaning to the word, Kahuku, after which the location and high school are named, it means one is a guardian of the god Ku. Rightly so, Mr. Speaker, because not far from Kahuku is another place called Laie, which according to Hawaiian tradition was an ancient city of refuge, a special place of sanctuary where offenders may escape to seek refuge and be reinstated by the priests who preside over the sanctuary.

Mr. Speaker, I wanted to share this portion of Kahuku's history because I suspect many people are not aware of its meaning and its significance as far as ancient legends are concerned.

As far as the record is known, the first classes ever held at what was unofficially known as Kahuku school began in 1893. The classes were held under shaded trees or in someone's yard. The school was first organized by a Hawaiian lady named Mrs. Hookana.

Four years later in 1897, and this time with an appropriation of only $984 provided by the republic, or then the sovereign nation of Hawaii, a one-room schoolhouse was built. An enrollment of 36 students was noted and a Mr. Brightwell served as the first principal.

By the 1920s the school had grown and was educating children from the Campbell and Laie plantations, plus a pineapple camp known as the Hawaiian Pineapple Company. During this period the school moved to its present location.

In 1939, the high school was added and the school was renamed Kahuku High and Elementary School. The next year, the first senior class graduated 16 students and they took home the school's first yearbook, the Ke Koolau.

In the 1940's the Laie area was still almost exclusively plantation, and the area from which it drew its students had grown considerably. The list of plantations and other activities reads like who's who in the North Shore during the 1940's. Attending Kahuku during this period were the children from the Marconi Wireless Station, the Paumalu Pineapple Camp, Waialee-a Hawaiian settlement, and several camps of the Kahuku Sugar Mill.

The Kahuku athletes became known as the Red Raiders because they wore red uniforms donated by Iolani High School in 1950. Prior to this time the unofficial nickname was the Ramberiers. Through the 1940's Kahuku had developed sufficiently and there was competing in sports events against other high schools on the North Shore and the Windward sections of the Island of Oahu, and it won its first football championship in 1947. This was the first in a long line of championships that began the development of many championship players as well.

In 1988, Kahuku High and Elementary School became the Kahuku High and Intermediate School, and the elementary level was separated.

Today, Kahuku High School has only about 1,100 high school students from grades 9 through 12. Supporting the students are its 136 faculty members, four administrators and the supportive staff of 42. The school has developed into an athletic powerhouse and students from other parts of the island travel to Kahuku just to participate in their academic, social and sports programs. This is considered a considerable achievement, given the diversity of the school's population.

From the well-to-do residents of the famous Sunset Beach and the neighboring golf course communities to the low-income housing development on the North Shore and everything in-between, there is ethnic and economic diversity at Kahuku. Unlike some areas,

this diversity has been the strength of Kahuku. As one of the last undeveloped areas of the island of Oahu, the North Shore has experienced significant growth in recent years, and this has challenged State planners and the State board of education. For the most part, the area is not as sufficient or as affluent as the southern portion of the island, and for that reason the adults and the children are supposedly less sophisticated than the more populated areas of the State. This diversity, however, Mr. Speaker, has given Kahuku its own charm and uniqueness.

Mr. Speaker, music is one of the many areas in which Kahuku has excelled. Mr. Michael Payton started the band as a musical instructor in 1968 with only 10 members. With his retirement in 1995, the band has grown to 100-plus members and won many State and national awards.

In 1980, the Kahuku High School marching band was rated among one of the top 10 marching bands in the Nation by the National Band Association. In 1983 the marching band won a Class A championship in the Florida Citrus Bowl and were the Class A champions and overall sweepstakes winner in the Parade and Field Show Competition.

In 1991, Kahuku's marching band won international fame as they won first place in the international division of the Midosuji Parade in Osaka, Japan.

Both in 1981 and 1984 the band was one of four featured bands in the Pasadena Tournament of Roses Band Festival and marched in the world famous Tournament of Roses parade.

Among the dignitaries the band has performed for were the late Emperor Hirohito in Japan, former President George Bush, and Governors John BURNS, George Ariyoshi and John Waihee of the State of Hawaii.

The list of accomplishments of Kahuku students is too long to repeat here, Mr. Speaker, but I am appending a partial list at the end of this statement. I do want to note, however, that the list includes 13 scholastic State championships and nine athletic State championships. There are also 76 other athletic championship titles, a record difficult to match by any small school of this size. In the last 10 years there have been 2 State winners, 11 runners-up, and 41 finalists in the Sterling Scholar Awards.

Recent awards received by the administration and faculty of Kahuku include the Milken and Crystal Apple Awards for Contributions to Education awarded to the principal, Mrs. Lea Albert, and social studies teacher, Mrs. Linda Smith. Music teacher Beth Kammerer has been chosen as the 1997 State Teacher of the Year by the Department of Education and the Polynesian Cultural Center.

Mr. Speaker, one graduate of Kahuku high school who recently made the national news is Chris Naeole. Chris is a 6 foot, 4 inch, 310-pound offensive guard from Kahuku High School where he played football. Chris went on to the University of Colorado where he played for four years. Last week Chris was the tenth player chosen in the first round of this year's NFL draft. Selected by the New Orleans Saints, Chris is one in a line of many professional football players who have graduated from Kahuku High School.

Another professional football player of note is Junior Ah You, who made all-State in football, basketball and track while at Kahuku high school. Junior played professional football for the Montreal Alouettes for over 10 years and made all-pro status for several years as defensive end. Earlier this year Junior was admitted to the Canadian Football League's Hall of Fame.

The football legacy of Kahuku High School is legendary, Mr. Speaker,. Generation after generation of many families have played football in this school and the family names are enshrined in local record books. Among these notable family names are: Thompson, Reed, Ka'anana, Santiago, Fonoimoana, Compoc, Kaaihue, Akiyama, Tollefson, Leota, Maiava, Ah You, Nawahine, Broad, Enos, Barros, Kaahawaii, Caneda, Suzuki, Furuto, Oyawa, Anae, Lolotai, Tatum, Kim, Harrington, Finari, Funaki, Tupou, Taylor, Finai, Atuaia, Tufaga, Niumatalolo and others.

Mr. Speaker, while the list goes on, I would like to recognize a few more of Kahuku high school's graduates that have done well and have contributed substantially to the communities in Hawaii as well as to our Nation.

We have Mr. Leo Tanoai Reed, a former Kahuku High School graduate and a graduate of Colorado State University, who served formerly with the elite force of the Honolulu police department. Mr. Reed is currently serving as the national director for the Teamsters Union relative to transportation issues affecting the entire motion picture industry in the United States.

□ 2145

There are approximately 72 unions that are involved with the motion picture industry, and Leo Reed plays a very important and key role relating to contract disputes and in important negotiations on behalf of some 4,000 union members whose jobs depend on the movie industry.

Mr. Speaker, Kahuku also proudly claims the important contributions made by Dr. Lokelani Lindsey who not only serves as an educator but as an administrator and trustee of perhaps the most prestigious trust foundation in the State of Hawaii; namely, the board of trustees of the Bernice Panwahi Bishop Foundation. This foundation provides funding and administration of Kamehameha Schools which serve specifically the educational needs of students of native Hawaiian ancestry. Dr. Lindsey's educational background and profession as an educator will go a long way to assist her native Hawaiian people while serving as a trustee of the Bishop Trust Estate.

Mr. Speaker, another Kahuku High School graduate who has made his mark in the area of the culinary arts is none other than Mr. Sam Choy, Jr. Known throughout the State of Hawaii as one of the top chefs in the hotel industry but who now has a very successful restaurant business in the State of Hawaii.

Mr. Speaker, a couple of Kahuku graduates have also served with distinction in State administrations. There was Mr. Sus Ono, who for many years served as the right-hand man for former Governor George Ariyoshi. Mr. Ono also later served as a leading member of Governor Ariyoshi's cabinet.

Currently under the administration of Governor Ben Cayetano, another Kahuku graduate, Mr. Earl Anyai is the State's chief financial officer and treasurer.

Mr. Kamaki Kanahele, another Kahuku graduate, a former member of the board of trustees of the Office of Hawaiian Affairs, currently is the statewide chairman of the State Council of Hawaiian Homestead Associations, a consortium of Hawaiian groups put to serve the needs of some 30,000 native Hawaiians in the State of Hawaii.

Mr. Speaker, Kahuku has also had its fair share of graduates who are in their given professions in the fields of law, medicine, engineering, education, and many other fields of endeavor.

Kahuku has also sent its share of her sons and daughters in the fields of battle to defend America against its enemies. Many were wounded and some never returned. And as a Vietnam veteran, Mr. Speaker, I pay a special tribute to the thousands of Kahuku graduates who served honorably in the armed services of our Nation.

Mr. Speaker, as you may have guessed, I, too, am a graduate of Kahuku High School. The education I received while at Kahuku, even though it was many years ago, gave me the foundation to go to college and law school. Having seen this school rise from plantation school to a State powerhouse has given me great pride, and it is with pleasure and an honor that I stand here today on the floor of the U.S. House of Representatives and say, I salute you, Kahuku High School. You have provided sound educational guidance for the last century. You have fought many battles, but I know your past will serve you well as we move forward.

You have provided inspiration to thousands of us as generation after generation returns to you asking for help in meeting the educational, economic and social needs of Hawaii and our Nation.

Mr. Speaker, I end my remarks with the words to a very simple song that is always in the minds and hearts of all Kahuku graduates. The words to the song go like this:

In old Kahuku stands our alma mater

Where the salt winds blow day after day
Where her doors flung wide for our sons and daughters true.
While the flag of freedom proudly waves above
Hail Kahuku, hail our alma mater
Hail to our colors red and white.
We will cherish, love and honor thee. All hail Kahuku, hail.

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

KAHUKU HIGH SCHOOL ATHLETIC CHAMPIONSHIPS

Football OIA champions: 1947, 1958, 1959, 1969, 1972, 1989, 1993, 1994, & 1995.

Football East/West Conference Champions: 1971, 1972, 1982, 1984, 1986, 1989, 1990, and 1992.

Boys OIA Volleyball Champions: 1995.

Boys Volleyball East Champions: 1992.

Girls Volleyball OIA Champions: 1992 & 1993.

Girls Volleyball East Champions: 1982, 1984, 1985, 1992 & 1993.

Girls Basketball State Champions: 1983.

Girls Basketball OIA Champions: 1980, 1983, 1984, & 1985.

Girls Basketball East Champions: 1980, 1983, 1984, 1985 & 1991.

Boys Basketball East Champions: 1987.

Wrestling State Champions: 1969, 1983, & 1985.

Wrestling State Runner-ups: 1981, 1982, 1988, 1990–1992.

Wrestling OIA Champions: 1983, 1985, 1987, 1988, 1990, 1991, & 1992.

Wrestling OIA Dual Meet OIA Champions: 1993.

Wrestling East Champions: 1979, 1980, 1984, 1985, 1987–1992.

Golf State Champions: 1969, 1972, 1973, 1976.

Golf OIA Champions: 1971, 1978, 1993, & 1994.

Golf East Champions: 1974, 1978, 1988, 1993, & 1994.

Girls Tennis OIA Champions: 1994.

Judo East Champions: 1989, 1990, & 1991.

Boys Swimming Varsity East Champion: 1995, 1997.

Water Polo Public School State Champions: undefeated.

KAHUKU HIGH SCHOOL SCHOLASTIC CHAMPIONSHIPS

Citizen Bee State Champion: 1993.

American Legion State Champion: 1991 & 1993.

We the People State Champions: 1993 & 1994.

History Day State Winners: 1994.

State JV Debate Champions: 1993 & 1994.

SLEP (ESLL) State Speech Champions: 1991–1994.

Spelling Bee State Champions: 1991.

KAHUKU HIGH SCHOOL BAND ACCOMPLISHMENTS

The Kahuku High School Learning Center ''Red Raider'' Marching Band and Color Guard was under the direction of Mr. Michael J. Payton. Mr. Payton was a graduate of the University of Hawaii, Manoa. Mr. Payton retired June 1995, having taught at Kahuku High and Intermediate School for the past 27 years. He was the Coordinator and Director of the Kahuku High School's Performing Arts Learning Center Program, focusing on marching band and color guard, and he was the Director of the Annual All-State Marching Band Camp.

Mr. Payton had been the backbone of the marching band program at Kahuku. He established and built a band from an existing band of ten (10) members in 1968 to a superior award winning band of a hundred plus (100+) members.

The Kahuku High School Marching Band, under Mr. Payton's direction for 27 years, has always won superior ratings at local and national competitions. In 1980, the Kahuku High School Marching Band was rated as one of the top ten (10) marching bands in the nation by the National Band Association. In 1983, the Kahuku High School Marching Band won the Class A Championship at the Florida Citrus Bowl Band Competition. In 1986, the Kahuku Band attended the Sea World Holiday Bowl Band Competition and was the Class A Champions and Overall Sweepstakes Winner in the Parade and Field Show Competition.

In 1991, the Kahuku High School Marching Band won International Fame as they won 1st Place: International Division at the Midosuji Parade in Osaka, Japan.

Both in January, 1981, and in January, 1993, the band was one of the four featured bands at the Pasadena Tournament of Roses Band Fest and marched in the world famous Tournament of Roses Parade.

The Kahuku High School Marching Band has played for many important dignitaries. Among these important people are: Emperor Hirohito, President Bush, Governor Burns, Governor Ariyoshi, and Governor Waihee of Hawaii.

BAND

1976:

Aloha Week Parade Hon, HI—1st Division-Highest Scores.

King Kam Parade Hon, HI—1st Division-Highest Scores.

S. Pacific Bi-Centennial Parade—Hawaii's Bi-Centennial Band.

Int'l. Lions Convention—Brazil's Honor Band; State Band.

Kauai Island Concert—Guest Band.

OIA Marching Band Festival—1st Division-Highest Scores.

1980:

Rated by National Band Assoc.—One of Top 10 Marching Bands in USA.

Selected to the 1981 Pasadena Tournament of Roses Parade—Guest Band.

1983:

Aloha Week Parade—1st Division.

Kam Tournament of Bands—Overall Sweepstakes Award. All Caption Awards. Annual Pahu Award.

Citrus Bowl Band Competition—1st Place Overall Trophy Class A. Outstanding Rifle Corp. Drum Major Award.

Citrus Bowl 1983—Bowl Pre-Game Guest Band. Citrus Bowl Parade Participant.

Disney World (FL)—Guest Band.

Epcot Center—Guest Band.

Knott's Berry Farm—Guest Band.

Magic Mountain—Guest Band.

Disneyland (CA)—Guest Band.

Arlington Nat'l. Cemetary—1st Hawaiian Band to participate in wreath laying ceremony at Tomb of Unknown Soldiers (D.C.)

1986:

San Diego Holiday Bowl—1st Division Rating. 1st Place: Parade Competition. 1st Place: Field Show Competition. 1st Place: Drum Major. 1st Place: Percussion. 1st Place: Color Guard.

1989:

Florida Citrus Bowl Band Competition—1st Place: Percussion. 1st Place: Drum Major. 1st Place: Color Guard. Superior & 1st Division Rating. Class A Field Show Champion.

1990:

USA President Bush-Hawaii Visit—Only High School Band invited to perform for President of USA.

1991:

Midosuji Parade—Osaka, Japan—1st Place Winner Int'l. Division.

1993:

Tournament of Roses Parade—Pasadena, CA—One of four (4) marching bands to participate in Band Fest at Pasadena City College.

1994:

CBS Thanksgiving Day American Parade—Featured Band and Dancers on national television.

Oceanic Cable Television—Featured band during school pride advertisement.

Holiday Bowl Parade—2nd Place.

1996:

Holiday Bowl Field Competition—1st Place—Category 2. Grand Champion Overall.

ABOUT THE BUDGET

The SPEAKER pro tempore (Mr. SUNUNU). Under the Speaker's announced policy of January 7, 1997, the gentleman from Georgia [Mr. KINGSTON] is recognized for 60 minutes.

Mr. KINGSTON. Mr. Speaker, I appreciate the opportunity to address the House tonight. I want to speak about the budget.

Before I do so, I want to speak about the big bust over there at the Department of Justice. I am referring, of course, to finally, on Thursday, April 24, I am getting this out of the Savannah Morning News, that the Florida couple, who illegally recorded a conversation of Members of Congress and then passed it on to other Members of Congress finally got, finally pleaded guilty to Federal charges, which is, they actually had already said that they were guilty, Mr. Speaker, back in January, but our good old Department of Justice, who has been very busy with all kinds of other things, just now decided to lower the boom and deal with the Martins.

I will read a little bit of that article:

A Florida couple agreed Wednesday to plead guilty to Federal criminal charges of intercepting a cellular phone call between House Speaker Newt Gingrich and other Republican leaders last December.

Identical one-count criminal informations were filed in U.S. District Court in Jacksonville, Florida against John and Alice Martin of Fort White, Florida.

The Martins signed agreements with prosecutors to plead guilty and those were filed in court along with the charges. The Martins admitted in the agreements that they intentionally intercepted the telephone conversation and agreed to cooperate with the Justice Department's continuing investigation of the case.

Justice officials, who requested anonymity* * * *

That is interesting, Mr. Speaker, because I guess when they were interviewed on the phone they were not on the cellular phone or anonymity would be irrelevant, would it not, but they said the investigation is continuing on how a transcript of the conversation ended up in the New York Times and later the Atlanta Journal-Constitution and Roll Call, a Capitol Hill newspaper.

I wonder, Mr. Speaker, how did the Martins get that tape from Florida, from their car, which they were just innocently driving along, how did they get that tape to the Atlanta Constitution and the New York Times? It does make one wonder, does it not?

But good old Justice Department, I guarantee you, they will crack this case probably in 10 years. No, maybe in 5 years, because these people said they will cooperate. So I am very optimistic about our Justice Department and, who knows, maybe they got some consultants from the FBI telling them how not to botch an investigation.

But never mind that, Mr. Speaker. Let me speak tonight on the budget, because that is a very, very big matter and one that affects all of our children, all of our present generations and future generations.

I have, and I wish I could tell you who gave this to me, but it is a document entitled Seven Reasons to Balance the Budget. The annual budget is $1.6 trillion. The Government spends about $4.4 billion a day, about $183 million an hour, $3 million a minute, or $50,736 every second.

Mr. Speaker, I am afraid that in the time that I have been at the microphone that the Government has already spent probably about $250,000 just in terms of our $1.6 trillion annual budget.

Now, if the spending patterns do not change, anyone born after 1993 will have a lifetime tax rate of 84 percent. This is compared with those born in 1940, who will have a lifetime tax average of 31 percent. That means that during the period of time that you are alive, if you were born in 1940, you will pay about 31 percent total taxes. But our children, the babies of today, the kids in nursery schools and kindergartens, right now will pay about 84 percent.

I think that is so important, Mr. Speaker, because as the President talks about let us do something for children, I would say, let us start by not shackling them with an 84 percent tax burden.

Reason No. 3, every dollar of taxes raised since World War II, Congress has spent over $1.59 of it. So for every dollar paid in taxes since World War II, on an average, we in Washington have spent $1.59. Reason No. 4, it takes nearly 9 American families to support one Federal bureaucrat in Washington, DC, executive branch staff members cost an average of $52,000 a year, while an average family pays $6,100 in taxes. So that is good math and good to think about.

Reason No. 5, in 1994, every American paid an average of $800 in taxes just to service interest on the national debt.

Now, I think this is real important, Mr. Speaker, because people do not understand that when you pay taxes, some of your tax dollars go just to pay the bondholders, those who hold the notes on the national debt. So let us say $800 per person, multiply that times 4. The average family of four, average family is, therefore, paying over $3,000 in interest each year on the national debt. That is $3,000. That probably would pay for 3 or 4 months of groceries. It would probably pay for 6 months of car payments. It would pay for maybe a half a year at a State college or university. Three thousand dollars would even pay for 3 or 4 months of home mortgage. That is a lot of money. Yet the American taxpayers are paying that in interest on the national debt.

Reason No. 6, a child born today will pay $187,000 over his or her lifetime just in interest on the national debt.

Reason No. 7, in the year 2000, the national debt is projected to be $6.8 trillion. That is $26,000 or $104,000 for a family of four.

Mr. Speaker, it is past time to get very, very serious on balancing the budget and paying down the debt.

Now, we have some plans. There is a Republican plan that is going on, and we have been negotiating, the gentleman from Ohio [Mr. KASICH], chairman of the Committee on the Budget, has been negotiating on this for really since January, trying to get somewhere with the President. There is the President's plan.

The President's plan has a few flaws in it. I will hold this up, Mr. Speaker. I think everybody can see it. What is wrong with the Clinton plan to balance the budget?

Well, for one thing, in the year 2002, it does not balance the budget. It has a deficit of $69 billion. So, A, what is wrong with the President's plan? It does not balance the budget.

B, what else is wrong with it? Ninety-eight percent of the deficit reduction is in the last 2 years.

Mr. Speaker, I am not the first one to say it, many people have said it, but that is the equivalent of saying you are going to go on a diet to lose 30 pounds over 6 months, but you are not going to lose any weight the first 5 months. You are going to take it all off in the 6th month. It just does not work. Washington has never followed through on promises made very far in the future.

Under the Bush tax deal, as you will recall, in the 1990's, which was, I think, actually probably what did the Bush administration in, the plan was to raise taxes now and cut spending later.

Well, Members of Congress were pretty eager to raise taxes, but when it came time to do the spending cuts, where was Congress? They said, well, that agreement was not made by us. It was made by a previous Congress, and we will not follow through on it.

No. 3, letter C, whatever way you want to do it, what is wrong with the Clinton budget? It increases the 1998 deficit by $24 billion compared to doing nothing. So in other words, Mr. Speaker, if we do not do anything at all in terms of passing a budget, we are better off than we are under the Clinton proposal. So I think the Clinton proposal should not be seriously considered.

Now, that will not mean that the media will not seriously consider it, because anything that comes out of Pennsylvania Avenue they accept as truth and absolute so they will be talking about how good it is and how sensible it is. They will cleverly overlook these three facts that I have gone over here tonight.

But let us put it in perspective. Balancing the budget is a moral imperative, not an accounting exercise. Balancing the budget is about your children; it is about my children.

Mr. Speaker, I think you have small children. I have a 6-year-old; I have an 8-year-old. I would love to leave Washington one day saying they are going to have a better future with less debt because Members came to Washington during the 105th Congress with the idea of cutting the budget and reducing the size of Washington. We chose children over bureaucrats. We chose home town America over Washington, DC.

Now, the President opposed the balanced budget amendment. Okay. Philosophical difference. He did not want the balanced budget amendment. I can understand. We have the right to disagree here.

But that being the case, as he stood on the floor of the House and said, you do not need a balanced budget amendment to balance the budget, he was correct on that. But he needed one, because he has yet to produce a balanced budget.

One of the other things, though, that this thing points out is, this about families.

Let me give you some more numbers, Mr. Speaker. If we have a balanced budget, interest rates will drop. If interest rates drop as much as 2 percent, that means that on a 5-year family car loan at 9.75 percent interest, $15,000 car, that average family would save $900.

In terms of a college education loan, if a college student borrows $11,000 at 8 percent, it will save $217 in interest.

□ 2200

In terms of a 30-year home mortgage, if it drops 2 percent, over a 30-year period of time on a $75,000 house, Americans would save $37,000 in interest and payments. For a 6-month $350,000 farm operating loan at 10 percent, it would save about $17,000.

These are real numbers, Mr. Speaker, and these are things that will help Americans. But I want to throw out one more interesting statistic about the national debt. A 1-day increase in the national debt of $2.2 billion is enough to buy McDonald's Big Mac extra value meals for every person in the United States and every person in Mexico.

Now, I do not know if we should recommend that to everybody in the country, but the fact is that is a heck of a lot of hamburgers, Mr. Speaker, and yet another way to look at it.

I do not see balancing the budget as partisan politics. It is about good government and it is about our children. It is about dreams and aspirations of future generations of Americans. It is about the fact that year after year the American dream gets eroded by a large runaway bureaucracy that comes up with more rules and more micromanagement in order to justify their own existence.

I think the questions are these: Is the Federal Government too big? Does it spend too much? Who can spend money the best, the folks back home or the bureaucrats in Washington? Are we getting our money's worth out of Washington right now? Are we getting our money's worth of tax dollars? If we had a choice, would we purchase this

government? Could we tell a friend about it? Is it fair for the government to take over one-third of our hard-earned income each year?

I do not think it is fair, Mr. Speaker. I think it is time right now to get spending under control and try to bring sanity back to Washington.

There are a lot of other topics that I want to talk about, Mr. Speaker, but I think what I may do is just end tonight on the budget, because I want to focus just on the importance of it.

There is a budget right now, introduced by our colleague, the gentleman from Wisconsin, Mr. MARK NEUMANN, and it takes Social Security out of the formula. Two important things I would say the Neumann budget does. Number one, it takes Social Security out of it.

People do not realize this right now, but Social Security has a $65 billion surplus. That money is thrown into the pot with the rest of the general spending, the rest of the budget, and it makes the deficit look smaller than it is. The Neumann budget says, no, sir, that $65 billion is stand-alone, it goes only in the Social Security trust fund, it goes only for Social Security purposes, and it should not be used for deficit reduction and general spending.

That is one thing the Neumann budget does and I think that is very important for our grandparents and other folks on Social Security.

The second thing it does, which is equally important for those of us fathers, is it pays off the national debt by the year 2023. So a child born today, at 25, 26 years old, they will live in America without a national debt. If we can do that, the jobs that will be created are incredible.

In fact, Mr. Speaker, I had a list of some of these benefits that I may submit for the RECORD, Mr. Speaker. But I believe that we can achieve a balanced budget. I believe that we can pay down the national debt. I believe, again, it is a moral imperative. It is not a matter of common sense only but a matter of survival and doing what is right for our children.

With that, Mr. Speaker, I urge my colleagues and friends here in Washington to vote for a balanced budget, work for the balanced budget amendment, make some tough decisions in terms of government spending reductions, and let us walk out of here with our heads held high, not worrying about the next election but only concerned about the next generation.

Mr. Speaker, I include for the RECORD the article to which I earlier referred.

FLORIDA COUPLE TO PLEAD GUILTY TO TAPING GOP LEADERS' CELL PHONE CALL

(By Michael J. Sniffen)

WASHINGTON.—A Florida couple agreed Wednesday to plead guilty to federal criminal charges of intercepting a cellular telephone call between House Speaker Newt Gingrich and other Republican leaders last December.

Identical one-count criminal information were filed in U.S. District Court in Jacksonville, Fla., against John and Alice Martin of Fort White, Fla.

The Martins signed agreements with prosecutors to plead guilty and those were filed in court along with the charges. The Martins admitted in the agreements that they intentionally intercepted the telephone conversation and agreed to cooperate with the Justice Department's continuing investigation of the case.

Justice officials, who requested anonymity, said the investigation is continuing here into how a transcript of the conversation ended up in The New York Times, and later in The Atlanta Journal-Constitution and Roll Call, a Capitol Hill newspaper.

The call—between Gingrich, House Majority Leader Dick Armey of Texas, Rep. John Boehner of Ohio, Rep. Bill Paxon of New York and others—took place last Dec. 21 as the House ethics committee was about to announce a settlement of its investigation of complaints against Gingrich. The publication of the text set off an uproar on Capitol Hill.

Rep. Jim McDermott of Washington, the ranking Democrat on the ethics committee, said the call breached Gingrich's agreement with the committee that the Speaker would not orchestrate a response to his ethical wrongdoing.

Republicans said the transcript, to the contrary, showed that Gingrich was following the agreement and they demanded an investigation of the call's interception.

The Martins each face a maximum penalty of a $5,000 fine with no prison term. The government made no promises on what sentence it might recommend.

Alice Martin, reached at her home in Fort White, Fla, refused to comment Wednesday evening and referred questions to the couple's attorney. ''I can't say anything about that,'' she said.

Boehner said the Martins ''should not be patsies in this, set up to take the fall for more politically influential people.''

Anyone ''who knowingly accepted the tape and passed it along to the press is also guilty,'' said Boehner, who when the call was intercepted was in Florida taking part in the conversation on a cellular telephone.

The Martins said they gave the tape to McDermott. In the ensuing furor over the tape's contents and its disclosure, which also could be a crime, McDermott removed himself from the ethics panel's investigation of Gingrich. A Republican also stepped aside to keep the panel at an even party balance.

''The Martins were charged with the most serious violation possible based on the applicable federal law and the circumstances surrounding the interception of the telephone call,'' said Charles R. Wilson, U.S. attorney for the middle district of Florida. ''If the Martins are ever convicted of an illegal interception again, they would face a maximum penalty of five years imprisonment, a $250,000 fine or both.''

Because it was a first offense and because the interception was of the radio portion of a cellular call; and because there was no evidence that it was done for commercial or private financial gain or for an illegal purpose such as aiding in blackmail, the offense is classified as an infraction, the Justice Department said.

John and Alice Martin heard the conversation on the Radio Shack scanner in their car while on a Christmas shopping trip. Once they realized the conversation they were picking up was of Gingrich discussing the Republican response to his admitted ethics violations, they recorded it on a hand-held machine. They said it struck them as historic.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GREEN (at the request of Mr. GEPHARDT), for today, on account of personal business.

Mr. UNDERWOOD (at the request of Mr. GEPHARDT), for today through May 1, on account of official business.

Mr. YATES (at the request of Mr. GEPHARDT), for today, on account of back pain.

Mr. HOEKSTRA (at the request of Mr. ARMEY), for today, on account of a death in the family.

Mr. HERGER (at the request of Mr. ARMEY), for today and the balance of the week, on account of family matters.

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. POMEROY) to revise and extend their remarks and include extraneous material:)

Mr. POMEROY, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mr. ROEMER, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. GOSS, for 5 minutes each day, today and on April 30 and May 1.

Mr. NORWOOD, for 5 minutes, today.

Mr. METCALF, for 5 minutes each day, today and on April 30.

Mr. GUTKNECHT, for 5 minutes, on April 30.

Mr. DUNCAN, 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. POMEROY) and to include extraneous matter:)

Mr. FRANK of Massachusetts.

Mr. BERRY.

Mr. TORRES.

Mr. DAVIS of Illinois.

Mr. LEVIN.

Mr. LAFALCE.

Mr. ORTIZ.

Mr. BONIOR.

Mr. SCHUMER.

Mr. KANJORSKI.

Mr. PASCRELL.

Mr. LIPINSKI.

Mr. DOYLE.

Mr. HINCHEY.

Mr. YATES.

Mr. FROST.

Mr. HOYER.

Mr. BROWN of California.

Mr. MENENDEZ.

Mr. VISCLOSKY.
Ms. STABENOW.
Mr. WEYGAND.
(The following Members (at the request of Mr. DUNCAN) and to include extraneous matter:)
Mr. WALSH in two instances.
Mr. WELLER.
Mr. GEKAS in two instances.
Mr. PACKARD.
Mrs. ROUKEMA.
Mr. SOLOMON in three instances.
Mr. SUNUNU.
Mr. PORTER.
Mr. RIGGS.
Mr. BUNNING.
Mr. KOLBE in three instances.
(The following Members (at the request of Mr. KINGSTON) and to include extraneous matter:)
Mr. QUINN.
Mr. GILMAN.
Mr. BARR of Georgia.
Mr. FARR of California.

ADJOURNMENT

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 30, 1997, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3027. A communication from the President of the United States, transmitting his requests for fiscal year 1997 supplemental appropriations totaling $8,605,000 for the Forest Service of the Department of Agriculture and appropriations totaling $19,700,000 for the Department of Energy for activities associated with tritium remediation, and two fiscal year 1998 budget amendments involving the Department of Transportation's Maritime Security Program and the John F. Kennedy Assassination Records Review Board, pursuant to 31 U.S.C. 1107 (H. Doc. No. 105–78); to the Committee on Appropriations and ordered to be printed.

3028. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's ''Major'' final rule—Addition of Facilities in Certain Industry Sectors: Revised Interpretation of Otherwise Use; Toxic Release Inventory Reporting; Community Right-to-Know [OPPTS–400104D; FRL–5578–3] (RIN: 2070–AC71) received April 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3029. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Current Good Manufacturing Practice for Finished Pharmaceuticals; Positron Emission Tomography [Docket No. 94N–0421] (RIN: 0910–AA45) received April 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3030. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Drug Labeling; Sodium Labeling for Over-the-Counter Drugs; Partial Delay of Effective Date [Docket No. 90N–0309] received April 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3031. A letter from the Director, U.S. Trade and Development Agency, transmitting a copy of the Agency's annual audit, pursuant to 22 U.S.C. 2421(e)(2); to the Committee on International Relations.

3032. A letter from the Acting Comptroller General, General Accounting Office, transmitting a list of all reports issued or released in March 1997, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform and Oversight.

3033. A letter from the Secretary of the Interior, transmitting the biennial report on the quality of water in the Colorado River Basin (Progress Report No. 18, January 1997), pursuant to 43 U.S.C. 1596; to the Committee on Resources.

3034. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; High Seas Salmon Fishery Off Alaska [Docket No. 970326069–7069–01; I.D. 022597F] (RIN: 0648–AJ38) received April 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3035. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod Fishery Category by Vessels Using Trawl Gear in Bycatch Limitation Zone 1 [Docket No. 961107312–7021–02; I.D. 042297C] received April 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3036. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker and Rougheye Rockfish in the Aleutian Islands Subarea [Docket No. 961107312–7021–02; I.D. 042197A] received April 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3037. A letter from the Acting Assistant Secretary (Tax Policy), Department of the Treasury, transmitting a draft of proposed legislation to amend the ''Statistical Use'' subsection of the Internal Revenue Code; to the Committee on Ways and Means.

3038. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighter Average Interest Rate Update [Notice 97–27] received April 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3039. A letter from the Executive Director, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a copy of a letter that the D.C. Financial Responsibility and Management Assistance Authority sent the President requesting an additional appropriation of $52,379,000 for fiscal year 1997, pursuant to Public Law 104–8, section 207(a); jointly, to the Committees on Government Reform and Oversight and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEACH: Committee on Banking and Financial Services. Supplemental report on H.R. 2. A bill to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes (Rept. 105–76, Pt. 2).

Mr. SMITH of Oregon: Committee on Agriculture. H.R. 1342. A bill to provide for a 1-year enrollment in the conservation reserve of land covered by expiring conservation reserve program contracts; with an amendment (Rept. 105–80). Referred to the Committee of the Whole House on the State of the Union.

Mr. DREIER: Committee on Rules. House Resolution 133. Resolution providing for consideration of the bill (H.R. 2) to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes (Rept. 105–81). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 134. Resolution providing for consideration of the bill (H.R. 867) to promote the adoption of children in foster care (Rept. 105–82). Referred to the House Calendar.

Mr. LIVINGSTON: Committee on Appropriations. H.R. 1469. A bill making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes (Rept. 105–83). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LEVIN:

H.R. 1468. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to modify provisions restricting welfare and public benefits for aliens; 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. KASICH (for himself, Mr. OBEY, Mr. INGLIS of South Carolina, Mrs. THURMAN, Mr. DREIER, Mr. BOYD, Mr. SMITH of Michigan, Mr. ROYCE, Mr. HOBSON, Mr. ISTOOK, Mr. LARGENT, Mr. MILLER of Florida, Mr. PAUL, Mr. PORTMAN, Mr. SALMON, Mr. SHADEGG, and Mr. GOSS):

H.R. 1470. A bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and the Budget, 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. ACKERMAN:

H.R. 1471. A bill to direct the Secretary of Transportation to determine the feasibility of placing bar codes on passenger motor vehicles to facilitate the tracing of stolen vehicles, and for other purposes; to the Committee on Commerce.

H.R. 1472. A bill to amend the Employment Retirement Income Security Act of 1974 and

the Public Health Service Act to require group health plans and group and individual health insurance coverage to pay interest on clean claims that are not paid within 30 days; to the Committee on Commerce, and in addition to the Committee on 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. BLAGOJEVICH:

H.R. 1473. A bill to amend title 18, United States Code, to prohibit, with certain exceptions, the transfer of a handgun to, or the possession of a handgun by, an individual who has not attained 21 years of age; to the Committee on the Judiciary.

By Mr. BROWN of California (for himself, Mr. FILNER, Ms. LOFGREN, Mr. DELLUMS, Mr. TORRES, and Mr. CAPPS):

H.R. 1474. A bill to amend section 255 of the National Housing Act to prohibit the charging of unreasonable and excessive fees in connection with equity conversion mortgages for elderly homeowners, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. CHABOT:

H.R. 1475. A bill to eliminate the National Sheep Industry Improvement Center and to transfer funds available for the center to the general fund of the Treasury to reduce the deficit; to the Committee on Agriculture.

By Mr. DIAZ-BALART:

H.R. 1476. A bill to settle certain Miccosukee Indian land takings claims within the State of Florida; to the Committee on Resources.

By Mr. DICKS (for himself, Mr. ADAM SMITH of Washington, Mr. BLUMENAUER, Mr. MCDERMOTT, and Ms. FURSE):

H.R. 1477. A bill to amend the Wild and Scenic Rivers Act to designate a portion of the Columbia River as a recreational river, and for other purposes; to the Committee on Resources.

By Ms. ESHOO (for herself, Ms. STABENOW, Mr. FROST, Ms. LOFGREN, Mr. BOUCHER, Mr. CANADY of Florida, Mr. BROWN of California, Mr. DELLUMS, Ms. PELOSI, Mr. FILNER, Ms. RIVERS, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. LAMPSON, Mr. STUPAK, Mr. BONIOR, Mr. SANDLIN, Mr. FORD, Mr. TURNER, Ms. KILPATRICK, Mr. CLEMENT, Mr. UNDERWOOD, Mrs. THURMAN, Mr. DOYLE, Mr. MOAKLEY, Mr. LEWIS of Georgia, Mr. FATTAH, Mr. WEYGAND, Mr. MCGOVERN, Mr. RANGEL, Mr. UPTON, Mrs. EMERSON, Mr. LEVIN, Mrs. KENNELLY of Connecticut, and Ms. HOOLEY of Oregon):

H.R. 1478: A bill to amend the Internal Revenue Code of 1986 to allow companies to donate computer equipment and software, and training related thereto, to elementary and secondary schools for use in their educational programs, and for other purposes; to the Committee on Ways and Means.

By Mr. HASTINGS of Florida:

H.R. 1479. A bill to designate the Federal building and U.S. courthouse located at 300 Northeast First Avenue in Miami, FL, as the ''David W. Dyer Federal Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. HOYER (for himself, Ms. DELAURO, Mr. FATTAH, and Mr. WEYGAND):

H.R. 1480. A bill to increase the overall economy and efficiency of Government operations and enable more efficient use of Federal funding, by coordinating Federal financial assistance programs and promoting local flexibility; to the Committee on Government Reform and Oversight.

By Mr. LATOURETTE (for himself, Mr. OBERSTAR, Mr. EHLERS, Mr. DINGELL, Mr. ENGLISH of Pennsylvania, Mr. STUPAK, Mr. QUINN, Mr. DAVIS of Illinois, Mr. OXLEY, Ms. RIVERS, Ms. KAPTUR, Mr. BROWN of Ohio, Mr. BARCIA of Michigan, Mr. KILDEE, Mr. EVANS, Mr. WELLER, Mr. KUCINICH, Mr. JOHNSON of Wisconsin, and Mr. LAFALCE):

H.R. 1481. A bill to amend the Great Lakes Fish and Wildlife Restoration Act of 1990 to provide for implementation of recommendations of the U.S. Fish and Wildlife Service contained in the Great Lakes Fishery Restoration Study Report; to the Committee on Resources.

By Mrs. MALONEY of New York (for herself and Ms. SLAUGHTER):

H.R. 1482. A bill to amend title 10, United States Code, to increase whistleblower protections for members of the Armed Forces; to the Committee on National Security.

By Mr. MENENDEZ:

H.R. 1483. A bill to amend title 49, United States Code, to make nonmilitary government aircraft subject to safety regulation by the Department of Transportation; to the Committee on Transportation and Infrastructure.

By Mr. NORWOOD (for himself, Mr. BARR of Georgia, Mr. COLLINS, Mr. CHAMBLISS, Mr. KINGSTON, Mr. DEAL of Georgia, Mr. LINDER, Mr. LEWIS of Georgia, and Mr. BISHOP):

H.R. 1484. A bill to redesignate the Dublin Federal courthouse building located in Dublin, GA, as the ''J. Roy Rowland Federal Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. RIGGS (for himself, Mr. RAMSTAD, Mr. CUNNINGHAM, Mr. MCKEON, Mr. PORTER, Mr. CAMPBELL, and Mr. BILBRAY):

H.R. 1485. A bill to provide that the provision of the Fair Labor Standards Act of 1938 on the accounting of tips in determining the wage of tipped employees shall preempt any State or local provision precluding a tip credit or requiring a tip credit less than the tip credit provided under such act; to the Committee on Education and the Workforce.

By Mr. GILMAN:

H.R. 1486. A bill to consolidate international affairs agencies, to reform foreign assistance programs, to authorize appropriations for foreign assistance programs and for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes; to the Committee on International Relations.

By Mr. RIGGS:

H.J. Res. 74. Joint resolution proposing an amendment to the Constitution of the United States to provide 8-year terms of offices for judges of Federal courts other than the Supreme Court; to the Committee on the Judiciary.

By Mr. RAHALL (for himself, Mr. CONYERS, Mr. JOHN, and Mr. DINGELL):

H. Con. Res. 68. Concurrent resolution expressing the sense of the Congress regarding the territorial integrity, unity, sovereignty, and full independence of Lebanon; to the Committee on International Relations.

By Mr. WEYGAND (for himself, Mr. MCGOVERN, Mr. BLAGOJEVICH, Mr. MOAKLEY, Ms. DELAURO, Mr. FRANK of Massachusetts, Mr. DELAHUNT, Mr. TIERNEY, Mr. KUCINICH, Mr. STARK, Mr. STRICKLAND, Mrs. MCCARTHY of New York, Mr. BLUMENAUER, Ms. DEGETTE, Mr. ETHERIDGE, Mr. BOSWELL, Mr. SANDLIN, Mr. LAMPSON, Mr. ROTHMAN, and Mr. PASCRELL):

H. Res. 135. Resolution to amend the Rules of the House of Representatives to permit disabled individuals who have access to the House floor to bring supporting services; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 14: Mr. CRAPO, Mr. BISHOP, and Mr. BURTON of Indiana.

H.R. 15: Ms. DEGETTE.

H.R. 54: Mr. TAYLOR of North Carolina, Mr. RADANOVICH, and Mr. SKELTON.

H.R. 96: Mr. KLINK, Mr. MCINTYRE, Mr. HUTCHINSON, and Mr. TURNER.

H.R. 122: Mr. SCARBOROUGH, Mr. DELAY, Mr. RILEY, and Mr. MANZULLO.

H.R. 176: Mr. HILLIARD and Mrs. MORELLA.

H.R. 177: Mrs. KELLY.

H.R. 183: Mr. WEYGAND.

H.R. 191: Mrs. MALONEY of New York, Mr. OWENS, Mr. YATES, Mr. LEWIS of Georgia, and Mr. HINCHEY.

H.R. 216: Mr. RAHALL.

H.R. 299: Mr. BLUMENAUER.

H.R. 306: Mr. SCHUMER and Mr. MEEHAN.

H.R. 339: Mr. HAYWORTH.

H.R. 367: Mr. CAMP and Mr. CHRISTENSEN.

H.R. 383: Ms. SLAUGHTER.

H.R. 446: Mr. DUNCAN.

H.R. 521: Mr. GOODE.

H.R. 530: Mr. SHAYS and Mr. MCCRERY.

H.R. 616: Mr. GORDON, Mr. TRAFICANT, Mrs. MYRICK, Mr. FALEOMAVAEGA, Mr. DAVIS of Illinois, Mr. QUINN, Mr. KILDEE, Mr. MCINTYRE, Mr. SUNUNU, Mr. WATT of North Carolina, Mr. BARRETT of Wisconsin, Mr. BALDACCI, Ms. RIVERS, Mr. LAMPSON, Mr. RANGEL, Mrs. MEEK of Florida, Mr. PASCRELL, Mr. HOLDEN, Mr. RAHALL, and Mrs. LOWEY.

H.R. 650: Mr. LARGENT, Mr. BEREUTER, and Mr. BLAGOJEVICH.

H.R. 674: Mr. DIAZ-BALART and Mr. GREEN.

H.R. 681: Mr. MCKEON, Ms. LOFGREN, Ms. WATERS, Mr. DIXON, Mr. CALVERT, and Mr. CUNNINGHAM.

H.R. 689: Mr. KUCINICH and Ms. LOFGREN.

H.R. 725: Mr. LUCAS of Oklahoma and Mr. HASTERT.

H.R. 740: Mr. FAWELL.

H.R. 768: Mr. SANDLIN, Mr. LEWIS of California, Mr. TRAFICANT, Mr. UPTON, and Mr. HOBSON.

H.R. 777: Mr. LEWIS of Georgia, Mr. CALVERT, Mr. RANGEL, Ms. CHRISTIAN-GREEN, Mr. FAZIO of California, Ms. MCKINNEY, Ms. KILPATRICK, Mr. DELLUMS, Mr. WATTS of Oklahoma, and Mr. HILLIARD.

H.R. 789: Mr. TAYLOR of North Carolina, and Mr. BEREUTER.

H.R. 806: Mr. HINOJOSA, Mrs. MALONEY of New York, Ms. LOFGREN, and Mr. FALEOMAVAEGA.

H.R. 815: Ms. HARMAN, Mr. ROGERS, Mr. BECERRA, Mr. HOLDEN, Mr. MALONEY of Connecticut, and Mr. HOYER.

H.R. 863: Mr. UNDERWOOD, Mr. YATES, Mr. LIPINSKI, Mr. DAVIS of Illinois, Mr. KIND of Wisconsin, Mr. DELAHUNT, Mr. MCGOVERN, and Mr. WEYGAND.

H.R. 873: Mr. RUSH.

H.R. 875: Mr. FROST, Mr. LEWIS of Georgia, and Mr. COOKSEY.

H.R. 890: Mr. PAYNE and Mr. ADAM SMITH of Washington.

H.R. 920: Mr. HILLIARD, Mr. MEEHAN, and Mr. HINCHEY.

H.R. 928: Mr. HILLEARY, Mr. CUNNINGHAM, Mr. SNOWBARGER, Mr. RIGGS, Mr. HOSTETTLER, Mr. SCARBOROUGH, Mr. BONILLA, Mr. BEREUTER, and Mr. FOX of Pennsylvania.

H.R. 947: Mr. RILEY.

H.R. 956: Mr. WAXMAN.

H.R. 972: Mr. LUTHER.

H.R. 977: Mr. KUCINICH, Mr. LEWIS of California, and Mr. OXLEY.

H.R. 988: Mr. GUTIERREZ and Mr. HINCHEY.

H.R. 1002: Mr. MORAN of Virginia, Mr. BISHOP, Ms. KILPATRICK, and Mr. MENENDEZ.

H.R. 1015: Mr. MILLER of California, Ms. WOOLSEY, Mr. NADLER, Mrs. MINK of Hawaii, Mr. WEYGAND, and Mr. RUSH.

H.R. 1018: Mr. DELLUMS and Mr. EHLERS.

H.R. 1023: Mr. PASCRELL, Mr. COOK, Mr. BAESLER, Mr. DAVIS of Florida, Mr. CAMP, Mr. CHAMBLISS, Mr. LEWIS of California, Mr. JOHN, Mr. MICA, Mr. GILLMOR, Mr. WELDON of Florida, Mr. MORAN of Virginia, Mr. INGLIS of South Carolina, and Mr. MURTHA.

H.R. 1042: Mr. HASTERT, Ms. CHRISTIAN-GREEN, Mr. FROST, Mr. RUSH, Mr. JACKSON, Mr. HYDE, Mr. MANZULLO, Mr. LAHOOD, and Mr. SHIMKUS.

H.R. 1080: Mr. FRELINGHUYSEN.

H.R. 1125: Mr. MCINTYRE and Mr. SHAYS.

H.R. 1130: Mrs. MEEK of Florida, Mr. VENTO, Mr. HINCHEY, Mr. MATSUI, Mr. OBERSTAR, and Mr. RAHALL.

H.R. 1134: Mr. BEREUTER.

H.R. 1140: Mr. ALLEN and Mr. SAM JOHNSON.

H.R. 1156: Mr. PASCRELL.

H.R. 1169: Mr. BILBRAY and Mrs. MORELLA.

H.R. 1178: Mr. HINOJOSA.

H.R. 1202: Mr. CAMPBELL, Ms. PRYCE of Ohio, Mr. DELLUMS, Ms. FURSE, Mr. GALLEGLY, Mr. NADLER, Mr. ACKERMAN, and Mr. WAXMAN.

H.R. 1228: Mr. OWENS.

H.R. 1232: Mr. SOLOMON, Mr. DEUTSCH, Ms. RIVERS, Mr. KUCINICH, and Mr. BOYD.

H.R. 1234: Mr. PAYNE, Mr. FILNER, Ms. WATERS, Ms. NORTON, Mr. WATT of North Carolina, Mr. FORD, Mr. LEWIS of Georgia, and Ms. CHRISTIAN-GREEN.

H.R. 1260: Mr. TORRES, Ms. VELAZQUEZ, Mr. MORAN of Virginia, Mr. GREEN, Mr. OXLEY, Mr. DELAY, Mr. RANGEL, Mr. MEEHAN, Mr. BISHOP, Mr. GREENWOOD, Mr. LEVIN, Mr. BILBRAY, Mr. CUMMINGS, Mr. WYNN, Mr. MOAKLEY, and Mr. MATSUI.

H.R. 1270: Mr. SOLOMON, Mr. PAXON, Ms. STABENOW, and Mr. WHITE.

H.R. 1283: Mr. DAVIS of Virginia, Mr. DOOLITTLE, Mr. EHLERS, Mr. SHADEGG, Mr. GILLMOR, Mr. FAWELL, Ms. DUNN of Washington, Mr. COLLINS, and Mr. MCINTOSH.

H.R. 1288: Mr. FALEOMAVAEGA and Ms. SLAUGHTER.

H.R. 1321: Mr. HAMILTON, Mr. BEREUTER, and Mr. MEEHAN.

H.R. 1322: Mr. CONDIT, Ms. MOLINARI, and Mr. SAXTON.

H.R. 1323: Ms. LOFGREN and Ms. SLAUGHTER.

H.R. 1342: Mr. NETHERCUTT, Mr. HILL, Mr. MORAN of Kansas, Mr. BARRETT of Nebraska, Mr. BOB SCHAFFER, Mr. CHAMBLISS, Mr. LUCAS of Oklahoma, Mr. THUNE, Mr. COMBEST, and Mrs. CHENOWETH.

H.R. 1349: Ms. LOFGREN, Mr. FILNER, and Mr. RUSH.

H.R. 1360: Ms. MOLINARI, Ms. LOFGREN, and Mr. STARK.

H.R. 1369: Mr. ENGLISH of Pennsylvania, Mr. SMITH of New Jersey, Mr. FROST, and Mr. WHITFIELD.

H.R. 1375: Mr. BISHOP, Mr. MASCARA, Mr. EHLERS, and Mr. MCCOLLUM.

H.R. 1376: Mr. TORRES, Mr. MANTON, Mr. MENENDEZ, Mr. RUSH, and Mr. BARRETT of Wisconsin.

H.R. 1378: Mr. NORWOOD, Mr. DOOLITTLE, Mr. GRAHAM, Mr. RIGGS, Mr. BALLENGER, Mr. DICKEY, Mr. SNOWBARGER, Mr. SKEEN, Mr. CALLAHAN, Mrs. NORTHUP, Mr. BONO, Mr. ROHRABACHER, Mr. PAUL, Mr. GREENWOOD, Mr. SESSIONS, Mr. WHITE, Mr. GIBBONS, Mr. BRYANT, Mr. EVERETT, Mr. DAVIS of Virginia, Mr. COOK, Mr. BUNNING of Kentucky, Mr. WAMP, Mrs. FOWLER, Mr. GOSS, Mr. CHAMBLISS, Mr. MCINTOSH, Mr. LATHAM, Mr. DUNCAN, Mr. LUCAS of Oklahoma, and Mr. BLUNT.

H.R. 1438: Mr. LUTHER, Ms. RIVERS, Ms. LOFGREN, Mrs. MORELLA, and Mr. PETRI.

H.R. 1450: Ms. KAPTUR.

H.R. 1456: Mr. COMBEST.

H.J. Res. 54: Mr. MCGOVERN and Mr. MOAKLEY.

H.J. Res. 71: Mr. CONDIT, Ms. MOLINARI, and Mr. SAXTON.

H. Con. Res. 13: Mr. ENGLISH of Pennsylvania, Mrs. THURMAN, Mr. LAFALCE, Mr. DEUTSCH, Mr. WELDON of Pennsylvania, Mrs. JOHNSON of Connecticut, Mr. CAPPS, Mr. DUNCAN, Mr. SISISKY, Mr. BARCIA of Michigan, Mr. BLAGOJEVICH, and Mr. LAMPSON.

H. Con. Res. 23: Mr. WATT of North Carolina.

H. Con. Res. 40: Mr. PRICE of North Carolina and Mr. BLUMENAUER.

H. Con. Res. 52: Mr. BALDACCI, Mr. NEY, Mr. HILLIARD, Mr. ADAM SMITH of Washington, Mr. FORBES, Mr. BENTSEN, Ms. LOFGREN, and Mr. GREEN.

H. Con. Res. 65: Mr. DICKS, Mr. ALLEN, Ms. LOFGREN, and Mr. ADAM SMITH of Washington.

H. Res. 38: Mr. MILLER of California, Mr. EHRLICH, Mrs. MALONEY of New York, Mr. GOODLATTE, Mr. REYES, Mrs. KENNELLY of Connecticut, Mr. MALONEY of Connecticut, Mr. DAVIS of Illinois, Mr. MOAKLEY, Mr. WEYGAND, Ms. MILLENDER-MCDONALD, Mr. PAYNE, Mr. NEAL of Massachusetts, Mr. HINOJOSA, and Mr. KILDEE.

H. Res. 39: Mr. KUCINICH.

H. Res. 96: Mr. WAXMAN, Mrs. MINK of Hawaii, Ms. FURSE, Mr. SHAYS, Mrs. MORELLA, Mr. ALLEN, and Mr. EVANS.

H. Res. 131: Ms. WOOLSEY, Mr. FILNER, Mr. MARTINEZ, Mr. MATSUI, Ms. CHRISTIAN-GREEN, Mr. FROST, and Ms. SLAUGHTER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 695: Mr. SOLOMON.

H.R. 1031: Mrs. CLAYTON.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2

OFFERED BY: MS. DEGETTE

AMENDMENT NO. 1: Page 71, line 19, before the semicolon insert ''and including child care services for public housing residents''.

H.R. 2

OFFERED BY: MR. DELAY

AMENDMENT NO. 2: Page 99, after line 11, insert the following new subsection:

(e) TIME LIMITATION ON OCCUPANCY BY FAMILIES RECEIVING WELFARE ASSISTANCE.—

(1) 2-YEAR LIMITATION.—Each public housing agency shall limit the duration of occupancy in a public housing dwelling unit of any family that includes an individual who, as an adult, receives assistance under any welfare program (or programs) for 24 consecutive months occurring after the effective date of this Act, to such 24 consecutive months.

(2) TREATMENT OF TEMPORARY STOPPAGE OF ASSISTANCE.—For purposes of paragraph (1), nonconsecutive months in which an individual receives assistance under a welfare program shall be treated as being consecutive if such months are separated by a period of 6 months or less during which the individual does not receive such assistance.

(3) INAPPLICABILITY TO PHA'S WITHOUT WAITING LISTS.—The provisions of paragraph (1) shall not apply to any public housing agency that, upon the conclusion of the 24-month period referred to in such paragraph for any family, does not have any eligible families on a waiting list for occupancy in such public housing who are without units because of a lack of available units.

(4) EXCEPTIONS FOR WORKING, ELDERLY, AND DISABLED FAMILIES.—The provisions of paragraph (1) shall not apply to—

(A) any family that contains an adult member who, during the 24-month period referred to in such paragraph, obtains employment; except that, if at any time during the 12-month period beginning upon the commencement of such employment, the family does not contain an adult member who has employment, the provisions of paragraph (1) shall apply and the nonconsecutive months during which the family did not contain an employed member shall be treated for purposes of such paragraph as being consecutive;

(B) any elderly family; or

(C) any disabled family.

(5) PREFERENCES FOR FAMILIES MOVING TO FIND EMPLOYMENT.—A public housing agency may, in establishing preferences under section 321(d), provide a preference for any family that—

(A) occupied a public housing dwelling unit owned or operated by a different public housing agency, but was limited in the duration of such occupancy by reason of paragraph (1) of this subsection; and

(B) is determined by the agency to have moved to the jurisdiction of the agency to obtain employment.

(6) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

(A) WELFARE PROGRAM.—The term ''welfare program'' means a program for aid or assistance under a State program funded under part A of title IV of the Social Security Act (as in effect before or after the effective date of the amendments made by section 103(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996).

(B) EMPLOYMENT.—The term ''employment'' means employment in a position that—

(i) is not a job training or work program required under a welfare program; and

(ii) involves an average of 20 or more hours of work per week.

H.R. 2

OFFERED BY: MR. FRANK

AMENDMENT NO. 3: Page 35, after line 23, insert the following new subsection:

(h) EFFECTIVENESS ONLY IF FUNDED.—

(1) APPLICABILITY OF REQUIREMENTS ONLY IN YEARS FUNDED.—Subject only to paragraph (2) and notwithstanding any other provision of this section, this section shall be effective for any fiscal year only if amounts are or have been provided in appropriation Acts for such fiscal year specifically for covering all costs of public housing agencies of entering into, monitoring, and enforcing agreements under this section and other costs arising from such agreements. There are authorized to be appropriated for each fiscal year such sums as may be necessary for providing assistance to public housing agencies to cover such costs.

(2) EFFECT OF FAILURE TO FUND.—If, for any fiscal year, the amounts required under paragraph (1) are not provided, this section shall be applied for such fiscal year as follows:

(A) SUBSTITUTION OF OPTION FOR REQUIREMENTS.—The following substitutions shall apply:

(i) Substitute ''may'' for ''shall'' in each of the following places:

(I) The first place such term appears in subsection (a)(1).

(II) In subsection (b)(1).

(III) The first place such term appears in subsection (d)(1).

(IV) In subsection (e).

(ii) In subsection (a)(2), substitute ''Any'' for ''The''.

(iii) In subsection (a)(3), substitute ''any requirement'' for ''the requirement''.

(iv) In subsection (b)(2), substitute ''any target date'' for ''the target date''.

(v) In the second sentence of subsection (d)(1), substitute ''any such agreement'' for ''the agreement''.

(vi) In subsection (d)(2)—

(I) in the matter preceding subparagraph (A), substitute ''Any'' for ''An'';

(II) in subparagraph (B), substitute ''any requirements'' for ''the requirements''; and

(III) in subparagraph (C), substitute ''Any'' for ''The''.

(vii) In subsection (e)—

(I) in paragraph (1), substitute ''any requirement'' for ''the requirement''; and

(II) in paragraph (2), substitute ''any conditions'' for ''the conditions''.

(B) TREATMENT OF CONTRACTS.—If a public housing agency so chooses (in the sole discretion of the agency), any requirement under subsection (a) or (b) that is contained in any community work and family self-sufficiency contract under subsection (d) previously entered into by the agency or in any provision previously incorporated pursuant to subsection (e) into any lease for public housing of the agency or housing assisted under title III by the agency shall be treated, for such fiscal year, as not having any force or effect.

H.R. 2

OFFERED BY: MR. FRANK

AMENDMENT NO. 4: Page 89, after line 13, insert the following:

(e) OPERATING FUND AMOUNTS.—For each of fiscal years 1998, 1999, 2000, 2001, and 2002, the Congress shall provide for the allocations from the operating fund for grants such amounts as are necessary to enable public housing agencies to fully serve family, elderly, and disabled households with the range of income levels reflected in their local housing management plans and permissible under this Act, based on public policy and not on the need to generate revenue. Such amount shall not, for any fiscal year, be less than—

(1) for any fiscal year described in subsection (b)(2), the full amount for all public housing agencies determined in accordance with the performance funding system under section 9 of the United States Housing Act of 1937, as in effect upon the date of the enactment of this Act, as revised pursuant to subparagraphs (C) and (D) of subsection (d)(1); or

(2) for any fiscal year described in subsection (b)(1), the full amount for all public housing agencies determined under subsection 204(b)(1).

The minimum amount required, under paragraph (1) or (2) shall not be reduced for any fiscal year by estimates of the Department of Housing and Urban Development of cost reductions or of increases in income that have not been realized in advance of the fiscal year.

H.R. 2

OFFERED BY: MR. FRANK

AMENDMENT NO. 5: Page 102, strike line 1 and all that follows through line 7 on page 104, and insert the following:

SEC. 225. FAMILY RENTAL PAYMENT.

(a) RENTAL CONTRIBUTION BY RESIDENT.—A family residing in a public housing dwelling shall pay as monthly rent for the unit an amount, determined by the public housing agency, that does not exceed the greatest of the following amounts (rounded to the nearest dollar):

(A) 30 percent of the monthly adjusted income of the family.

(B) 10 percent of the monthly income of the family.

(C) If the family is receiving payments for welfare assistance from a public agency and a part of such payments, adjusted in accordance with the actual housing costs of the family, is specifically designated by such agency to meet the housing costs of the family, the portion of such payments that is so designated.

(b) MINIMUM RENTAL AMOUNT.—Each public housing agency shall require

Page 105, strike line 21 and all that follows through line 19 on page 106.

Page 107, strike '', except that'' on line 2 and all that follows through line 5, and insert a period.

H.R. 2

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 6: Page 170, line 24, after ''agency'' insert ''or other state and local government entities''

H.R. 2

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 7: Page 287, after line 15, insert the following:

(6) TENANT RENTS.—

(A) IN GENERAL.—An owner of qualified housing may provide, with respect to such housing, that, notwithstanding section 3(a)(1) of the United States Housing Act of 1937, the rent paid by tenants of assisted dwelling units in such housing shall be the lower of the amount provided under such section 3(a)(1) or 60 percent of the fair market rental established pursuant to section 8(c)(1) of such Act for the area and size of dwelling unit occupied by the tenant. Upon the request of an owner, the Secretary may provide for rent limitations under this paragraph for qualified housing that are higher or lower than 60 percent of the fair market rental on the basis of the Secretary's finding that such variations are necessary to carry out the provisions of this paragraph and are consistent with the purposes of this paragraph.

(B) QUALIFIED HOUSING.—For purposes of this subparagraph, the term ''qualified housing'' means housing for which—

(i) section 8 project-based assistance is provided; and

(ii) not more than 15 percent of the tenants have rents, at the time the owner first limits rents pursuant to subparagraph (A), in an amount exceeding the maximum amount provided pursuant to the limitation under subparagraph (A).

(C) LIMITATION BASED ON TENANTS INCOMES.—If, at any time, in a housing project for which section 8 project-based assistance is provided, more than 40 percent of the tenants would be paying a rent limited by 60 percent of the fair market rental, any rent limitation applicable under this paragraph to such project shall not thereafter apply to any tenant not subject at such time to the rent limitation, until the percentage of tenants in the project eligible for such limited rent decreases to below 40 percent.

(D) INAPPLICABILITY TO ELDERLY-ONLY PROJECTS.—The provisions of this paragraph shall not apply with respect to any housing project that is designated for occupancy only by elderly families.

Page 287, line 16, strike ''(6)'' and insert ''(7)''.

H.R. 2

OFFERED BY: MR. JACKSON OF ILLINOIS

AMENDMENT NO. 8: Page 25, line 25, strike the second comma and all that follows through the comma in line 3 on page 26.

Page 27, after line 10, insert the following:

(4) RIGHTS OF OCCUPANCY.—This subsection may not be construed (nor may any provision of subsection (d) or (e)) to create a right on the part of any public housing agency to evict or terminate assistance for a family solely on the basis of any failure of the family to comply with the community work requirement under paragraph (1).

Page 33, line 14, before the comma insert ''(except to the extent that this section specifically limits any authority to evict or terminate assistance)''.

H.R. 2

OFFERED BY: MR. JACKSON OF ILLINOIS

AMENDMENT NO. 9: Page 27, line 7, strike ''or''.

Page 27, line 10, strike the period and insert ''; or''.

Page 27, after line 10, insert the following:

(E) a single parent, grandparent, or spouse of an otherwise exempt individual, who is the primary caretaker of 1 or more—

(i) children who are 6 years of age or under;

(ii) elderly persons; or

(iii) persons with disabilities.

Page 29, line 3, strike ''or''.

Page 29, line 6, strike the period and insert ''; or''.

Page 29, after line 6, insert the following:

(5) a single parent, grandparent, or spouse of an otherwise exempt individual, who is the primary caretaker of 1 or more—

(A) children who are 6 years of age or under;

(B) elderly persons; or

(C) persons with disabilities.

H.R. 2

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

(AMENDMENT IN THE NATURE OF A SUBSTITUTE)

AMENDMENT NO. 10: Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Public Housing Management Reform Act of 1997''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows—

Sec. 1. Short title and table of contents.
Sec. 2. Findings and purposes.

TITLE I—PUBLIC HOUSING AND RENT REFORMS

Sec. 101. Establishment of capital and operating funds.
Sec. 102. Determination of rental amounts for residents.
Sec. 103. Minimum rents for public housing and section 8.
Sec. 104. Public housing ceiling rents.
Sec. 105. Disallowance of earned income from public housing and section 8 rent and family contribution determinations.
Sec. 106. Public housing homeownership.
Sec. 107. Public housing agency plan.
Sec. 108. PHMAP indicators for small PHA's.
Sec. 109. PHMAP self-sufficiency indicator.
Sec. 110. Expansion of powers for dealing with PHA's.
Sec. 111. Public housing site-based waiting lists.
Sec. 112. Community service requirements for public housing and section 8 programs.
Sec. 113. Comprehensive improvement assistance program streamlining.
Sec. 114. Flexibility for PHA funding.
Sec. 115. Replacement housing resources.
Sec. 116. Repeal of one-for-one replacement housing requirement.
Sec. 117. Demolition, site revitalization, replacement housing, and tenant-based assistance grants for developments.
Sec. 118. Performance evaluation board.
Sec. 119. Economic development and supportive services for public housing residents.

Sec. 120. Penalty for slow expenditure of modernization funds.
Sec. 121. Designation of PHA's as troubled.
Sec. 122. Volunteer services under the 1937 Act.
Sec. 123. Authorization of appropriations for operation safe home program.

TITLE II—SECTION 8 STREAMLINING

Sec. 201. Permanent repeal of Federal preferences.
Sec. 202. Income targeting for public housing and section 8 programs.
Sec. 203. Merger of tenant-based assistance programs.
Sec. 204. Section 8 administrative fees.
Sec. 205. Section 8 homeownership.
Sec. 206. Welfare to work certificates.
Sec. 207. Effect of failure to comply with public assistance requirements.
Sec. 208. Streamlining section 8 tenant-based assistance.
Sec. 209. Nondiscrimination against certificate and voucher holders.
Sec. 210. Recapture and reuse of ACC project reserves under tenant-based assistance program.
Sec. 211. Expanding the coverage of the Public and Assisted Housing Drug Elimination Act of 1990.
Sec. 212. Study regarding rental assistance.

TITLE III—''ONE-STRIKE AND YOU'RE OUT'' OCCUPANCY PROVISIONS

Sec. 301. Screening of applicants.
Sec. 302. Termination of tenancy and assistance.
Sec. 303. Lease requirements.
Sec. 304. Availability of criminal records for public housing tenant screening and eviction.
Sec. 305. Definitions.
Sec. 306. Conforming amendments.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) we have a shared national interest in creating safe, decent and affordable housing because, for all Americans, housing is an essential building block toward holding a job, getting an education, participating in the community, and helping fulfill our national goals;

(2) the American people recognized this shared national interest in 1937, when we created a public housing program dedicated to meeting these needs while creating more hope and opportunity for the American people;

(3) for 60 years America's public housing system has provided safe, decent, and affordable housing for millions of low-income families, who have used public housing as a stepping stone toward greater stability, independence, and homeownership;

(4) today, more than 3,300 local public housing agencies—95 percent of all housing agencies throughout America—are providing a good place for families to live and fulfilling their historic mission;

(5) yet, for all our progress as a nation, today, only one out of four Americans who needs housing assistance receives it;

(6) at the same time, approximately 15 percent of the people who live in public housing nationwide live in housing with management designated as ''troubled'';

(7) for numerous developments at these troubled public housing agencies and elsewhere, families face a overwhelming mix of crime, drug trafficking, unemployment, and despair, where there is little hope for a better future or a better life;

(8) the past 60 years have resulted in a system where outdated rules and excessive government regulation are limiting our ability to propose innovative solutions and solve problems, not only at the relatively few local public housing agencies designated as troubled, but at the 3,300 that are working well;

(9) obstacles faced by those agencies that are working well—multiple reports and cumbersome regulations—make a compelling case for deregulation and for concentration by the Department of Housing and Urban Development on fulfillment of the program's basic mission;

(10) all told, the Department has drifted from its original mission, creating bureaucratic processes that encumber the people and organizations it is supposed to serve;

(11) under a framework enacted by Congress, the Department has begun major reforms to address these problems, with dramatic results;

(12) public housing agencies have begun to demolish and replace the worst public housing, reduce crime, promote resident self-sufficiency, upgrade management, and end the isolation of public housing developments from the working world;

(13) the Department has also recognized that for public housing to work better, the Department needs to work better, and has begun a major overhaul of its organization, streamlining operations, improving management, building stronger partnerships with state and local agencies and improving its ability to take enforcement actions where necessary to assure that its programs serve their intended purposes; and

(14) for these dramatic reforms to succeed, permanent legislation is now needed to continue the transformation of public housing agencies, strip away outdated rules, provide necessary enforcement tools, and empower the Department and local agencies to meet the needs of America's families.

(b) PURPOSE.—It is the purpose of this Act—

(1) to completely overhaul the framework and rules that were put in place to govern public housing 60 years ago;

(2) to revolutionize the way public housing serves its clients, fits in the community, builds opportunity, and prepares families for a better life;

(3) to reaffirm America's historic commitment to safe, decent, and affordable housing and to remove the obstacles to meeting that goal;

(4) to continue the complete and total overhaul of management of the Department;

(5) to dramatically deregulate and reorganize the Federal Government's management and oversight of America's public housing;

(6) to ensure that local public housing agencies spend more time delivering vital services to residents and less time complying with unessential regulations or filing unessential reports;

(7) to achieve greater accountability of taxpayer funds by empowering the Federal Government to take firmer, quicker, and more effective actions to improve the management of troubled local housing authorities and to crack down on poor performance;

(8) to preserve public housing as a rental resource for low-income Americans, while breaking down the extreme social isolation of public housing from mainstream America;

(9) to provide for revitalization of severely distressed public housing, or its replacement with replacement housing or tenant-based assistance;

(10) to integrate public housing reform with welfare reform so that welfare recipients—many of whom are public housing residents—can better chart a path to independence and self-sufficiency;

(11) to anchor in a permanent statute needed changes that will result in the continued transformation of the public housing and tenant-based assistance programs—including deregulating well-performing housing agencies, ensuring accountability to the public, providing sanctions for poor performers, and providing additional management tools;

(12) to streamline and simplify the tenant-based Section 8 program and to make this program workable for providing homeownership; and

(13) through these comprehensive measures, to reform the United States Housing Act of 1937 and the programs thereunder.

TITLE I—PUBLIC HOUSING AND RENT REFORMS

SEC. 101. ESTABLISHMENT OF CAPITAL AND OPERATING FUNDS.

(a) CAPITAL FUND.—Section 14(a) of the United States Housing Act of 1937 is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) by inserting the paragraph designation ''(2)'' before ''It is the purpose''; and

(3) by inserting the following new paragraph (1) immediately after the subsection designation ''(a)'':

''(1) The Secretary shall establish a Capital Fund under this section for the purpose of making assistance available to public housing agencies in accordance with this section.''.

(b) OPERATING FUND.—Section 9(a) of the United States Housing Act of 1937 is amended by striking ''SEC. 9. (a)(1)(A) In addition to'' and inserting the following:

''SEC. 9. (a) The Secretary shall establish an Operating Fund under this section for the purpose of making assistance available to public housing agencies in accordance with this section.

''(1)(A) In addition to''.

SEC. 102. DETERMINATION OF RENTAL AMOUNTS FOR RESIDENTS OF PUBLIC HOUSING.

(a) IN GENERAL.—Section 3 of the United States Housing Act of 1937 is amended—

(1) in subsection (a)(1), by revising subparagraph (A) to read as follows:

''(A)(i) if the family is assisted under section 8 of this Act, 30 percent of the family's monthly adjusted income; or

''(ii) if the family resides in public housing, an amount established by the public housing agency not to exceed 30 percent of the family's monthly adjusted income;''; and

(2) in subsection (b)(5)—

(A) after the semicolon following subparagraph (F), by inserting ''and'';

(B) in subparagraph (G), by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (H).

(b) REVISED OPERATING SUBSIDY FORMULA.—The Secretary, in consultation with interested parties, shall establish a revised formula for allocating operating assistance under section 9 of the United States Housing Act of 1937, which formula may include such factors as:

(1) standards for the costs of operation and reasonable projections of income, taking into account the character and location of the public housing project and characteristics of the families served, or the costs of providing comparable services as determined with criteria or a formula representing the operations of a prototype well-managed public housing project;

(2) the number of public housing dwelling units owned and operated by the public housing agency, the percentage of those units that are occupied by very low-income families, and, if applicable, the reduction in the number of public housing units as a result of any conversion to a system of tenant-based assistance;

(3) the degree of household poverty served by a public housing agency;

(4) the extent to which the public housing agency provides programs and activities designed to promote the economic self-sufficiency and management skills of public housing tenants;

(5) the number of dwelling units owned and operated by the public housing agency that are chronically vacant and the amount of assistance appropriate for those units;

(6) the costs of the public housing agency associated with anti-crime and anti-drug activities, including the costs of providing adequate security for public housing tenants;

(7) the ability of the public housing agency to effectively administer the Operating Fund distribution of the public housing agency;

(8) incentives to public housing agencies for good management;

(9) standards for the costs of operation of assisted housing compared to unassisted housing; and

(10) an incentive to encourage public housing agencies to increase nonrental income and to increase rental income attributable to their units by encouraging occupancy by families whose incomes have increase while in occupancy and newly admitted families; such incentive shall provide that the agency shall derive the full benefit of any increase in nonrental or rental income, and such increase shall not result in a decrease in amounts provided to the agency under this title; in addition, an agency shall be permitted to retain, from each fiscal year, the full benefit of such an increase in nonrental or rental income, except to the extent that such benefit exceeds (A) 100 percent of the total amount of the operating amounts for which the agency is eligible under this section, and (B) the maximum balance permitted for the agency's operating reserve under this section and any regulations issued under this section.

(c) TRANSITION PROVISION.—Prior to the establishment and implementation of an operating subsidy formula under subsection (b), if a public housing agency establishes a rental amount that is less than 30 percent of the family's monthly adjusted income pursuant to section 3(a)(1)(A)(ii) of the United States Housing Act of 1937, as amended by subsection (a)(1), the Secretary shall not take into account any reduction of or increase in the public housing agency's per unit dwelling rental income resulting from the use of such rental amount when calculating the contributions under section 9 of the United States Housing Act of 1937 for the public housing agency for the operation of the public housing.

SEC. 103. MINIMUM RENTS FOR PUBLIC HOUSING AND SECTION 8 PROGRAMS.

The second sentence of section 3(a)(1) of the United States Housing Act of 1937 is amended—

(1) at the end of subparagraph (B), by striking ''or'';

(2) in subsection (C), by striking the period and inserting ''; or''; and

(3) by inserting the following at the end:

''(D) $25.

Where establishing the rent or family contribution based on subparagraph (D) would otherwise result in undue hardship (as defined by the Secretary or the public housing agency) for one or more categories of affected families described in the next sentence, the Secretary or the public housing agency may exempt one or more such categories from the requirements of this paragraph and may require a lower minimum monthly rental contribution for one or more such categories. The categories of families described in this sentence shall include families subject to situations in which (i) the family has lost eligibility for or is awaiting an eligibility determination for a Federal, State, or local assistance program; (ii) the family would be evicted as a result of the imposition of the minimum rent requirement under subsection (c); (iii) the income of the family has decreased because of changed circumstance, including loss of employment; and (iv) a death in the family has occurred; and other families subject to such situations as may be determined by the Secretary or the agency. Where the rent or contribution of a family would otherwise be based on subparagraph (D) and a member of the family is an immigrant lawfully admitted for permanent residence (as those terms are defined in sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15) and 8 U.S.C. 1101(a)(20)) who would have been entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, notwithstanding any other provision of this section, a public housing agency shall exempt the family from the requirements of this paragraph.''.

SEC. 104. PUBLIC HOUSING CEILING RENTS.

(a) Section 3(a)(2)(A) of the United States Housing Act of 1937, as amended by section 402(b)(1) of The Balanced Budget Downpayment Act, I, is amended to read as follows:

''(A) adopt ceiling rents that reflect the reasonable market value of the housing, but that are not less than—

''(i) for housing other than housing predominantly for elderly or disabled families (or both), 75 percent of the monthly cost to operate the housing of the agency;

''(ii) for housing predominantly for elderly or disabled families (or both), 100 percent of the monthly cost to operate the housing of the agency; and

''(iii) the monthly cost to make a deposit to a replacement reserve (in the sole discretion of the public housing agency); and''.

(b) Notwithstanding section 402(f) of The Balanced Budget Downpayment Act, I, the amendments made by section 402(b) of that Act shall remain in effect after fiscal year 1997.

SEC. 105. DISALLOWANCE OF EARNED INCOME FROM PUBLIC HOUSING AND SECTION 8 RENT AND FAMILY CONTRIBUTION DETERMINATIONS.

(a) IN GENERAL.—Section 3 of the United States Housing Act of 1937 is amended—

(1) by striking the undesignated paragraph at the end of subsection (c)(3) (as added by section 515(b) of Public Law 101-625); and

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

''(d) DISALLOWANCE OF EARNED INCOME FROM PUBLIC HOUSING AND SECTION 8 RENT AND FAMILY CONTRIBUTION DETERMINATIONS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the rent payable under subsection (a) by, the family contribution determined in accordance with subsection (a) for, a family—

''(A) that—

''(i) occupies a unit in a public housing project; or

''(ii) receives assistance under section 8; and

''(B) whose income increases as a result of employment of a member of the family who was previously unemployed for one or more years (including a family whose income increases as a result of the participation of a family member in any family self-sufficiency or other job training program);may not be increased as a result of the increased income due to such employment during the 18-month period beginning on the date on which the employment is commenced.

''(2) PHASE-IN OF RATE INCREASES.—After the expiration of the 18-month period referred to in paragraph (1), rent increases due to the continued employment of the family member described in paragraph (1)(b) shall be phased in over a subsequent 3-year period.

''(3) OVERALL LIMITATION.—Rent payable under subsection (a) shall not exceed the amount determined under subsection (a).''.

(b) APPLICABILITY OF AMENDMENT.—

(1) PUBLIC HOUSING.—Notwithstanding the amendment made by subsection (a), any tenant of public housing participating in the program under the authority contained in the undesignated paragraph at the end of the section 3(c)(3) of the United States Housing Act of 1937, as that paragraph existed on the day before the date of enactment this Act, shall be governed by that authority after that date.

(2) SECTION 8.—The amendments made by subsection (a) shall apply to tenant-based assistance provided by a public housing agency under section 8 of the United States Housing Act of 1937 on and after October 1, 1998, but shall apply only to the extent approved in appropriation Acts.

SEC. 106. PUBLIC HOUSING HOMEOWNERSHIP.

Section 5(h) of the United States Housing Act of 1937 is amended—

(1) in the first sentence, by striking ''lower income tenants,'' and inserting the following: ''low-income tenants, or to any organization serving as a conduit for sales to such tenants,''; and

(2) by adding the following two sentences at the end: ''In the case of purchase by an entity that is an organization serving as a conduit for sales to such tenants, the entity shall sell the units to low-income families within five years from the date of its acquisition of the units. The entity shall use any net proceeds from the resale and from managing the units, as determined in accordance with guidelines of the Secretary, for housing purposes, such as funding resident organizations and reserves for capital replacements.''.

SEC. 107. PUBLIC HOUSING AGENCY PLAN.

The United States Housing Act of 1937 is amended by inserting after section 5 the following new section:

''SEC. 5A. PUBLIC HOUSING AGENCY PLAN.

''(a) CONTENTS OF PLAN.—(1) Each public housing agency shall submit to the Secretary a public housing agency plan that shall consist of the following parts, as applicable—

''(A) A statement of the housing needs of low-income and very low-income families residing in the community served by the public housing agency, and of other low-income families on the waiting list of the agency (including the housing needs of elderly families and disabled families), and the means by which the agency intends, to the maximum extent practicable, to address such needs.

''(B) The procedures for outreach efforts (including efforts that are planned and that have been executed) to homeless families and to entities providing assistance to homeless families, in the jurisdiction of the public housing agency.

''(C) For assistance under section 14, a 5-year comprehensive plan, as described in section 14(e)(1).

''(D) For assistance under section 14, the annual statement, as required under section 14(e)(3).

''(E) An annual description of the public housing agency's plans for the following activities—

''(i) demolition and disposition under section 18;

''(ii) homeownership under section 5(h); and

''(iii) designated housing under section 7.

''(F) An annual submission by the public housing agency consisting of the following information—

''(i) tenant selection admission and assignment policies, including any admission preferences;

''(ii) rent policies, including income and rent calculation methodology, minimum rents, ceiling rents, and income exclusions, disregards, or deductions;

''(iii) any cooperation agreements between the public housing agency and State welfare and employment agencies to target services to public housing residents (public housing agencies shall use best efforts to enter into such agreements); and

''(iv) anti-crime and security plans, including—

''(I) a strategic plan for addressing crime on or affecting the sites owned by the agency, which shall provide, on a development-by-development basis, for measures to ensure the safety of public housing residents, shall be established, with respect to each development, in consultation with the police officer or officers in command for the precinct in which the development is located, shall describe the need for measures to ensure the safety of public housing residents and for crime prevention measures, describe any such activities conducted, or to be conducted, by the agency, and provide for coordination between the public housing agency and the appropriate police precincts for carrying out such measures and activities;

''(II) a statement of activities in furtherance of the strategic plan to be carried out with assistance under the Public and Assisted Housing Drug Elimination Act of 1990;

''(III) performance criteria regrading the effective use of such assistance; and

''(IV) any plans for the provision of anti-crime assistance to be provided by the local government in addition to the assistance otherwise required to be provided by the agreement for local cooperation under section 5(e)(2) or other applicable law.

Where a public housing agency has no changes to report in any of the information required under this subparagraph since the previous annual submission, the public agency shall only state in its annual submission that it has made no changes. If the Secretary determines, at any time, that the security needs of a development are not being adequately addressed by the strategic crime plan for the agency under clause (iv)(I), or that the local police precinct is not complying with the plan, the Secretary may mediate between the public housing agency and the local precinct to resolve any issues of conflict. If after such mediation has occurred and the Secretary determines that the security needs of the development are not adequately addressed, the Secretary may require the public housing agency to submit an amended plan.

''(G) Other appropriate information that the Secretary requires for each public housing agency that is—

''(i) at risk of being designated as troubled under section 6(j); or

''(ii) designated as troubled under section 6(j).

''(H) Other information required by the Secretary in connection with the provision of assistance under section 9.

''(I) An annual certification by the public housing agency that it has met the citizen participation requirements under subsection (b).

''(J) An annual certification by the public housing agency that it will carry out the public housing agency plan in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing.

''(K) An annual certification by the public housing agency that the public housing agency plan is consistent with the approved Consolidated Plan for the locality.

''(2) The Secretary may provide for more frequent submissions where the public housing agency proposes to amend any parts of the public housing agency plan.

''(b) CITIZEN PARTICIPATION REQUIREMENTS.—In developing the public housing agency plan under subsection (a), each public housing agency shall consult with appropriate local government officials and with tenants of the housing projects, which shall include at least one public hearing that shall be held prior to the adoption of the plan, and afford tenants and interested parties an opportunity to summarize their priorities and concerns, to ensure their due consideration in the planning process of the public housing agency.

''(c) PERFORMANCE REPORTS.—The Secretary shall require the public housing agency to submit any information that the Secretary determines is appropriate or necessary to assess the management performance of public housing agencies and resident management corporations under section 6(j) and to monitor assistance provided under this Act. To the maximum extent feasible, the Secretary shall require such information in one report, as part of the annual submission of the agency under subsection (a).

''(d) STANDARDS FOR DETERMINATION OF NONCOMPLIANCE.—After submission by a public housing agency of a public housing agency plan under subsection (a), the Secretary shall determine whether the plan complies with the requirements under this section. The Secretary may determine that a plan does not comply with the requirements under this section only if—

''(1) the plan is incomplete in significant matters required under this section;

''(2) there is evidence available to the Secretary that challenges, in a substantial manner, any information provided in the plan;

''(3) the Secretary determines that the plan does not comply with Federal law or violates the purposes of this Act because it fails to provide housing that will be viable on a long-term basis at a reasonable cost;

''(4) the plan plainly fails to adequately identify the needs of low-income families for housing assistance in the jurisdiction of the agency;

''(5) the plan plainly fails to adequately identify the capital improvement needs for public housing developments in the jurisdiction of the agency;

''(6) the activities identified in the plan are plainly inappropriate to address the needs identified in the plan; or

''(7) the plan is inconsistent with the requirements of this Act.

''(e) WAIVER AUTHORITY.—The Secretary may waive, or specify alternative requirements for, any requirements under this section that the Secretary determines are burdensome or unnecessary for public housing agencies that only administer tenant-based assistance and do not own or operate public housing.''.

SEC. 108. PHMAP INDICATORS FOR SMALL PHA'S.

Section 6(j)(1) of the United States Housing Act of 1937 is amended by—

(1) redesignating subparagraphs (A) through (I) as clauses (i) through (ix);

(2) redesignating clauses (1), (2), and (3) in clause (ix), as redesignated by paragraph (1), as subclauses (I), (II), and (III) respectively;

(3) in the fourth sentence, inserting immediately before clause (i), as redesignated, the following new subparagraph:

''(A) For public housing agencies that own or operate 250 or more public housing dwelling units—''; and

(4) adding the following new subparagraph at the end:

''(B) For public housing agencies that own and operate fewer than 250 public housing dwelling units—

''(i) The number and percentage of vacancies within an agency's inventory, including the progress that an agency has made within the previous 3 years to reduce such vacancies.

''(ii) The percentage of rents uncollected.

''(iii) The ability of the agency to produce and use accurate and timely records of monthly income and expenses and to maintain at least a 3-month reserve.

''(iv) The annual inspection of occupied units and the agency's ability to respond to maintenance work orders.

''(v) Any one additional factor that the Secretary may determine to be appropriate.''.

SEC. 109. PHMAP SELF-SUFFICIENCY INDICATOR.

Section 6(j)(1)(A) of the United States Housing Act of 1937, as amended by section 108 of this Act, is amended at the end by adding the following new clause:

''(x) The extent to which the agency coordinates and promotes participation by families in programs that assist them to achieve self-sufficiency.''.

SEC. 110. EXPANSION OF POWERS FOR DEALING WITH PHA'S IN SUBSTANTIAL DEFAULT.

(a) IN GENERAL.—Section 6(j)(3) of the United States Housing Act of 1937 is amended—

(1) in subparagraph (A)—

(A) by amending clause (i) to read as follows:

''(i) solicit competitive proposals from other public housing agencies and private housing management agents which, in the discretion of the Secretary, may be selected by existing public housing residents through administrative procedures established by the Secretary; if appropriate, these proposals shall provide for such agents to manage all, or part, of the housing administered by the public housing agency or all or part of the other programs of the agency;'';

(B) by redesignating clause (iv) as clause (v) and amending it to read as follows:

''(v) require the agency to make other arrangements acceptable to the Secretary and in the best interests of the public housing residents and families assisted under section 8 for managing all, or part, of the public housing administered by the agency or of the programs of the agency.''; and

(C) by inserting a new clause (iv) after clause (iii) to read as follows:

''(iv) take possession of all or part of the public housing agency, including all or part of any project or program of the agency, including any project or program under any other provision of this title; and''; and

(2) by striking subparagraphs (B) through (D) and inserting in lieu thereof the following:

''(B)(i) If a public housing agency is identified as troubled under this subsection, the Secretary shall notify the agency of the troubled status of the agency.

''(ii) Upon the expiration of the 1-year period beginning on the later of the date on which the agency receives notice from the Secretary of the troubled status of the agency under clause (i) and the date of enactment of the Public Housing Management Reform Act of 1997, the Secretary shall—

''(I) in the case of a troubled public housing agency with 1,250 or more units, petition for the appointment of a receiver pursuant to subparagraph (A)(ii); or

''(II) in the case of a troubled public housing agency with fewer than 1,250 units, either—

''(aa) petition for the appointment of a receiver pursuant to subparagraph (A)(ii); or

''(bb) appoint, on a competitive or noncompetitive basis, an individual or entity as an administrative receiver to assume the responsibilities of the Secretary for the administration of all or part of the public housing agency (including all or part of any project

or program of the agency), provided the Secretary has taken possession of all or part of the public housing agency (including all or part of any project or program of the agency) pursuant to subparagraph (A)(iv).

''(C) If a receiver is appointed pursuant to subparagraph (A)(ii), in addition to the powers accorded by the court appointing the receiver, the receiver—

''(i) may abrogate any contract to which the United States or an agency of the United States is not a party that, in the receiver's written determination (which shall include the basis for such determination), substantially impedes correction of the substantial default, but only after the receiver determines that reasonable efforts to renegotiate such contract have failed;

''(ii) may demolish and dispose of all or part of the assets of the public housing agency (including all or part of any project of the agency) in accordance with section 18, including disposition by transfer of properties to resident-supported nonprofit entities;

''(iii) if determined to be appropriate by the Secretary, may seek the establishment, as permitted by applicable State and local law, of one or more new public housing agencies;

''(iv) if determined to be appropriate by the Secretary, may seek consolidation of all or part of the agency (including all or part of any project or program of the agency), as permitted by applicable State and local laws, into other well-managed public housing agencies with the consent of such well-managed agencies; and

''(v) shall not be required to comply with any State or local law relating to civil service requirements, employee rights (except civil rights), procurement, or financial or administrative controls that, in the receiver's written determination (which shall include the basis for such determination), substantially impedes correction of the substantial default.

''(D)(i) If the Secretary takes possession of all or part of the public housing agency, including all or part of any project or program of the agency, pursuant to subparagraph (A)(iv), the Secretary—

''(I) may abrogate any contract to which the United States or an agency of the United States is not a party that, in the written determination of the Secretary (which shall include the basis for such determination), substantially impedes correction of the substantial default, but only after the Secretary determines that reasonable efforts to renegotiate such contract have failed;

''(II) may demolish and dispose of all or part of the assets of the public housing agency (including all or part of any project of the agency) in accordance with section 18, including disposition by transfer of properties to resident-supported nonprofit entities;

''(III) may seek the establishment, as permitted by applicable State and local law, of one or more new public housing agencies;

''(IV) may seek consolidation of all or part of the agency (including all or part of any project or program of the agency), as permitted by applicable State and local laws, into other well-managed public housing agencies with the consent of such well-managed agencies;

''(V) shall not be required to comply with any State or local law relating to civil service requirements, employee rights (except civil rights), procurement, or financial or administrative controls that, in the Secretary's written determination (which shall include the basis for such determination), substantially impedes correction of the substantial default; and

''(VI) shall, without any action by a district court of the United States, have such additional authority as a district court of the United States would have the authority to confer upon a receiver to achieve the purposes of the receivership.

''(ii) If the Secretary, pursuant to subparagraph (B)(ii)(II)(bb), appoints an administrative receiver to assume the responsibilities of the Secretary for the administration of all or part of the public housing agency (including all or part of any project or program of the agency), the Secretary may delegate to the administrative receiver any or all of the powers given the Secretary by this subparagraph, as the Secretary determines to be appropriate.

''(iii) Regardless of any delegation under this subparagraph, an administrative receiver may not seek the establishment of one or more new public housing agencies pursuant to clause (i)(III) or the consolidation of all or part of an agency into other well-managed agencies pursuant to clause (i)(IV), unless the Secretary first approves an application by the administrative receiver to authorize such action.

''(E) The Secretary may make available to receivers and other entities selected or appointed pursuant to this paragraph such assistance as the Secretary determines in the discretion of the Secretary is necessary and available to remedy the substantial deterioration of living conditions in individual public housing developments or other related emergencies that endanger the health, safety, and welfare of public housing residents or families assisted under section 8. A decision made by the Secretary under this paragraph is not subject to review in any court of the United States, or in any court of any State, territory, or possession of the United States.

''(F) In any proceeding under subparagraph (A)(ii), upon a determination that a substantial default has occurred, and without regard to the availability of alternative remedies, the court shall appoint a receiver to conduct the affairs of all or part of the public housing agency in a manner consistent with this Act and in accordance with such further terms and conditions as the court may provide. The receiver appointed may be another public housing agency, a private management corporation, or any other person or appropriate entity. The court shall have power to grant appropriate temporary or preliminary relief pending final disposition of the petition by the Secretary.

''(G) The appointment of a receiver pursuant to this paragraph may be terminated, upon the petition of any party, when the court determines that all defaults have been cured or the public housing agency is capable again of discharging its duties.

''(H) If the Secretary (or an administrative receiver appointed by the Secretary) takes possession of a public housing agency (including all or part of any project or program of the agency), or if a receiver is appointed by a court, the Secretary or receiver shall be deemed to be acting not in the official capacity of that person or entity, but rather in the capacity of the public housing agency, and any liability incurred, regardless of whether the incident giving rise to that liability occurred while the Secretary or receiver was in possession of all or part of the public housing agency (including all or part of any project or program of the agency), shall be the liability of the public housing agency.''.

(b) EFFECTIVENESS.—The provisions of, and duties and authorities conferred or confirmed by, subsection (a) shall apply with respect to actions taken before, on, or after the effective date of this Act and shall apply to any receivers appointed for a public housing agency before the date of enactment of this Act.

(c) TECHNICAL CORRECTION REGARDING APPLICABILITY TO SECTION 8.—Section 8(h) of the United States Housing Act of 1937 is amended by inserting after ''6'' the following: ''(except as provided in section 6(j)(3))''.

SEC. 111. PUBLIC HOUSING SITE-BASED WAITING LISTS.

Section 6 of the United States Housing Act of 1937, as amended by section 306(a)(2) of this Act, is amended by inserting the following new subsection at the end:

''(q) A public housing agency may establish, in accordance with guidelines established by the Secretary, procedures for maintaining waiting lists for admissions to public housing developments of the agency, which may include a system whereby applicants may apply directly at or otherwise designate the development or developments in which they seek to reside. All such procedures must comply with all provisions of title VI of the Civil Rights Act of 1964, the Fair Housing Act, and other applicable civil rights laws.''.

SEC. 112. COMMUNITY SERVICE REQUIREMENTS FOR PUBLIC HOUSING AND SECTION 8 PROGRAMS.

Section 12 of the United States Housing Act of 1937 is amended by adding at the end the following new subsection:

''(c) COMMUNITY SERVICE REQUIREMENTS FOR PUBLIC HOUSING AND SECTION 8 PROGRAMS.—

''(1) IN GENERAL.—A public housing agency shall encourage each adult member of each family residing in public housing or assisted under section 8 to participate, for not less than 8 hours per month, in community service activities (not to include any political activity) within the community in which that adult resides.

''(2) EXEMPTIONS.—The requirement in paragraph (1) shall not apply to any adult who is—

''(A) at least 62 years of age;

''(B) a person with disabilities who is unable, as determined in accordance with guidelines established by the Secretary, to comply with this subsection;

''(C) working at least 20 hours per week, a student, receiving vocational training, or otherwise meeting work, training, or educational requirements of a public assistance program other than the program specified in subparagraph (E);

''(D) a single parent, grandparent, or the spouse of an otherwise exempt individual, who is the primary caretaker of one or more—

''(i) children who are 6 years of age or younger;

''(ii) persons who are at least 62 years of age; or

''(iii) persons with disabilities; or

''(E) in a family receiving assistance under the Temporary Assistance for Needy Families program under part A of title IV of the Social Security Act.''.

SEC. 113. COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM STREAMLINING.

(a) Section 14(d) of the United States Housing Act of 1937 is amended to read as follows:

''(d) No assistance may be made available under subsection (b) to a public housing agency that owns or operates fewer than 250 public housing units unless the agency has submitted a comprehensive plan in accordance with subsection (e)(1) and the Secretary has approved it in accordance with subsection (e)(2). The assistance shall be allocated to individual agencies on the basis of a formula established by the Secretary.''.

(b) Section 14 (f)(1) is repealed.

(c) Section 14 (g) is amended by striking ''(d)(3)'' and inserting ''(d)''.

(d) Section 14(h) is repealed.

(e) Section 14(i) is repealed.

(f) Section 14(k)(1) is amended by striking ''$75,000,000'' and inserting ''$100,000,000''.

SEC. 114. FLEXIBILITY FOR PHA FUNDING.

(a) EXPANSION OF USES OF FUNDING.—Section 14(q)(1) of the United States Housing Act of 1937 is amended—

(1) in the first sentence, by inserting after ''section 5,'' the following ''by section 24,'';

(2) in the first sentence, by inserting after ''public housing agency,'', the following: ''except for the provision of tenant-based assistance,''; and

(3) by inserting at the end the following: ''Notwithstanding the foregoing, (i) a public housing agency that owns or operates fewer than 250 units may use modernization assistance provided under section 14, development assistance provided under section 5(a), and operating subsidy provided under section 9, for any eligible activity authorized by this Act or by applicable appropriations Acts for a public housing agency, except for assistance under section 8, and (ii) any agency determined to be a troubled agency under section 6(j) may use amounts not appropriated under section 9 for any operating subsidy purpose authorized in section 9 only with the approval of the Secretary and provided that the housing is maintained and operated in a safe and sanitary condition.''.

(b) MIXED-FINANCE DEVELOPMENT.—Section 14(q)(2) of such Act is amended to read as follows:

''(2) MIXED FINANCE PUBLIC HOUSING.—

''(A) AUTHORITY.—The Secretary may, upon such terms and conditions as the Secretary may prescribe, authorize a public housing agency to provide for the use of capital and operating assistance provided under section 5, 14, or 9, assistance for demolition, site revitalization, or replacement housing provided under section 24, or assistance under applicable appropriation Acts for a public housing agency, to produce mixed-finance housing developments, or replace or revitalize existing public housing dwelling units with mixed-finance housing developments, but only if the agency submits to the Secretary a plan for such housing that is approved pursuant to subparagraph (C) by the Secretary.

''(B) MIXED-FINANCE HOUSING DEVELOPMENTS.—

''(i) For purposes of this paragraph, the term 'mixed-finance housing' means low-income housing or mixed-income housing for which the financing for development or revitalization is provided, in part, from entities other than the public housing agency.

''(ii) A mixed-finance housing development shall be produced or revitalized, and owned—

''(I) by a public housing agency or by an entity affiliated with a public housing agency;

''(II) by a partnership, a limited liability company, or other entity in which the public housing agency (or an entity affiliated with a public housing agency) is a general partner, is a managing member, or otherwise participates in the activities of the entity;

''(III) by any entity that grants to the public housing agency the option to purchase the public housing project during the 20-year period beginning on the date of initial occupancy of the public housing project in accordance with section 42(l)(7) of the Internal Revenue Code of 1986; or

''(IV) in accordance with such other terms and conditions as the Secretary may prescribe by regulation.

This clause may not be construed to require development or revitalization, and ownership, by the same entity.

''(C) MIXED-FINANCE HOUSING PLAN.—The Secretary may approve a plan for development or revitalization of mixed-finance housing under this paragraph only if the Secretary determines that—

''(i) the public housing agency has the ability, or has provided for an entity under subparagraph (B)(ii) that has the ability, to use the amounts provided for use under the plan for such housing, effectively, either directly or through contract management;

''(ii) the plan provides permanent financing commitments from a sufficient number of sources other than the public housing agency, which may include banks and other conventional lenders, States, units of general local government, State housing finance agencies, secondary market entities, and other financial institutions;

''(iii) the plan provides for use of amounts provided under subparagraph (A) by the public housing agency for financing the mixed-income housing in the form of grants, loans, advances, or other debt or equity investments, including collateral or credit enhancement of bonds issued by the agency or any State or local governmental agency for development or revitalization of the development; and

''(iv) the plan complies with any other criteria that the Secretary may establish.

''(D) RENT LEVELS FOR HOUSING FINANCED WITH LOW-INCOME HOUSING TAX CREDIT.—With respect to any dwelling unit in a mixed-finance housing development that is a low-income dwelling unit for which amounts from the Operating or Capital Fund are used and that is assisted pursuant to the low-income housing tax credit under section 42 of the Internal Revenue Code of 1986, the rents charged to the residents of the unit shall be determined in accordance with this title, but shall not in any case exceed the amounts allowable under such section 42.

''(E) CARRY-OVER OF ASSISTANCE FOR REPLACED HOUSING.—In the case of a mixed-finance housing development that is replacement housing for public housing demolished or disposed of, or is the result of the revitalization of existing public housing, the share of capital and operating assistance received by the public housing agency that owned or operated the housing demolished, disposed of, or revitalized shall not be reduced because of such demolition, disposition, or revitalization after the commencement of such demolition, disposition, or revitalization, unless—

''(i) upon the expiration of the 18-month period beginning upon the approval of the plan under subparagraph (C) for the mixed-finance housing development, the agency does not have binding commitments for development or revitalization, or a construction contract, for such development;

''(ii) upon the expiration of the 4-year period beginning upon the approval of the plan, the mixed-finance housing development is not substantially ready for occupancy and is placed under the annual contributions contract for the agency; or

''(iii) the number of dwelling units in the mixed-finance housing development that are made available for occupancy only by low-income families is substantially less than the number of such dwelling units in the public housing demolished, disposed of, or revitalized.

The Secretary may extend the period under clause (i) or (ii) for a public housing agency if the Secretary determines that circumstances beyond the control of the agency caused the agency to fail to meet the deadline under such clause.''.

(c) CONFORMING AMENDMENTS.—Section 14(q) of such Act is amended—

(1) in paragraph (3), by striking ''mixed income'' and inserting ''mixed-finance''; and

(2) in paragraph (4), by striking ''mixed-income project'' and inserting ''mixed-finance development''.

(d) APPLICABILITY.—Section 14(q) of the United States Housing Act of 1937, as amended by this section, shall be effective with respect to any assistance provided to the public housing agency under sections 5 and 14 of the United States Housing Act of 1937 and applicable appropriations Acts for a public housing agency.

SEC. 115. REPLACEMENT HOUSING RESOURCES.

(a) OPERATING FUND.—Section 9(a)(3)(B) of the United States Housing Act of 1937 is amended—

(1) at the end of clause (iv), by striking ''and'';

(2) at the end of clause (v), by striking the period and inserting ''; and''; and

(3) by inserting at the end the following:

''(vi) where an existing unit under a contract is demolished or disposed of, the Secretary shall adjust the amount the public housing agency receives under this section; notwithstanding this requirement, the Secretary shall provide assistance under this section in accordance with the provisions of section 14(q)(2) (relating to mixed-finance public housing).''.

(b) COMPREHENSIVE GRANT PROGRAM.—Section 14(k)(2)(D)(ii) of such Act is amended to read as follows:

''(ii) Where an existing unit under a contract is demolished or disposed of, the Secretary shall adjust the amount the agency receives under the formula. Notwithstanding the preceding sentence, for the five-year period after demolition or disposition, the Secretary may provide for no adjustment, or a partial adjustment, of the amount the agency receives under the formula and shall require the agency to use any additional amount received as a result of this sentence for replacement housing or physical improvements necessary to preserve viable public housing.''.

SEC. 116. REPEAL OF ONE-FOR-ONE REPLACEMENT HOUSING REQUIREMENT.

Section 1002(d) of Public Law 104-19 is amended by striking ''and on or before September 30, 1997''.

SEC. 117. DEMOLITION, SITE REVITALIZATION, REPLACEMENT HOUSING, AND TENANT-BASED ASSISTANCE GRANTS FOR DEVELOPMENTS.

Section 24 of the United States Housing Act of 1937 is amended—

(1) by amending the heading to read as follows: ''**DEMOLITION, SITE REVITALIZATION, REPLACEMENT HOUSING, AND TENANT-BASED ASSISTANCE GRANTS FOR DEVELOPMENTS**'';

(2) by amending subsections (a) through (c) to read as follows:

''(a) PURPOSE.—The purpose of this section is to provide assistance to public housing agencies for the purposes of—

''(1) reducing the density and improving the living environment for public housing residents of severely distressed public housing through the demolition of obsolete public housing developments (or portions thereof);

''(2) revitalizing sites (including remaining public housing dwelling units) on which such public housing developments are located and contributing to the improvement of the surrounding neighborhood;

''(3) providing housing that will avoid or decrease the concentration of very low-income families; and

''(4) providing tenant-based assistance in accordance with the provisions of section 8 for the purpose of providing replacement housing and assisting residents to be displaced by the demolition.

''(b) GRANT AUTHORITY.—The Secretary may make grants available to public housing agencies as provided in this section.

''(c) CONTRIBUTION REQUIREMENT.—The Secretary may not make any grant under this section to any applicant unless the applicant supplements the amount of assistance provided under this section (other than amounts

provided for demolition or tenant-based assistance) with an amount of funds from sources other than this Act equal to not less than 5 percent of the amount provided under this section, including amounts from other Federal sources, any State or local government sources, any private contributions, and the value of any in-kind services or administrative costs provided.''';

(3) by amending subsection (d)(1) to read as follows:

''(1) IN GENERAL.—The Secretary may make grants under this subsection to applicants for the purpose of carrying out demolition, revitalization, and replacement programs for severely distressed public housing under this section. The Secretary may make a grant for the revitalization or replacement of public housing only if the agency demonstrates that the neighborhood is or will be a viable residential community, as defined by the Secretary, after completion of the work assisted under this section and any other neighborhood improvements planned by the State or local government or otherwise to be provided. The Secretary may approve grants providing assistance for one eligible activity or a combination of eligible activities under this section, including assistance only for demolition and assistance only for tenant-based assistance in accordance with the provisions of section 8.'';

(4) in subsection (d)(2)(B)—

(A) by striking ''the redesign'' and inserting ''the abatement of environmental hazards, demolition, redesign''; and

(B) by striking ''is located'' and inserting ''is or was located'';

(5) in subsection (d)(2), by redesignating subparagraphs (C) through (I) as subparagraphs (D) through (J), respectively, and inserting the following new subparagraph after subparagraph (B):

''(C) replacement housing, which shall consist of public housing, homeownership units as permitted under the HOPE VI program (as previously authorized in appropriations Acts), tenant-based assistance in accordance with the provisions of section 8, or a combination;'';

(6)(A) in subsection (G), as redesignated by paragraph (5), by inserting before the semicolon the following: ''and any necessary supportive services, except that not more than 15 percent of any grant under this subsection may be used for such purposes.'';

(B) by inserting ''and'' at the end of subsection (H), as redesignated by paragraph (4); and

(C) by striking the semicolon at the end of subsection (I), as redesignated by paragraph (4), and all that follows up to the period;

(7) in paragraph (3), by striking the second sentence;

(8) by amending subsection (d)(4) to read as follows:

''(4) SELECTION CRITERIA.—

''(A) APPLICATIONS FOR DEMOLITION.—The Secretary shall establish selection criteria for applications that request assistance only for demolition, which shall include—

''(i) the need for demolition, taking into account the effect of the distressed development on the public housing agency and the community;

''(ii) the extent to which the public housing agency is not able to undertake such activities without a grant under this section;

''(iii) the extent of involvement of residents and State and local governments in determining the need for demolition; and

''(iv) such other factors as the Secretary determines appropriate.

''(B) APPLICATIONS FOR DEMOLITION, REVITALIZATION, AND REPLACEMENT.—The Secretary shall establish selection criteria for applications that request assistance for a combination of eligible activities, which shall include—

''(i) the relationship of the grant to the comprehensive plan for the locality;

''(ii) the extent to which the grant will result in a viable development which will foster the economic and social integration of public housing residents and the extent to which the development will enhance the community;

''(iii) the capability and record of the applicant public housing agency, its development team, or any alternative management agency for the agency, for managing large-scale redevelopment or modernization projects, meeting construction timetables, and obligating amounts in a timely manner;

''(iv) the extent to which the public housing agency is not able to undertake such activities without a grant under this section;

''(v) the extent of involvement of residents, State and local governments, private service providers, financing entities, and developers, in the development of a revitalization program for the development;

''(vi) the amount of funds and other resources to be leveraged by the grant; and

''(vii) such other factors as the Secretary determines appropriate.''

''(C) APPLICATIONS FOR TENANT-BASED ASSISTANCE.—Notwithstanding any other provision of this subsection, the Secretary may allocate tenant-based assistance under this section on a non-competitive basis in connection with the demolition or disposition of public housing.'';

(9) by amending subsection (e) to read as follows:

''(e) LONG TERM VIABILITY.—The Secretary may waive or revise rules established under this Act governing the development, management, and operation of public housing units, to permit a public housing agency to undertake measures that enhance the long-term viability of a severely distressed public housing project revitalized under this section; except that the Secretary may not waive or revise the rent limitation under section 3(a)(1)(A) or the targeting requirements under section 16(a).'';

(10) in subsection (f)—

(A) by striking ''OTHER'' and all that follows through ''(1)'';

(B) by striking paragraph (2); and

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2);

(11) by striking subsections (g) and (i) and redesignating subsection (h) as subsection (j);

(12) by inserting the following new subsections after subsection (f):

''(g) ADMINISTRATION BY OTHER ENTITIES.—The Secretary may require a grantee under this section to make arrangements satisfactory to the Secretary for use of an entity other than the public housing agency to carry out activities assisted under the revitalization plan, if the Secretary determines that such action will help to effectuate the purposes of this section.

''(h) TIMELY EXPENDITURES.—

''(1) WITHDRAWAL OF FUNDING.—If a grantee under this section or under the HOPE VI program does not sign the primary construction contract for the work included in the grant agreement within 18 months from the date of the grant agreement, the Secretary shall withdraw any grant amounts under the grant agreement which have not been obligated by the grantee. The Secretary shall redistribute any withdrawn amounts to one or more applicants eligible for assistance under this section. The Secretary may grant an extension of up to one additional year from the date of enactment of this Act if the 18-month period has expired as of the date of enactment, for delays caused by factors beyond the control of the grantee.

''(2) COMPLETION.—A grant agreement under this section shall provide for interim checkpoints and for completion of physical activities within four years of execution, and the Secretary shall enforce these requirements through default remedies up to and including withdrawal of funding. The Secretary may, however, provide for a longer timeframe, but only when necessary due to factors beyond the control of the grantee.

''(3) INAPPLICABILITY.—This subsection shall not apply to grants for tenant-based assistance under section 8.

''(i) INAPPLICABILITY OF SECTION 18.—Section 18 shall not apply to the demolition of developments removed from the inventory of the public housing agency under this section.'';

(13) by amending subsection (j)(1), as redesignated by paragraph (11)—

(A) in subparagraph (C), by inserting after ''nonprofit organization,'' the following: ''private program manager, a partner in a mixed-finance development,'';

(B) at the end of subparagraph (B), after the semicolon, by inserting ''and''; and

(C) at the end of subparagraph (C), by striking ''; and'' and all that follows up to the period;

(14) by amending subsection (j)(5), as redesignated by paragraph (11)—

(A) in subparagraph (A)—

(i) by striking ''(i)'';

(ii) by striking clauses (ii) through (iv); and

(iii) by inserting after ''physical plant of the project'' the following: '', where such distress cannot be remedied through assistance under section 14 because of inadequacy of available funding'';

(B) by amending subparagraph (A), as amended by subparagraph (A) of this paragraph (14), by striking ''appropriately'' and inserting ''inappropriately''; and

(C) by amending subparagraph (B) to read as follows:

''(B) that was a project as described in subparagraph (A) that has been demolished, but for which the Secretary has not provided replacement housing assistance (other than tenant-based assistance).'';

(15) by inserting at the end of subsection (j), as redesignated by paragraph (11), the following new paragraph:

''(6) SUPPORTIVE SERVICES.—The term 'supportive services' includes all activities that will promote upward mobility, self-sufficiency, and improved quality of life for the residents of the public housing development involved, including literacy training, job training, day care, and economic development activities.''; and

(16) by inserting the following new subsection at the end:

''(k) TECHNICAL ASSISTANCE AND PROGRAM OVERSIGHT.—Of the amount appropriated for any fiscal year for grants under this section, the Secretary may use up to 2.5 percent for technical assistance, program oversight, and fellowships for on-site public housing agency assistance and supplemental education. Technical assistance may be provided directly or indirectly by grants, contracts, or cooperative agreements, and may include training, and the cost of necessary travel for participants in such training, by or to officials of the Department of Housing and Urban Development, of public housing agencies, and of residents. The Secretary may use amounts under this paragraph for program oversight to contract with private program and construction management entities to assure that development activities are carried out in a timely and cost-effective manner.''.

SEC. 118. PERFORMANCE EVALUATION BOARD.

(a) ESTABLISHMENT.—There is hereby established a performance evaluation board to

assist the Secretary of Housing and Urban Development in improving and monitoring the system for evaluation of public housing authority performance, including by studying and making recommendations to the Secretary on the most effective, efficient and productive method or methods of evaluating the performance of public housing agencies, consistent with the overall goal of improving management of the public housing program.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The board shall be composed of at least seven members with relevant experience who shall be appointed by the Secretary as soon as practicable, but not later than 90 days after enactment of this Act.

(2) APPOINTMENTS.—In appointing members of the board, the Secretary shall assure that each of the background areas set forth in paragraph (3) are represented.

(3) BACKGROUNDS.—Background areas to be represented are—

(A) major public housing organizations;

(B) public housing resident organizations;

(C) real estate management, finance, or development entities; and

(D) units of general local government.

(c) BOARD PROCEDURES.—

(1) CHAIRPERSON.—The Secretary shall appoint a chairperson from among members of the board.

(2) QUORUM.—A majority of the members of the board shall constitute a quorum for the transaction of business.

(3) VOTING.—Each member of the board shall be entitled to one vote, which shall be equal to the vote of each other member of the board.

(4) PROHIBITION OF ADDITIONAL PAY.—Members of the board shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of their duties as members of the board.

(d) POWERS.—

(1) HEARINGS.—The board may, for the purpose of carrying out this section, hold such hearings and sit and act at such times and places as the board determines appropriate.

(2) ASSISTANCE FROM FEDERAL AGENCIES.—.

(A) INFORMATION.—The board may request from any agency of the United States, and such agency is authorized to provide, such data and information as the board may require for carrying out its functions.

(B) STAFF SUPPORT.—Upon request of the chairperson of the board, to assist the board in carrying out its duties under this section, the Secretary may—

(i) provide an executive secretariat;

(ii) assign by detail or otherwise any of the personnel of the Department of Housing and Urban Development; and

(iii) obtain by personal services contracts or otherwise any technical or other assistance needed to carry out this section.

(e) ADVISORY COMMITTEE.—The board shall be considered an advisory committee within the meaning of the Federal Advisory Committee Act (5 U.S.C. App.).

(f) FUNCTIONS.—The board shall, as needed—

(1) examine and assess the need for further modifications to or replacement of the Public Housing Management Assessment program, established by the Secretary under section 6(j) of the United States Housing Act of 1937;

(2) examine and assess models used in other industries or public programs to assess the performance of recipients of assistance, including accreditation systems, and the applicability of those models to public housing;

(3) develop (either itself, or through another body) standards for professional competency for the public housing industry, including methods of assessing the qualifications of employees of public housing authorities, such as systems for certifying the qualifications of employees;

(4) develop a system for increasing the use of on-site physical inspections of public housing developments; and

(5) develop a system for increasing the use of independent audits, as part of the overall system for evaluating the performance of public housing agencies.

(g) REPORTS.—

(1) Not later than the expiration of the three-month period beginning upon the appointment of the seventh member of the board, and one year from such appointment, the board shall issue interim reports to the Secretary on its activities. The board shall make its final report and recommendations one year after its second interim report is issued. The final report shall include findings and recommendations of the board based upon the functions carried out under this section.

(2) After the board issues its final report, it may be convened by its chair, upon the request of the Secretary, to review implementation of the performance evaluation system and for other purposes.

(h) TERM.—The duration of the board shall be seven years.

(i) FUNDING.—The Secretary is authorized to use any amounts appropriated under the head Preserving Existing Housing Investment, or predecessor or successor appropriation accounts, without regard to any earmarks of funding, to carry out this section.

SEC. 119. ECONOMIC DEVELOPMENT AND SUPPORTIVE SERVICES FOR PUBLIC HOUSING RESIDENTS.

The United States Housing Act of 1937 is amended by adding the following new section after section 27:

"SEC. 28. ECONOMIC DEVELOPMENT AND SUPPORTIVE SERVICES FOR PUBLIC HOUSING RESIDENTS.

''(a) IN GENERAL.—To the extent provided in advance in appropriations Acts, the Secretary shall make grants for the purposes of providing a program of supportive services and resident self-sufficiency activities to enable residents of public housing to become economically self-sufficient and to assist elderly persons and persons with disabilities to maintain independent living, to the following eligible applicants:

''(1) public housing agencies;

''(2) resident councils;

''(3) resident management corporations or other eligible resident entities defined by the Secretary;

''(4) other applicants, as determined by the Secretary; and

''(5) any partnership of eligible applicants.

''(b) ELIGIBLE ACTIVITIES.—Grantees under this section may use grants for the provision of supportive service, economic development, and self-sufficiency activities conducted primarily for public housing residents in a manner that is easily accessible to those residents. Such activities shall include—

''(1) the provision of service coordinators and case managers;

''(2) the provision of services related to work readiness, including education, job training and counseling, job search skills, business development training and planning, tutoring, mentoring, adult literacy, computer access, personal and family counseling, health screening, work readiness health services, transportation, and child care;

''(3) economic and job development, including employer linkages and job placement, and the start-up of resident microenterprises, community credit unions, and revolving loan funds, including the licensing, bonding and insurance needed to operate such enterprises;

''(4) resident management activities, including related training and technical assistance; and

''(5) other activities designed to improve the self-sufficiency of residents, as may be determined in the sole discretion of the Secretary.

''(c) FUNDING DISTRIBUTION.—

''(1) IN GENERAL.—After reserving such amounts as the Secretary determines to be necessary for technical assistance and clearinghouse services under subsection (d), the Secretary shall distribute any remaining amounts made available under this section on a competitive basis. The Secretary may set a cap on the maximum grant amount permitted under this section, and may limit applications for grants under this section to selected applicants or categories of applicants.

''(2) SELECTION CRITERIA.—The Secretary shall establish selection criteria for applications that request assistance for one or more eligible activities under this section, which shall include—

''(A) the demonstrated capacity of the applicant to carry out a program of supportive services or resident empowerment activities;

''(B) the amount of funds and other resources to be leveraged by the grant;

''(C) the extent to which the grant will result in a quality program of supportive services or resident empowerment activities;

''(D) the extent to which any job training and placement services to be provided are coordinated with the provision of such services under the Job Training Partnership Act and the Wagner-Peyser Act; and

''(E) such other factors as the Secretary determines appropriate.

''(3) MATCHING REQUIREMENT.—The Secretary may not make any grant under this section to any applicant unless the applicant supplements every dollar provided under this subsection with an amount of funds from sources other than this section equal to at least twice the amount provided under this subsection, including amounts from other Federal sources, any State or local government sources, any private contributions, and the value of any in-kind services or administrative costs provided. Of the supplemental funds furnished by the applicant, not more than 50 percent may be in the form of in-kind services or administrative costs provided.

''(d) FUNDING FOR TECHNICAL ASSISTANCE.—The Secretary may set aside a portion of the amounts appropriated under this section, to be provided directly or indirectly by grants, contracts, or cooperative agreements, for technical assistance, which may include training and cost of necessary travel for participants in such training, by or to officials and employees of the Department and of public housing agencies, and to residents and to other eligible grantees, and for clearinghouse services in furtherance of the goals and activities of this section.

''(e) CONTRACT ADMINISTRATORS.—The Secretary may require resident councils, resident management corporations, or other eligible entities defined by the Secretary to utilize public housing agencies or other qualified organizations as contract administrators with respect to grants provided under this section.''.

SEC. 120. PENALTY FOR SLOW EXPENDITURE OF MODERNIZATION FUNDS.

Section 14(k)(5) of the United States Housing Act of 1937 is amended to read as follows:

''(5)(A) A public housing agency shall obligate any assistance received under this section within 18 months of the date funds become available to the agency for obligation. The Secretary may extend this time period by no more than one year if an agency's failure to obligate such assistance in a timely manner is attributable to events beyond the

control of the agency. The Secretary may also provide an exception for de minimis amounts to be obligated with the next year's funding; an agency that owns or administers fewer than 250 public housing units, to the extent necessary to permit the agency to accumulate sufficient funding to undertake activities; and any agency, to the extent necessary to permit the agency to accumulate sufficient funding to provide replacement housing.

''(B) A public housing agency shall not be awarded assistance under this section for any month in a year in which it has funds unobligated, in violation of subparagraph (A). During such a year, the Secretary shall withhold all assistance which would otherwise be provided to the agency. If the agency cures its default during the year, it shall be provided with the share attributable to the months remaining in the year. Any funds not so provided to the agency shall be provided to high-performing agencies as determined under section 6(j).

''(C) If the Secretary has consented, before the date of enactment of the Public Housing Management Reform Act of 1997, to an obligation period for any agency longer than provided under this paragraph, an agency which obligates its funds within such extended period shall not be considered to be in violation of subparagraph (A). Notwithstanding any prior consent of the Secretary, however, all funds appropriated in fiscal year 1995 and prior years shall be fully obligated by the end of fiscal year 1998, and all funds appropriated in fiscal years 1996 and 1997 shall be fully obligated by the end of fiscal year 1999.

''(D) A public housing agency shall spend any assistance received under this section within four years (plus the period of any extension approved by the Secretary under subparagraph (A)) of the date funds become available to the agency for obligation. The Secretary shall enforce this requirement through default remedies up to and including withdrawal of the funding. Any obligation entered into by an agency shall be subject to the right of the Secretary to recapture the amounts for violation by the agency of the requirements of this subparagraph.''.

SEC. 121. DESIGNATION OF PHA'S AS TROUBLED.

(a) Section 6(j)(1)(A) of the United States Housing Act of 1937, as amended by sections 108 and 109, is further amended—

(1) in subparagraph (A), by inserting the following after clause (x):

''(xi) Whether the agency is providing acceptable basic housing conditions, as determined by the Secretary.''; and

(2) in subparagraph (B)—

(A) by redesignating clause (v) as clause (vi); and

(B) by inserting the following after clause (iv):

''(v) Whether the agency is providing acceptable basic housing conditions, as determined by the Secretary.''.

(b) Section 6(j)(2)(A)(i) of such Act is amended by inserting the following after the first sentence: ''Such procedures shall provide that an agency that does not provide acceptable basic housing conditions shall be designated a troubled public housing agency.''.

(c) Section 6(j)(2)(A)(i) of such Act is amended in the first sentence—

(1) by inserting before ''the performance indicators'' the subclause designation ''(I)''; and

(2) by inserting before the period the following: ''; or (II) such other evaluation system as is determined by the Secretary to assess the condition of the public housing agency or resident management corporation, which system may be in addition to or in lieu of the performance indicators established under paragraph (1)''.

SEC. 122. VOLUNTEER SERVICES UNDER THE 1937 ACT.

(a) IN GENERAL.—Section 12(b) of the United States Housing Act of 1937 is amended by striking ''that—'' and all that follows up to the period and inserting ''who performs volunteer services in accordance with the requirements of the Community Improvement Volunteer Act of 1994''.

(b) CIVA AMENDMENT.—Section 7305 of the Community Improvement Volunteer Act of 1994 is amended—

(1) in paragraph (5), by striking ''and'' after the semicolon;

(2) in paragraph (6), by striking the period and inserting ''; and''; and

(3) by inserting the following paragraph after paragraph (6):

''(7) the United States Housing Act of 1937.''.

SEC. 123. AUTHORIZATION OF APPROPRIATIONS FOR OPERATION SAFE HOME PROGRAM.

There are authorized to be appropriated to carry out the Operation Safe Home program $20,000,000 for fiscal year 1998 and such sums as may be necessary for fiscal years 1999, 2000, 2001, and 2002.

TITLE II—SECTION 8 STREAMLINING AND OTHER PROGRAM IMPROVEMENTS

SEC. 201. PERMANENT REPEAL OF FEDERAL PREFERENCES.

(a) Notwithstanding section 402(f) of The Balanced Budget Downpayment Act, I, the amendments made by section 402(d) of that Act shall remain in effect after fiscal year 1997, except that the amendments made by sections 402(d)(3) and 402(d)(6)(A)(iii), (iv), and (vi) of such Act shall remain in effect as amended by sections 203 and 116 of this Act, and section 402(d)(6)(v) shall be repealed by the amendments made to section 16 of the United States Housing Act of 1937 by section 202 of this Act.

(b) Section 6(c)(4)(A) of the United States Housing Act of 1937, as amended by section 402(d)(1) of The Balanced Budget Downpayment Act, I, is amended by striking ''is'' and all that follows through ''Act'' and inserting the following: ''shall be based upon local housing needs and priorities, as determined by the public housing agency using generally accepted data sources, including any information obtained pursuant to an opportunity for public comment under this subparagraph, under section 5A(b), and under the requirements of the approved Consolidated Plan for the locality''.

(c) Section 8(d)(1)(A) of the United States Housing Act of 1937, as amended by section 402(d)(2) of The Balanced Budget Downpayment Act, I, is amended by striking ''is'' and all that follows through ''Act'' and inserting the following: ''shall be based upon local housing needs and priorities, as determined by the public housing agency using generally accepted data sources, including any information obtained pursuant to an opportunity for public comment under this subparagraph, under section 5A(b), and under the requirements of the approved Consolidated Plan for the locality''.

SEC. 202. INCOME TARGETING FOR PUBLIC HOUSING AND SECTION 8 PROGRAMS.

(a) Section 16 of the United States Housing Act of 1937 is amended by revising the heading and subsections (a) through (c) to read as follows:

''SEC. 16. ELIGIBILITY FOR PUBLIC AND ASSISTED HOUSING.

''(a) PUBLIC HOUSING.—

''(1) PROGRAM REQUIREMENT.—Of the public housing units of a public housing agency made available for occupancy by eligible families in any fiscal year of the agency—

''(A) at least 40 percent shall be occupied by families whose incomes do not exceed 30 percent of the median income for the area; and

''(B) at least 90 percent shall be occupied by families whose incomes do not exceed 60 percent of the median income for the area; except that, for any fiscal year, the Secretary may reduce to 80 percent the percentage under this subparagraph for a public housing agency if the agency demonstrates to the satisfaction of the Secretary that such reduction would be used for, and would result in, the enhancement of the long-term viability of the housing developments of the agency.

''(2) DEVELOPMENT REQUIREMENT.—At least 40 percent of the units in each public housing development shall be occupied by families with incomes which are less than 30 percent of the median income for the area, except that no family may be required to move to achieve compliance with this requirement.

''(b) SECTION 8 ASSISTANCE.—

''(1) TENANT-BASED, MODERATE REHABILITATION, AND PROJECT-BASED CERTIFICATE ASSISTANCE.—In any fiscal year of a public housing agency, at least 75 percent of all families who initially receive tenant-based assistance from the agency, assistance under the moderate rehabilitation program of the agency, or assistance under the project-based certificate program of the agency shall be families whose incomes do not exceed 30 percent of the median income for the area.

''(2) PROJECT-BASED ASSISTANCE.—Of the dwelling units in a project receiving section 8 assistance, other than assistance described in paragraph (1), that are made available for occupancy by eligible families in any year (as determined by the Secretary)—

''(A) at least 40 percent shall be occupied by families whose incomes do not exceed 30 percent of the median income for the area; and

''(B) at least 90 percent shall be occupied by families whose incomes do not exceed 60 percent of the median income for the area.

''(c) DEFINITION OF AREA MEDIAN INCOME.—The term 'area median income', as used in subsections (a) and (b), refers to the median income of an area, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than the percentages specified in subsections (a) and (b) if the Secretary determines that such variations are necessary because of unusually high or low family incomes.''.

(b) Section 16 of the United States Housing Act of 1937, as amended by this section, is further amended by inserting the following new heading after subsection designation (d): ''APPLICABILITY.—''.

SEC. 203. MERGER OF TENANT-BASED ASSISTANCE PROGRAMS.

(a) Section 8(o) of the United States Housing Act of 1937 is amended to read as follows:

''(o) RENTAL CERTIFICATES.—(1) A public housing agency may only enter into contracts for tenant-based rental assistance under this Act pursuant to this subsection. The Secretary may provide rental assistance using a payment standard in accordance with this subsection. The payment standard shall be used to determine the monthly assistance which may be paid for any family.

''(2)(A) The payment standard may not exceed the FMR/exception rent limit. The payment standard may not be less than 80 percent of the FMR/exception rent limit.

''(B) The term 'FMR/exception rent limit' means the section 8 existing housing fair market rent published by HUD in accordance with subsection (c)(1) or any exception rent approved by HUD for a designated part of the fair market rent area. HUD may approve an

exception rent of up to 120 percent of the published fair market rent.

''(3)(A) For assistance under this subsection provided by a public housing agency on and after October 1, 1998, to the extent approved in appropriations Acts, the monthly assistance payment for any family that moves to another unit in another complex or moves to a single family dwelling shall be the amount determined by subtracting the family contribution as determined in accordance with section 3(a) from the applicable payment standard, except that such monthly assistance payment shall not exceed the amount by which the rent for the dwelling unit (including the amount allowed for utilities in the case of a unit with separate utility metering) exceeds 10 percent of the family's monthly income.

''(B) For any family not covered by subparagraph (A), the monthly assistance payment for the family shall be determined by subtracting the family contribution as determined in accordance with section 3(a) from the lower of the applicable payment standard and the rent for the dwelling unit (including the amount allowed for utilities in the case of a unit with separate utility metering).

''(4) Assistance payments may be made only for:

''(A) a family determined to be a very low-income family at the time the family initially receives assistance, or

''(B) another low-income family in circumstances determined by the Secretary.

''(5) If a family vacates a dwelling unit before the expiration of a lease term, no assistance payment may be made with respect to the unit after the month during which the unit was vacated.

''(6) The Secretary shall require that:

''(A) the public housing agency shall inspect the unit before any assistance payment may be made to determine that the unit meets housing quality standards for decent, safe, and sanitary housing established by the Secretary for the purpose of this section, and

''(B) the public housing agency shall make annual or more frequent inspections during the contract term. No assistance payment may be made for a dwelling unit which fails to meet such quality standards.

''(7) The rent for units assisted under this subsection shall be reasonable in comparison with rents charged for comparable units in the private unassisted market. A public housing agency shall review all rents for units under consideration by families assisted under this subsection (and all rent increases for units under lease by families assisted under this subsection) to determine whether the rent (or rent increase) requested by an owner is reasonable. If a public housing agency determines that the rent (or rent increase) for a unit is not reasonable, the agency may not approve a lease for such unit.

''(8) Except as provided in paragraph (2) of this subsection, section 8(c) of this Act does not apply to assistance under this subsection.''.

(b) In Section 3(a)(1) of the United States Housing Act of 1937, the second sentence is revised as follows:

(1) by striking ''or paying rent under section 8(c)(3)(B)''; and

(2) by striking ''the highest of the following amounts, rounded to the nearest dollar:'' and inserting ''and the family contribution for a family assisted under section 8(o) or 8(y) shall be the highest of the following amounts, rounded to the next dollar:''.

(c) Section 8(b) of the United States Housing Act is amended—

(1) by striking ''Rental Certificates and Other Existing Housing Programs.—'' and inserting ''(1)''; and

(2) by striking the second sentence.

(d) Section 8 of the United States Housing Act of 1937 is amended—

(1) by striking subsection (c)(3)(B);

(2) in subsection (d)(2), by striking subparagraphs (A), (B), (C), (D) and (E); and by redesignating subparagraphs (F), (G) and (H) as subparagraphs (A), (B) and (C) respectively;

(3) in subsection (f)(6), as redesignated by section 306(b)(2) of this Act, by striking ''under subsection (b) or (o)''; and

(4) by striking subsection (j).

SEC. 204. SECTION 8 ADMINISTRATIVE FEES.

(a) Section 202(a)(1)(A) of the Departments of Veterans Affairs and Housing and Urban Development, Independent Agencies Appropriations Act, 1997 is amended by—

(1) striking ''7.5 percent'' and inserting ''7.65 percent'';

(2) striking ''a program of'' and inserting ''one or more such programs totaling''; and

(3) inserting before the final period, ''of such total units''.

(b) The amendments made by this section shall be effective as of October 1, 1997.

SEC. 205. SECTION 8 HOMEOWNERSHIP.

(a) AMENDMENTS TO SECTION 8(y).—Section 8(y) of the United States Housing Act of 1937 is amended—

(1) in paragraph (1), by striking ''A family receiving'' through ''if the family'' and inserting the following: ''A public housing agency providing tenant-based assistance on behalf of an eligible family under this section may provide assistance for an eligible family that purchases a dwelling unit (including a unit under a lease-purchase agreement) that will be owned by one or more members of the family, and will be occupied by the family, if the family'';

(2) in paragraph (1)(A), by inserting before the semicolon the following: '', or owns or is acquiring shares in a cooperative'';

(3) in paragraph (1), by amending paragraph (B) to read as follows:

''(B)(i) in the case of disabled families and elderly families, demonstrates that the family has income from employment or other sources, as determined in accordance with requirements of the Secretary, in such amount as may be established by the Secretary; and

''(ii) in the case of other families, demonstrates that the family has income from employment, as determined in accordance with requirements of the Secretary, in such amount as may be established by the Secretary;'';

(4) in paragraph (1)(C), by striking ''except as'' and inserting ''except in the case of disabled families and elderly families and as otherwise'';

(5) in paragraph (1), by inserting at the end the following: ''The Secretary or the public housing agency may target assistance under this subsection for program purposes, such as to families assisted in connection with the FHA multifamily demonstration under section 212 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997.'';

(6) by amending paragraph (2) to read as follows:

''(2) DETERMINATION OF AMOUNT OF ASSISTANCE.—The monthly assistance payment for any family shall be the amount determined by subtracting the family contribution as determined under section 3(a) of this Act from the lower of:

''(A) the applicable payment standard, or

''(B) the monthly homeownership expenses, as determined in accordance with requirements established by the Secretary, of the family.'';

(7) by redesignating paragraphs (6), (7), and (8), as paragraphs (9), (10), and (11), respectively;

(8) by striking paragraphs (3), (4), and (5) and inserting the following after paragraph (2):

''(3) INSPECTIONS AND CONTRACT CONDITIONS.—Each contract for the purchase of a unit to be assisted under this section shall provide for pre-purchase inspection of the unit by an independent professional and shall require that any cost of necessary repairs shall be paid by the seller. The requirement under section 8(o)(5)(B) for annual inspections of the unit shall not apply to units assisted under this section.

''(4) DOWNPAYMENT REQUIREMENT.—Each public housing agency providing assistance under this subsection shall require that each assisted family make a significant contribution, from its own resources, determined in accordance with guidelines established by the Secretary, to cover all or a portion of the downpayment required in connection with the purchase, which may include credit for work by one or more family members to improve the dwelling (''sweat equity'').

''(5) RESERVE FOR REPLACEMENTS.—The Secretary shall require each family to pay an amount equal to one percent of the monthly amount payable by the family for principal and interest on its acquisition loan into a reserve for repairs and replacements for five years after the date of purchase. Any amounts remaining in the reserve after five years shall be paid to the family.

''(6) APPLICATION OF NET PROCEEDS UPON SALE.—The Secretary shall require that the net proceeds upon sale by a family of a unit owned by the family while it received assistance under this subsection shall be divided between the public housing agency and the family. The Secretary shall establish guidelines for determining the amount to be received by the family and the amount to be received by the agency, which shall take into account the relative amount of assistance provided on behalf of the family in comparison with the amount paid by the family from its own resources. The Secretary shall require the agency to use any amounts received under this paragraph to provide assistance under subsection (o) or this subsection.

''(7) LIMITATION ON SIZE OF PROGRAM.—A public housing agency may permit no more than 10 percent of the families receiving tenant-based assistance provided by the agency to use the assistance for homeownership under this subsection. The Secretary may permit no more than 5 percent of all families receiving tenant-based assistance to use the assistance for homeownership under this subsection.

''(8) OTHER PROGRAM REQUIREMENTS.—The Secretary may establish such other requirements and limitations the Secretary determines to be appropriate in connection with the provision of assistance under this section, which may include limiting the term of assistance for a family. The Secretary may modify the requirements of this subsection where necessary to make appropriate adaptations for lease-purchase agreements. The Secretary shall establish performance measures and procedures to monitor the provision of assistance under this subsection in relation to the purpose of providing homeownership opportunities for eligible families.'';

(9) in paragraph (10)(A)), as redesignated by paragraph (7) of this section, is amended—

(A) by striking ''dwelling, (ii)'' and inserting ''dwelling, and (ii)''; and

(B) by striking '', (iii)'' and all that follows up to the period; and

(10) by inserting after paragraph (11), as redesignated by paragraph (7) of this section, the following:

''(12) SUNSET.—The authority to provide assistance to additional families under this subsection shall terminate on September 30,

2002. The Secretary shall then prepare a report evaluating the effectiveness of homeownership assistance under this subsection.''.

(b) FAMILY SELF-SUFFICIENCY ESCROW.—Section 23(d)(3) of the United States Housing Act of 1937 is repealed.

SEC. 206. WELFARE TO WORK CERTIFICATES.

(a) To the extent of amounts approved in appropriations Acts, the Secretary may provide funding for welfare to work certificates in accordance with this section. ''Certificates'' means tenant-based rental assistance in accordance with section 8(o) of the United States Housing Act of 1937.

(b) Funding under this section shall be used for a demonstration linking use of such certificate assistance with welfare reform initiatives to help families make the transition from welfare to work, and for technical assistance in connection with such demonstration.

(c) Funding may only be awarded upon joint application by a public housing agency and a State or local welfare agency. Allocation of demonstration funding is not subject to section 213 of the Housing and Community Development Act of 1974.

(d) Assistance provided under this section shall not be taken into account in determining the size of the family self-sufficiency program of a public housing agency under section 23 of the United States Housing Act of 1937.

(e) For purposes of the demonstration, the Secretary may waive, or specify alternative requirements for, requirements established by or under this Act concerning the certificate program, including requirements concerning the amount of assistance, the family contribution, and the rent payable by the family.

SEC. 207. EFFECT OF FAILURE TO COMPLY WITH PUBLIC ASSISTANCE REQUIREMENTS.

Section 3(a) of the United States Housing Act of 1937, as amended by section 103, is amended by inserting the following after paragraph (3):

''(4)(A) If the welfare or public assistance benefits of a covered family, as defined in subparagraph (G)(i), are reduced under a Federal, State, or local law regarding such an assistance program because any member of the family willfully failed to comply with program conditions requiring participation in a self-sufficiency program or requiring work activities as defined in subparagraphs (G)(ii) and (iii), the family may not, for the duration of the reduction, have the amount of rent or family contribution determined under this subsection reduced as the result of any decrease in the income of the family (to the extent that the decrease in income is the result of the benefits reduction).

''(B) If the welfare or public assistance benefits of a covered family are reduced under a Federal, State, or local law regarding the welfare or public assistance program because any member of the family willfully failed to comply with the self-sufficiency or work activities requirements, the portion of the amount of any increase in the earned income of the family occurring after such reduction up to the amount of the reduction for noncompliance shall not result in an increase in the amount of rent or family contribution determined under this subsection during the period the family would otherwise be eligible for welfare or public assistance benefits under the program.

''(C) Any covered family residing in public housing that is affected by the operation of this paragraph shall have the right to review the determination under this paragraph through the administrative grievance procedures established pursuant to section 6(k) for the public housing agency.

''(D) Subparagraph (A) shall not apply to any covered family before the public housing agency providing assistance under this Act on behalf of the family receives written notification from the relevant welfare or public assistance agency specifying that the benefits of the family have been reduced because of noncompliance with self-sufficiency program requirements and the level of such reduction.

''(E) Subparagraph (A) shall not apply in any case in which the benefits of a family are reduced because the welfare or public assistance program to which the Federal, State, or local law relates limits the period during which benefits may be provided under the program.

''(F) This paragraph may not be construed to authorize any public housing agency to limit the duration of tenancy in a public housing dwelling unit or of tenant-based assistance.

''(G) For purposes of this section—

''(i) The term 'covered family' means a family that—

''(I) receives benefits for welfare or public assistance from a State or other public agency under a program for which the Federal, State, or local law relating to the program requires, as a condition of eligibility for assistance under the program, participation of a member of the family in a self-sufficiency program or work activities; and

''(II) resides in a public housing dwelling unit or receives assistance under section 8.

''(ii) The term 'self-sufficiency program' means any program designed to encourage, assist, train, or facilitate the economic independence of participants and their families or to provide work for participants, including programs for job training, employment counseling, work placement, basic skills training, education, workfare, money or household management, apprenticeship, or other activities.

''(iii) The term 'work activities' means—

''(I) unsubsidized employment;

''(II) subsidized private sector employment;

''(III) subsidized public sector employment;

''(IV) work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;

''(V) on-the job training;

''(VI) job search and job readiness assistance;

''(VII) community service programs;

''(VIII) vocational education training (not to exceed 12 months with respect to any individual;

''(IX) job skills training directly related to employment;

''(X) education directly related to employment, in the case of a recipient who has not received a high school diploma or certificate of high school equivalency;

''(XI) satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate; and

''(XII) the provision of child care services to an individual who is participating in a community service program.''.

SEC. 208. STREAMLINING SECTION 8 TENANT-BASED ASSISTANCE.

(a) REPEAL OF TAKE-ONE, TAKE-ALL REQUIREMENT.—Section 8(t) of the United States Housing Act of 1937 is hereby repealed.

(b) EXEMPTION FROM NOTICE REQUIREMENTS FOR THE CERTIFICATE AND VOUCHER PROGRAMS.—Section 8(c) of such Act is amended—

(1) in paragraph (8), by inserting after ''section'' the following: ''(other than a contract for tenant-based assistance)''; and

(2) in the first sentence of paragraph (9), by striking ''(but not less than 90 days in the case of housing certificates or vouchers under subsection (b) or (o))'' and inserting '', other than a contract for tenant-based assistance under this section''.

(c) ENDLESS LEASE.—Section 8(d)(1)(B) of such Act is amended—

(1) in clause (ii), by inserting ''during the term of the lease,'' after ''(ii)''; and

(2) in clause (iii), by striking ''provide that'' and inserting ''during the term of the lease,''.

(d) REPEAL.—Section 203 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 is hereby repealed.

SEC. 209. NONDISCRIMINATION AGAINST CERTIFICATE AND VOUCHER HOLDERS.

In the case of any multifamily rental housing that is receiving, or (except for insurance referred to in paragraph (4)) has received within two years before the effective date of this section, the benefit of Federal assistance from an agency of the United States, the owner shall not refuse to lease a reasonable number of units to families under the tenant-based assistance program under section 8 of the United States Housing Act of 1937 because of the status of the prospective tenants as families under that program. The Secretary shall establish reasonable time periods for applying the requirement of this section, taking into account the total amount of the assistance and the relative share of the assistance compared to the total cost of financing, developing, rehabilitating, or otherwise assisting a project. Federal assistance for purposes of this subsection shall mean—

(1) project-based assistance under the United States Housing Act of 1937;

(2) assistance under title I of the Housing and Community Development Act of 1974;

(3) assistance under title II of the Cranston-Gonzalez National Affordable Housing Act;

(4) mortgage insurance under the National Housing Act;

(5) low-income housing tax credits under section 42 of the Internal Revenue Code of 1986;

(6) assistance under title IV of the Stewart B. McKinney Homeless Assistance Act; and

(7) assistance under any other programs designated by the Secretary of Housing and Urban Development.

SEC. 210. RECAPTURE AND REUSE OF ACC PROJECT RESERVES UNDER TENANT-BASED ASSISTANCE PROGRAM.

Section 8(d) of the United States Housing Act of 1937 is amended by inserting at the end the following new paragraph:

''(5) To the extent that the Secretary determines that the amount in the ACC reserve account under a contract with a public housing agency for tenant-based assistance under this section is in excess of the amount needed by the agency, the Secretary shall recapture such excess amount. The Secretary may hold recaptured amounts in reserve until needed to amend or renew such contracts with any agency.''.

SEC. 211. EXPANDING THE COVERAGE OF THE PUBLIC AND ASSISTED HOUSING DRUG ELIMINATION ACT OF 1990.

(a) SHORT TITLE, PURPOSES, AND AUTHORITY TO MAKE GRANTS.—Chapter 2 of subtitle C of title V of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11901 et seq.) is amended by striking the chapter heading and all that follows through section 5123 and inserting the following:

"CHAPTER 2—COMMUNITY PARTNERSHIPS AGAINST CRIME

"SEC. 5121. SHORT TITLE.

''This chapter may be cited as the 'Community Partnerships Against Crime Act of 1997'.

"SEC. 5122. PURPOSES.

''The purposes of this chapter are to—

''(1) improve the quality of life for the vast majority of law-abiding public housing residents by reducing the levels of fear, violence, and crime in their communities;

''(2) broaden the scope of the Public and Assisted Housing Drug Elimination Act of 1990 to apply to all types of crime, and not simply crime that is drug-related; and

''(3) reduce crime and disorder in and around public housing through the expansion of community-oriented policing activities and problem solving.

"SEC. 5123. AUTHORITY TO MAKE GRANTS.

''The Secretary of Housing and Urban Development may make grants in accordance with the provisions of this chapter for use in eliminating crime in and around public housing and other federally assisted low-income housing projects to (1) public housing agencies, and (2) private, for-profit and nonprofit owners of federally assisted low-income housing.''.

(b) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Section 5124(a) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11903(a)) is amended—

(A) in the matter preceding paragraph (1), by inserting ''and around'' after ''used in'';

(B) in paragraph (3), by inserting before the semicolon the following: '', including fencing, lighting, locking, and surveillance systems'';

(C) in paragraph (4), by striking subparagraph (A) and inserting the following new subparagraph:

''(A) to investigate crime; and'';

(D) in paragraph (6)—

(i) by striking ''in and around public or other federally assisted low-income housing projects''; and

(ii) by striking ''and'' after the semicolon; and

(E) by striking paragraph (7) and inserting the following new paragraphs:

''(7) providing funding to nonprofit public housing resident management corporations and resident councils to develop security and crime prevention programs involving site residents;

''(8) the employment or utilization of one or more individuals, including law enforcement officers, made available by contract or other cooperative arrangement with State or local law enforcement agencies, to engage in community- and problem-oriented policing involving interaction with members of the community in proactive crime control and prevention activities;

''(9) programs and activities for or involving youth, including training, education, recreation and sports, career planning, and entrepreneurship and employment activities and after school and cultural programs; and

''(10) service programs for residents that address the contributing factors of crime, including programs for job training, education, drug and alcohol treatment, and other appropriate social services.''.

(2) OTHER PHA-OWNED HOUSING.—Section 5124(b) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11903(b)) is amended—

(A) in the matter preceding paragraph (1)—

(i) by striking ''drug-related crime in'' and inserting ''crime in and around''; and

(ii) by striking ''paragraphs (1) through (7)'' and inserting ''paragraphs (1) through (10)''; and

(B) in paragraph (2), by striking ''drug-related'' and inserting ''criminal''.

(c) GRANT PROCEDURES.—Section 5125 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11904) is amended to read as follows:

"SEC. 5125. GRANT PROCEDURES.

''(a) PHA'S WITH 250 OR MORE UNITS.—

''(1) GRANTS.—In each fiscal year, the Secretary shall make a grant under this chapter from any amounts available under section 5131(b)(1) for the fiscal year to each of the following public housing agencies:

''(A) NEW APPLICANTS.—Each public housing agency that owns or operates 250 or more public housing dwelling units and has—

''(i) submitted an application to the Secretary for a grant for such fiscal year, which includes a 5-year crime deterrence and reduction plan under paragraph (2); and

''(ii) had such application and plan approved by the Secretary.

''(B) RENEWALS.—Each public housing agency that owns or operates 250 or more public housing dwelling units and for which—

''(i) a grant was made under this chapter for the preceding Federal fiscal year;

''(ii) the term of the 5-year crime deterrence and reduction plan applicable to such grant includes the fiscal year for which the grant under this subsection is to be made; and

''(iii) the Secretary has determined, pursuant to a performance review under paragraph (4), that during the preceding fiscal year the agency has substantially fulfilled the requirements under subparagraphs (A) and (B) of paragraph (4).

Notwithstanding subparagraphs (A) and (B), the Secretary may make a grant under this chapter to a public housing agency that owns or operates 250 or more public housing dwelling units only if the agency includes in the application for the grant information that demonstrates, to the satisfaction of the Secretary, that the agency has a need for the grant amounts based on generally recognized crime statistics showing that (I) the crime rate for the public housing developments of the agency (or the immediate neighborhoods in which such developments are located) is higher than the crime rate for the jurisdiction in which the agency operates, (II) the crime rate for the developments (or such neighborhoods) is increasing over a period of sufficient duration to indicate a general trend, or (III) the operation of the program under this chapter substantially contributes to the reduction of crime.

''(2) 5-YEAR CRIME DETERRENCE AND REDUCTION PLAN.—Each application for a grant under this subsection shall contain a 5-year crime deterrence and reduction plan. The plan shall be developed with the participation of residents and appropriate law enforcement officials. The plan shall describe, for the public housing agency submitting the plan—

''(A) the nature of the crime problem in public housing owned or operated by the public housing agency;

''(B) the building or buildings of the public housing agency affected by the crime problem;

''(C) the impact of the crime problem on residents of such building or buildings; and

''(D) the actions to be taken during the term of the plan to reduce and deter such crime, which shall include actions involving residents, law enforcement, and service providers.

The term of a plan shall be the period consisting of 5 consecutive fiscal years, which begins with the first fiscal year for which funding under this chapter is provided to carry out the plan.

''(3) AMOUNT.—In any fiscal year, the amount of the grant for a public housing agency receiving a grant pursuant to paragraph (1) shall be the amount that bears the same ratio to the total amount made available under section 5131(b)(1) as the total number of public dwelling units owned or operated by such agency bears to the total number of dwelling units owned or operated by all public housing agencies that own or operate 250 or more public housing dwelling units that are approved for such fiscal year.

''(4) PERFORMANCE REVIEW.—For each fiscal year, the Secretary shall conduct a performance review of the activities carried out by each public housing agency receiving a grant pursuant to this subsection to determine whether the agency—

''(A) has carried out such activities in a timely manner and in accordance with its 5-year crime deterrence and reduction plan; and

''(B) has a continuing capacity to carry out such plan in a timely manner.

''(5) SUBMISSION OF APPLICATIONS.—The Secretary shall establish such deadlines and requirements for submission of applications under this subsection.

''(6) REVIEW AND DETERMINATION.—The Secretary shall review each application submitted under this subsection upon submission and shall approve the application unless the application and the 5-year crime deterrence and reduction plan are inconsistent with the purposes of this chapter or any requirements established by the Secretary or the information in the application or plan is not substantially complete. Upon approving or determining not to approve an application and plan submitted under this subsection, the Secretary shall notify the public housing agency submitting the application and plan of such approval or disapproval.

''(7) DISAPPROVAL OF APPLICATIONS.—If the Secretary notifies an agency that the application and plan of the agency is not approved, not later than the expiration of the 15-day period beginning upon such notice of disapproval, the Secretary shall also notify the agency, in writing, of the reasons for the disapproval, the actions that the agency could take to comply with the criteria for approval, and the deadlines for such actions.

''(8) FAILURE TO APPROVE OR DISAPPROVE.—If the Secretary fails to notify an agency of approval or disapproval of an application and plan submitted under this subsection before the expiration of the 60-day period beginning upon the submission of the plan or fails to provide notice under paragraph (7) within the 15-day period under such paragraph to an agency whose application has been disapproved, the application and plan shall be considered to have been approved for purposes of this section.

''(b) PHA'S WITH FEWER THAN 250 UNITS AND OWNERS OF FEDERALLY ASSISTED LOW-INCOME HOUSING.—

''(1) APPLICATIONS AND PLANS.—To be eligible to receive a grant under this chapter, a public housing agency that owns or operates fewer than 250 public housing dwelling units or an owner of federally assisted low-income housing shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary may require. The application shall include a plan for addressing the problem of crime in and around the housing for which the application is submitted, describing in detail activities to be conducted during the fiscal year for which the grant is requested.

''(2) GRANTS FOR PHA'S WITH FEWER THAN 250 UNITS.—In each fiscal year the Secretary may, to the extent amounts are available under section 5131(b)(2), make grants under this chapter to public housing agencies that own or operate fewer than 250 public housing dwelling units and have submitted applications under paragraph (1) that the Secretary

has approved pursuant to the criteria under paragraph (4).

''(3) GRANTS FOR FEDERALLY ASSISTED LOW-INCOME HOUSING.—In each fiscal year the Secretary may, to the extent amounts are available under section 5131(b)(3), make grants under this chapter to owners of federally assisted low-income housing that have submitted applications under paragraph (1) that the Secretary has approved pursuant to the criteria under paragraphs (4) and (5).

''(4) CRITERIA FOR APPROVAL OF APPLICATIONS.—The Secretary shall determine whether to approve each application under this subsection on the basis of—

''(A) the extent of the crime problem in and around the housing for which the application is made;

''(B) the quality of the plan to address the crime problem in the housing for which the application is made;

''(C) the capability of the applicant to carry out the plan; and

''(D) the extent to which the tenants of the housing, the local government, local community-based nonprofit organizations, local tenant organizations representing residents of neighboring projects that are owned or assisted by the Secretary, and the local community support and participate in the design and implementation of the activities proposed to be funded under the application.

In each fiscal year, the Secretary may give preference to applications under this subsection for housing made by applicants who received a grant for such housing for the preceding fiscal year under this subsection or under the provisions of this chapter as in effect immediately before the date of the enactment of the Housing Opportunity and Responsibility Act of 1997.

''(5) ADDITIONAL CRITERIA FOR FEDERALLY ASSISTED LOW-INCOME HOUSING.—In addition to the selection criteria under paragraph (4), the Secretary may establish other criteria for evaluating applications submitted by owners of federally assisted low-income housing, except that such additional criteria shall be designed only to reflect—

''(A) relevant differences between the financial resources and other characteristics of public housing agencies and owners of federally assisted low-income housing; or

''(B) relevant differences between the problem of crime in public housing administered by such authorities and the problem of crime in federally assisted low-income housing.''.

(d) DEFINITIONS.—Section 5126 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11905) is amended—

(1) by striking paragraphs (1) and (2);

(2) in paragraph (4)(A), by striking ''section'' before ''221(d)(4)'';

(3) by redesignating paragraphs (3) and (4) (as so amended) as paragraphs (1) and (2), respectively; and

(4) by adding at the end the following new paragraph:

''(3) PUBLIC HOUSING AGENCY.—The term 'public housing agency' has the meaning given the term in section 3 of the United States Housing Act of 1937.''.

(e) IMPLEMENTATION.—Section 5127 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11906) is amended by striking ''Cranston-Gonzalez National Affordable Housing Act'' and inserting ''Public Housing Management Reform Act of 1997''.

(f) REPORTS.—Section 5128 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11907) is amended—

(1) by striking ''drug-related crime in'' and inserting ''crime in and around''; and

(2) by striking ''described in section 5125(a)'' and inserting ''for the grantee submitted under subsection (a) or (b) of section 5125, as applicable''.

(g) FUNDING AND PROGRAM SUNSET.—Chapter 2 of subtitle C of title V of the Anti-Drug Abuse Act of 1988 is amended by striking section 5130 (42 U.S.C. 11909) and inserting the following new section:

''SEC. 5130. FUNDING.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this chapter $290,000,000 for each of fiscal years 1998, 1999, 2000, 2001, and 2002.

''(b) ALLOCATION.—Of any amounts available, or that the Secretary is authorized to use, to carry out this chapter in any fiscal year—

''(1) 85 percent shall be available only for assistance pursuant to section 5125(a) to public housing agencies that own or operate 250 or more public housing dwelling units;

''(2) 10 percent shall be available only for assistance pursuant to section 5125(b)(2) to public housing agencies that own or operate fewer than 250 public housing dwelling units; and

''(3) 5 percent shall be available only for assistance to federally assisted low-income housing pursuant to section 5125(b)(3).

''(c) RETENTION OF PROCEEDS OF ASSET FORFEITURES BY INSPECTOR GENERAL.—Notwithstanding section 3302 of title 31, United States Code, or any other provision of law affecting the crediting of collections, the proceeds of forfeiture proceedings and funds transferred to the Office of Inspector General of the Department of Housing and Urban Development, as a participating agency, from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Forfeiture Fund, as an equitable share from the forfeiture of property in investigations in which the Office of Inspector General participates, shall be deposited to the credit of the Office of Inspector General for Operation Safe Home activities authorized under the Inspector General Act of 1978, as amended, to remain available until expended.''.

(h) CONFORMING AMENDMENTS.—The table of contents in section 5001 of the Anti-Drug Abuse Act of 1988 (Public Law 100–690; 102 Stat. 4295) is amended—

(1) by striking the item relating to the heading for chapter 2 of subtitle C of title V and inserting the following:

''CHAPTER 2—COMMUNITY PARTNERSHIPS AGAINST CRIME'';

(2) by striking the item relating to section 5122 and inserting the following new item:

''Sec. 5122. Purposes.'';

(3) by striking the item relating to section 5125 and inserting the following new item:

''Sec. 5125. Grant procedures.'';

and

(4) by striking the item relating to section 5130 and inserting the following new item:

''Sec. 5130. Funding.''.

(i) TREATMENT OF NOFA.—The cap limiting assistance under the Notice of Funding Availability issued by the Department of Housing and Urban Development in the Federal Register of April 8, 1996, shall not apply to a public housing agency within an area designated as a high intensity drug trafficking area under section 1005(c) of the Anti-Drug Abuse Act of 1988 (21 U.S.C. 1504(c)).

(j) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 212. STUDY REGARDING RENTAL ASSISTANCE.

The Secretary shall conduct a nationwide study of the tenant-based rental assistance program under section 8 of the United States Housing Act of 1937 (as in effect pursuant to section 601(c) and 602(b)). The study shall, for various localities—

(1) determine who are the providers of the housing in which families assisted under such program reside;

(2) describe and analyze the physical and demographic characteristics of the housing in which such assistance is used, including, for housing in which at least one such assisted family resides, the total number of units in the housing and the number of units in the housing for which such assistance is provided;

(3) determine the total number of units for which such assistance is provided;

(4) describe the durations that families remain on waiting lists before being provided such housing assistance; and

(5) assess the extent and quality of participation of housing owners in such assistance program in relation to the local housing market, including comparing—

(A) the quality of the housing assisted to the housing generally available in the same market; and

(B) the extent to which housing is available to be occupied using such assistance to the extent to which housing is generally available in the same market.

The Secretary shall submit a report describing the results of the study to the Congress not later than the expiration of the 2-year period beginning on the date of the enactment of this Act.

TITLE III—''ONE-STRIKE AND YOU'RE OUT'' OCCUPANCY PROVISIONS

SEC. 301. SCREENING OF APPLICANTS.

(a) INELIGIBILITY BECAUSE OF PAST EVICTIONS.—Any household or member of a household evicted from federally assisted housing (as defined in section 305) by reason of drug-related criminal activity (as defined in section 305) or for other serious violations of the terms or conditions of the lease shall not be eligible for federally assisted housing—

(1) in the case of eviction by reason of drug-related criminal activity, for a period of not less than three years from the date of the eviction unless the evicted member of the household successfully completes a rehabilitation program; and

(2) for other evictions, for a reasonable period of time as determined by the public housing agency or owner of the federally assisted housing, as applicable.

The requirements of paragraphs (1) and (2) may be waived if the circumstances leading to eviction no longer exist.

(b) INELIGIBILITY OF ILLEGAL DRUG USERS AND ALCOHOL ABUSERS.—Notwithstanding any other provision of law, a public housing agency or an owner of federally assisted housing, or both, as determined by the Secretary, shall establish standards that prohibit admission to the program or admission to federally assisted housing for any household with a member—

(1) who the public housing agency or the owner determines is engaging in the illegal use of a controlled substance; or

(2) with respect to whom the public housing agency or the owner determines that it has reasonable cause to believe that such household member's illegal use (or pattern of illegal use) of a controlled substance, or abuse (or pattern of abuse) of alcohol would interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

(c) CONSIDERATION OF REHABILITATION.—In determining whether, pursuant to subsection (b)(2), to deny admission to the program or to federally assisted housing to any household based on a pattern of illegal use of a controlled substance or a pattern of abuse of alcohol by a household member, a public housing agency or an owner may consider whether such household member—

(1) has successfully completed an accredited drug or alcohol rehabilitation program (as applicable) and is no longer engaging in

the illegal use of a controlled substance or abuse of alcohol (as applicable);

(2) has otherwise been rehabilitated successfully and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol (as applicable); or

(3) is participating in an accredited drug or alcohol rehabilitation program (as applicable) and is no longer engaging in the illegal use of a controlled substance or abuse of alcohol (as applicable).

(d) AUTHORITY TO DENY ADMISSION TO THE PROGRAM OR TO FEDERALLY ASSISTED HOUSING FOR CERTAIN CRIMINAL OFFENDERS.—In addition to the provisions of subsections (a) and (b) and in addition to any other authority to screen applicants, in selecting among applicants for admission to the program or to federally assisted housing, if the public housing agency or owner of such housing, as applicable, determines that an applicant or any member of the applicant's household is or was, during a reasonable time preceding the date when the applicant household would otherwise be selected for admission, engaged in any drug-related or violent criminal activity or other criminal activity which would adversely affect the health, safety, or right to peaceful enjoyment of the premises by other residents, the owner or public housing agency may—

(1) deny such applicant admission to the program or to federally assisted housing; and

(2) after expiration of the reasonable period beginning upon such activity, require the applicant, as a condition of admission to the program or to federally assisted housing, to submit to the owner or public housing agency evidence sufficient (as the Secretary shall by regulation provide) to ensure that the individual or individuals in the applicant's household who engaged in such criminal activity for which denial was made under this subsection have not engaged in any such criminal activity during such reasonable time.

(e) AUTHORITY TO REQUIRE ACCESS TO CRIMINAL RECORDS.——A public housing agency may require, as a condition of providing admission to the public housing program, that each adult member of the household provide a signed, written authorization for the public housing agency to obtain records described in section 304 regarding such member of the household from the National Crime Information Center, police departments, and other law enforcement agencies.

SEC. 302. TERMINATION OF TENANCY AND ASSISTANCE.

(a) TERMINATION OF TENANCY AND ASSISTANCE FOR ILLEGAL DRUG USERS AND ALCOHOL ABUSERS.—Notwithstanding any other provision of law, a public housing agency or an owner of federally assisted housing, as applicable, shall establish standards or lease provisions for continued assistance or occupancy in federally assisted housing that allow a public housing agency or the owner, as applicable, to terminate the tenancy or assistance for any household with a member—

(1) who the public housing agency or owner determines is engaging in the illegal use of a controlled substance; or

(2) whose illegal use of a controlled substance, or whose abuse of alcohol, is determined by the public housing agency or owner to interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents.

(b) TERMINATION OF ASSISTANCE FOR SERIOUS LEASE VIOLATION.—Notwithstanding any other provision of law, the public housing agency must terminate tenant-based assistance for all household members if the household is evicted from assisted housing for serious violation of the lease.

SEC. 303. LEASE REQUIREMENTS.

In addition to any other applicable lease requirements, each lease for a dwelling unit in federally assisted housing shall provide that—

(1) the owner may not terminate the tenancy except for serious or repeated violation of the terms and conditions of the lease, violation of applicable Federal, State, or local law, or other good cause; and

(2) grounds for termination of tenancy shall include any activity, engaged in by the tenant, any member of the tenant's household, any guest, or any other person under the control of any member of the household, that—

(A) threatens the health or safety of, or right to peaceful enjoyment of the premises by, other tenants or employees of the public housing agency, owner or other manager of the housing,

(B) threatens the health or safety of, or right to peaceful enjoyment of their residences by, persons residing in the immediate vicinity of the premises, or

(C) is drug-related or violent criminal activity on or off the premises.

SEC. 304. AVAILABILITY OF CRIMINAL RECORDS FOR PUBLIC HOUSING TENANT SCREENING AND EVICTION.

(a) IN GENERAL.—

(1) PROVISION OF INFORMATION.—Notwithstanding any other provision of law other than paragraphs (2) and (3), upon the request of a public housing agency, the National Crime Information Center, a police department, and any other law enforcement agency shall provide to the public housing agency information regarding the criminal conviction records of an adult applicant for, or tenants of, the public housing for purposes of applicant screening, lease enforcement, and eviction, but only if the public housing agency requests such information and presents to such Center, department, or agency a written authorization, signed by such applicant, for the release of such information to such public housing agency.

(2) EXCEPTION.—A law enforcement agency described in paragraph (1) shall provide information under this paragraph relating to any criminal conviction of a juvenile only to the extent that the release of such information is authorized under the law of the applicable State, tribe, or locality.

(b) CONFIDENTIALITY.—A public housing agency receiving information under this section may use such information only for the purposes provided in this section and such information may not be disclosed to any person who is not an officer, employee, or authorized representative of the public housing agency and who has a job-related need to have access to the information in connection with admission of applicants, eviction of tenants, or termination of assistance. However, for judicial eviction proceedings, disclosures may be made to the extent necessary. The Secretary shall, by regulation, establish procedures necessary to ensure that information provided under this section to any public housing agency is used, and confidentiality of such information is maintained, as required under this section.

(c) OPPORTUNITY TO DISPUTE.—Before an adverse action is taken with regard to assistance for public housing on the basis of a criminal record, the public housing agency shall provide the tenant or applicant with a copy of the criminal record and an opportunity to dispute the accuracy and relevance of that record.

(d) FEE.—A public housing agency may be charged a reasonable fee for information provided under subsection (a).

(e) RECORDS MANAGEMENT.—Each public housing agency that receives criminal record information under this section shall establish and implement a system of records management that ensures that any criminal record received by the agency is—

(1) maintained confidentially;

(2) not misused or improperly disseminated; and

(3) destroyed in a timely fashion, once the purpose for which the record was requested has been accomplished.

(f) PENALTY.—Any person who knowingly and willfully requests or obtains any information concerning an applicant for, or resident of, public housing pursuant to the authority under this section under false pretenses, or any person who knowingly or willfully discloses any such information in any manner to any individual not entitled under any law to receive it, shall be guilty of a misdemeanor and fined not more than $5,000. The term ''person'' as used in this subsection shall include an officer, employee, or authorized representative of any public housing agency.

(g) CIVIL ACTION.—Any applicant for, or resident of, public housing affected by (1) a negligent or knowing disclosure of information referred to in this section about such person by an officer or employee of any public housing agency, which disclosure is not authorized by this section, or (2) any other negligent or knowing action that is inconsistent with this section, may bring a civil action for damages and such other relief as may be appropriate against any public housing agency responsible for such unauthorized action. The district court of the United States in the district in which the affected applicant or resident resides, in which such unauthorized action occurred, or in which the officer or employee alleged to be responsible for any such unauthorized action resides, shall have jurisdiction in such matters. Appropriate relief that may be ordered by such district courts shall include reasonable attorney's fees and other litigation costs.

(h) DEFINITION OF ADULT.—For purposes of this section, the term ''adult'' means a person who is 18 years of age or older, or who has been convicted of a crime as an adult under any Federal, State, or tribal law.

SEC. 305. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(1) FEDERALLY ASSISTED HOUSING.—The term ''federally assisted housing'' means a unit in—

(A) public housing under the United States Housing Act of 1937;

(B) housing assisted under section 8 of the United States Housing Act of 1937 including both tenant-based assistance and project-based assistance;

(C) housing that is assisted under section 202 of the Housing Act of 1959 (as amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act);

(D) housing that is assisted under section 202 of the Housing Act of 1959, as such section existed before enactment of the Cranston-Gonzalez National Affordable Housing Act;

(E) housing that is assisted under section 811 of the Cranston-Gonzalez National Affordable Housing Act;

(F) housing financed by a loan or mortgage insured under section 221(d)(3) of the National Housing Act that bears interest at a rate determined under the proviso of section 221(d)(5) of such Act;

(G) housing with a mortgage insured, assisted, or held by the Secretary or a State or State agency under section 236 of the National Housing Act; and

(H) for purposes only of subsections 301(c), 301(d), 303, and 304, housing assisted under section 515 of the Housing Act of 1949.

(2) DRUG-RELATED CRIMINAL ACTIVITY.—The term ''drug-related criminal activity'' means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

(3) OWNER.—The term ''owner'' means, with respect to federally assisted housing, the entity or private person, including a cooperative or public housing agency, that has the legal right to lease or sublease dwelling units in such housing.

SEC. 306. CONFORMING AMENDMENTS.

(a) CONSOLIDATION OF PUBLIC HOUSING ONE STRIKE PROVISIONS.—Section 6 of the United States Housing Act of 1937 is amended—

(1) by striking subsections (l)(4) and (l)(5) and the last sentence of subsection (l), and redesignating paragraphs (6) and (7) as paragraphs (4) and (5);

(2) by striking subsection (q); and

(3) by striking subsection (r).

(b) CONSOLIDATION OF SECTION 8 ONE STRIKE PROVISIONS.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(1) by striking subsections (d)(1)(B)(ii) and (d)(1)(B)(iii), and redesignating clauses (iv) and (v) as clauses (ii) and (iii); and

(2) by striking subsection (f)(5) and redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively.

(c) CONSOLIDATION OF ONE STRIKE ELIGIBILITY PROVISIONS.—Section 16 of the United States Housing Act of 1937 is amended by striking subsection (e).

TITLE IV—TREATMENT OF AMOUNTS

SEC. 401. REQUIREMENT OF APPROPRIATIONS.

Notwithstanding any other provision of this Act, any provision of this Act or of any amendment made by this Act that otherwise provides amounts or makes amounts available shall be effective only to the extent or in such amounts as are or have been provided in advance in appropriation Acts.

H.R. 2

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 11: Page 96, strike line 1 and all that follows through page 97, line 22, and insert the following:

(c) INCOME MIX.—

(1) PHA-WIDE REQUIREMENT.—Of the public housing dwelling units of a public housing agency made available for occupancy by eligible families in any fiscal year of the agency—

(A) not less than 40 percent shall be occupied by families whose incomes do not exceed 30 percent of the area median income; and

(B) not less than 90 percent shall be occupied by families whose incomes do not exceed 60 percent of the area median income.

(2) PROHIBITION OF CONCENTRATION OF LOW-INCOME FAMILIES.—A public housing agency may not, in complying with the requirements under paragraph (1), concentrate very low-income families (or other families with relatively low incomes) in public housing dwelling units in certain public housing developments or certain buildings within developments. The Secretary may review the income and occupancy characteristics of the public housing developments, and the buildings of such developments, of public housing agencies to ensure compliance with the provisions of this paragraph.

(3) AREA MEDIAN INCOME.—For purposes of this subsection, the term ''area median income'' means the median income of an area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than the percentages specified in this subsection if the Secretary finds determines that such variations are necessary because of unusually high or low family incomes.

H.R. 2

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 12: Page 174, line 20, insert ''**VERY**'' before ''**LOW-INCOME**''.

Page 175, line 11, insert ''very'' before ''low-income''.

Page 187, line 5, insert ''VERY'' before ''LOW-INCOME''.

Page 187, line 10, insert ''very'' before ''low-income''.

Page 187, strike lines 13 through 22 and insert the following:

(b) INCOME TARGETING.—

(1) PHA-WIDE REQUIREMENT.—Of all the families who initially receive housing assistance under this title from a public housing agency in any fiscal year of the agency, not less than 75 percent shall be families whose incomes do not exceed 30 percent of the area median income.

(2) AREA MEDIAN INCOME.—For purposes of this subsection, the term ''area median income'' means the median income of an area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than the percentages specified in subsection (a) if the Secretary finds determines that such variations are necessary because of unusually high or low family incomes.

Page 205, line 7, insert ''very'' before ''low-income''.

Page 205, line 24, insert ''very'' before ''low-''.

Page 211, line 6, insert ''very'' before ''low-income''.

Page 214, line 1, insert ''very'' before ''low-income''.

H.R. 2

OFFERED BY: MR. KENNEDY OF MASSACHUSETTS

AMENDMENT NO. 13: Page 220, strike line 12 and all that follows through line 12 on page 237 (and redesignate subsequent provisions and any references to such provisions, and conform the table of contents, accordingly).

H.R. 2

OFFERED BY: MR. KLINK

AMENDMENT NO. 14: Page 335, after line 6, insert the following new section:

SEC. 709. CONSULTATION WITH LOCAL GOVERNMENTS.

The Department of Housing and Urban Development Act (42 U.S.C. 3531 et seq.) is amended by inserting after section 12 the following new section:

''CONSULTATION WITH LOCAL GOVERNMENTS REGARDING LOW-INCOME HOUSING ASSISTANCE FOR MULTIFAMILY HOUSING PROJECTS

''SEC. 13. (a) IN GENERAL.—After the completion of any selection process regarding low-income housing assistance, but before making any new commitment or obligation for low-income housing assistance for a multifamily housing project selected for such assistance, the Secretary shall—

''(1) notify the chief executive officer (or other appropriate official) of the unit of general local government in which the housing to be assisted is located (or to be located) of such commitment or obligation; and

''(2) pursuant to the request of such unit of general local government, provide such information as may reasonably be requested by such unit of general local government regarding the assisted housing project (except to the extent otherwise prohibited by law) and consult with representatives of such local government regarding the assisted housing project.

This section may not be construed to authorize the release of any covered selection information during any selection process which is otherwise prohibited under section 12.

''(b) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) COVERED SELECTION INFORMATION.—The term 'covered selection information' has the meaning given such term in section 12(e).

''(2) LOW-INCOME HOUSING ASSISTANCE.—The term 'low-income housing assistance' means any grant, loan, subsidy, guarantee, insurance, or other financial assistance for new or existing housing provided under a program administered by the Secretary, under which occupancy or ownership of some or all of the dwelling units in the housing assisted is limited, restricted, or determined (pursuant to the laws or regulations relating to such assistance) based on the income of the individual or family occupying or purchasing the unit.

''(3) MULTIFAMILY HOUSING PROJECT.—The term 'multifamily housing project' means a property that consists of 5 or more dwelling units.

''(4) NEW.—The term 'new', when used in reference to the commitment or obligation of low-income housing assistance for a multifamily housing project, means that, at the time such commitment or obligation is made—

''(A) such project is not receiving such low-income housing assistance and is not subject to a contract or agreement under the program for such low-income housing assistance; and

''(B) such commitment or obligation is not made pursuant to the renewal of a previous contract, obligation, or commitment for such assistance for such project.

''(5) SELECTION PROCESS.—The term 'selection process' has the meaning given such term in section 12(e).

''(6) UNIT OF GENERAL LOCAL GOVERNMENT.—The term 'unit of general local government' means any city, town, township, county, parish, village, or other general purpose political subdivision of a State.''.

H.R. 2

OFFERED BY: MR. LAZIO

AMENDMENT NO. 15 Page 78, line 22, after ''used'' insert '', to the extent or in such amounts as are or have been provided in advance in appropriations Acts,''.

Page 79, after line 19, insert the following new subsection:

(e) ELIGIBLE ACTIVITIES FOR INCREASED INCOME.—Any public housing agency that derives increased nonrental or rental income, as referred to in subsection (c)(2)(B) or (d)(1)(D) of section 204 or pursuant to provision of mixed-income developments under section 221(c)(2), may use such amounts for any eligible activity under paragraph(1) or (2) of subsection (a) of this section or for providing choice-based housing assistance under title III.

Page 116, line 6, after ''used'' insert '', to the extent or in such amounts as are or have been provided in advance in appropriations Acts,''.

Page 137, line 14, strike ''for financial assistance under this title'' and insert ''under section 282(1) for use under the capital fund''.

Page 164, after line 16, insert the following:

(n) TREATMENT OF PREVIOUS SELECTIONS.—A public housing agency that has been selected to receive amounts under the notice of funding availability for fiscal year 1996 amounts for the HOPE VI program (provided under the heading ''PUBLIC HOUSING DEMOLITION, SITE REVITALIZATION, AND REPLACEMENT HOUSING GRANTS'' in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (42 U.S.C. 14371

note) (enacted as section 101(e) of Omnibus Consolidated Rescission and Appropriations Act of 1996 (Public Law 104–134; 100 Stat. 1321–269)) may apply to the Secretary of Housing and Urban Development for a waiver of the total development cost rehabilitation requirement otherwise applicable under such program, and the Secretary may waive such requirement, but only (1) to the extent that a designated site for use of such amounts does not have dwelling units that are considered to be obsolete under Department of Housing and Urban Development regulations in effect upon the date of the enactment of this Act, and (2) if the Secretary determines that the public housing agency will continue to comply with the purposes of the program notwithstanding such waiver.

Page 170, line 24, strike ''bond issued by the agency'' and insert ''bonds issued by the agency or any State or local governmental agency''.

Page 171, strike lines 5 though 10 and insert the following:

With respect to any dwelling unit in a mixed-finance housing development that is a low-income dwelling unit for which amounts from a block grant under this title are used and that is assisted pursuant to the low-income housing tax credit under section 42 of the Internal Revenue Code of 1986, the rents charged to the residents of the unit shall be determined in accordance with this title, but shall not in any case exceed the amounts allowable under such section 42.

Page 173, line 24, strike ''and'' and all that follows through line 2 on page 174, and insert a period.

Page 184, strikes line 7 and 8 and insert the following:

assistance under this title, such sums as may be necessary for each of fiscal years 1998, 2000, 2001, and 2002 to provide amounts for incremental assistance under this title, for renewal of expiring contracts under section 302 of this Act and renewal under this title of expiring contracts for tenant-based rental assistance under section 8 of the United States Housing Act of 1937 (as in effect before the effective date of the repeal under section 601(b) of this Act), and for replacement needs for public housing under title II.

Page 184, line 22, after ''227'' insert the following: ''or the establishment of occupancy restrictions in accordance with section 658 of the Housing and Community Development Act of 1992''.

Page 224, strike lines 21 through 25 and insert the following:

(c) RENT POLICY.—A participating jurisdiction shall ensure that the rental contributions charged to families assisted with amounts received pursuant to this title—

(1) do not exceed the amount that would be chargeable under title II to such families were such families residing in public housing assisted under such title; or

(2) are established, pursuant to approval by the Secretary of a proposed rent structure included in the application under section 406, at levels that are reasonable and designed to eliminate any disincentives for members of the family to obtain employment and attain economic self-sufficiency.

Page 228, line 18, strike ''section'' and insert ''title''.

Page 228, after line 25, insert the following:

(k) COMMUNITY WORK REQUIREMENT.—

(1) APPLICABILITY OF REQUIREMENTS FOR PHA'S.—Except as provided in paragraph (2), participating jurisdictions, families assisted with amounts received pursuant to this title, and dwelling units assisted with amounts received pursuant to this title, shall be subject to the provisions of section 105 to the same extent that such provisions apply with respect to public housing agencies, families residing in public housing dwelling units and families assisted under title III, and public housing dwelling units and dwelling units assisted under title III.

(2) LOCAL COMMUNITY SERVICE ALTERNATIVE.—Paragraph (1) shall not apply to a participating jurisdiction that, pursuant to approval by the Secretary of a proposal included in the application under section 406, is carrying out a local program that is designed to foster community service by families assisted with amounts received pursuant to this title.

(l) INCOME TARGETING.—In providing housing assistance using amounts received pursuant to this title in any fiscal year, a participating jurisdiction shall ensure that the number of families having incomes that do not exceed 30 percent of the area median income that are initially assisted under this title during such fiscal year is not less than substantially the same number of families having such incomes that would be initially assisted in such jurisdiction during such fiscal year under titles II and III pursuant to sections 222(c) and 321(b)).

Page 233, line 7, after the period insert the following: ''Upon approving or disapproving an application under this paragraph, the Secretary shall make such determination publicly available in writing together with a written statement of the reasons for such determination.''.

Page 320, line 13, strike the period and insert ''; or''.

Page 320, after line 13, insert the following:

(C) with respect only to activity engaged in by the tenant or any member of the tenant's household, is criminal activity on or off the premises.

Page 335, after line 6, insert the following new section:

SEC. 709. PROTECTION OF SENIOR HOMEOWNERS UNDER REVERSE MORTGAGE PROGRAM.

(a) DISCLOSURE REQUIREMENTS; PROHIBITION OF FUNDING OF UNNECESSARY OR EXCESSIVE COSTS.—Section 255(d) of the National Housing Act (12 U.S.C. 1715z–20(d)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

''(C) has received full disclosure of all costs to the mortgagor for obtaining the mortgage, including any costs of estate planning, financial advice, or other related services; and'';

(2) in paragraph (9)(F), by striking ''and'';

(3) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(11) have been made with such restrictions as the Secretary determines to be appropriate to ensure that the mortgagor does not fund any unnecessary or excessive costs for obtaining the mortgage, including any costs of estate planning, financial advice, or other related services; such restrictions shall include a requirement that the mortgagee ask the mortgagor about any fees that the mortgagor has incurred in connection with obtaining the mortgage and a requirement that the mortgagee be responsible for ensuring that the disclosures required by subsection (d)(2)(C) are made.''.

(b) IMPLEMENTATION.—

(1) NOTICE.—The Secretary of Housing and Urban Development shall, by interim notice, implement the amendments made by subsection (a) in an expeditious manner, as determined by the Secretary. Such notice shall not be effective after the date of the effectiveness of the final regulations issued under paragraph (2) of this subsection.

(2) REGULATIONS.—The Secretary shall, not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, issue final regulations to implement the amendments made by subsection (a). Such regulations shall be issued only after notice and opportunity for public comment pursuant to the provisions of section 553 of title 5, United States Code (notwithstanding subsections (a)(2) and (b)(B) of such section.)

H.R. 2

OFFERED BY: MR. MCCOLLUM

AMENDMENT NO. 16: Page 327, strike lines 23 through 25, and insert the following new title after section VII.

SECTION VIII. OCCUPANCY STANDARDS

(a) NATIONAL STANDARD PROHIBITED.—The Secretary shall not directly or indirectly establish a national occupancy standard.

(b) STATE STANDARD.—If a State establishes an occupancy standard, such standard shall be presumed reasonable for the purpose of determining familial status discrimination in residential rental dwellings.

(c) ABSENCE OF STATE STANDARD.—If a State fails to establish an occupancy standard, an occupancy standard that is established by a housing provider and that is not in contravention of the guidance enunciated in the Memorandum from the General Counsel of the Department of Housing and Urban Development to all regional counsel, of March 20, 1991, shall be presumed reasonable for the purpose of determining familial status discrimination, except that for purposes of this section, the paragraph on page 4 of such memorandum under the heading ''State and local law'' shall not apply.

(d) DEFINITIONS.—

(1) OCCUPANCY STANDARD.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''occupancy standard'' means a law, regulation, or housing provider policy that establishes a limit on the number of residents a housing provider can manage in a dwelling for any 1 or more of the following purposes:

(i) Providing a decent home and services for each resident.

(ii) Enhancing the livability of a dwelling for all residents, including the dwelling for each particular resident.

(iii) Avoiding undue physical deterioration of the dwelling and property.

(B) EXCEPTION.—The term ''occupancy standard'' does not include a Federal, State, or local restriction regarding the maximum number of persons permitted to occupy a dwelling for the sole purpose of protecting the health and safety of the residents of a dwelling, including building and housing code provisions.

(2) INFANT.—The term ''infant'' means a child who—

(A) is less than 6 months old; and

(B) sleeps in the same bedroom as the child's parent, guardian, legal custodian, or person applying for that status with respect to that child.

(e) INAPPLICABILITY.—

(1) PURPOSEFUL DISCRIMINATION.—This section does not apply to any purposeful discrimination on the basis of race, color, religion, sex, familial status, handicap, or national origin.

(2) DISCRIMINATION ON THE BASIS OF HANDICAP.—Nothing in this section shall be construed to affect the decision of the United States Supreme Court set forth in City of Edmonds, WA v. Oxford House, Inc. (115 S. Ct. 1776 (1995)).

H.R. 2

OFFERED BY: MR. MCCOLLUM

AMENDMENT NO. 17: Page 327, strike lines 23 through 25, and insert the following:

(a) NATIONAL STANDARD PROHIBITED.—The Secretary shall not directly or indirectly establish a national occupancy standard.

(b) STATE STANDARD.—If a State establishes an occupancy standard, such standard shall be presumed reasonable for the purpose of determining familial status discrimination in residential rental dwelling.

(c) ABSENCE OF STATE STANDARD.—If a State fails to establish an occupancy standard, an occupancy standard of 2 persons per bedroom plus infants that is established by a housing provider shall be presumed reasonable for the purpose of determining familial status discrimination in residential rental dwellings.

(d) DEFINITIONS.—

(1) OCCUPANCY STANDARD.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''occupancy standard'' means a law, regulation, or housing provider policy that establishes a limit on the number of residents a housing provider can manage in a dwelling for any 1 or more of the following purposes:

(i) Providing a decent home and services for each resident.

(ii) Enhancing the livability of a dwelling for all residents, including the dwelling for each particular resident.

(iii) Avoiding undue physical deterioration of the dwelling and property.

(B) EXCEPTION.—The term ''occupancy standard'' does not include a Federal, State, or local restriction regarding the maximum number of persons permitted to occupy a dwelling for the sole purpose of protecting the health and safety of the residents of a dwelling, including building and housing code provisions.

(2) INFANT.—The term ''infant'' means a child who—

(A) is less than 6 months old; and

(B) sleeps in the same bedroom as the child's parent, guardian, legal custodian, or person applying for that status with respect to that child.

(e) INAPPLICABILITY.—

(1) PURPOSEFUL DISCRIMINATION.—This section does not apply to any purposeful discrimination on the basis of race, color, religion, sex, familial status, handicap, or national origin.

(2) DISCRIMINATION ON THE BASIS OF HANDICAP.—Nothing in this section shall be construed to affect the decision of the United States Supreme Court set forth in City of Edmonds, WA v. Oxford House, Inc. (115 S. Ct 1776 (1995)).

H.R. 2

OFFERED BY: MR. NADLER

AMENDMENT NO. 18: Page 184, strike lines 5 through 8 and insert the following:

(a) IN GENERAL.—There is authorized to be appropriated for providing public housing agencies with housing assistance under this title for each of fiscal years 1998, 1999, 2000, 2001, and 2002—

(1) such sums as may be necessary to renew any contracts for choice-based assistance under this title or tenant-based assistance under section 8 of the United States Housing Act of 1937 (as in effect before the repeal under section 601(b) of this Act) that expire during such fiscal year, only for use for such purpose; and

(2) $305,000,000, only for use for incremental assistance under this title.

H.R. 2

OFFERED BY: MR. SCHUMER

AMENDMENT NO. 19: Page 184, strike lines 5 through 8 and insert the following:

(a) IN GENERAL.—There is authorized to be appropriated for providing public housing agencies with housing assistance under this title for each of fiscal years 1998, 1999, 2000, 2001, and 2002—

(1) such sums as may be necessary to renew any contracts for choice-based assistance under this title or tenant-based assistance under section 8 of the United States Housing Act of 1937 (as in effect before the repeal under section 601(b) of this Act) that expire during such fiscal year, only for use for such purpose; and

(2) $305,000,000, only for use for incremental assistance under this title.

H.R. 2

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 20: Page 332, after line 2, insert the following:

SEC. 706. REGIONAL COOPERATION UNDER CDBG ECONOMIC DEVELOPMENT INITIATIVE.

Section 108(q)(4) (42 U.S.C. 5308(q)(4)) of the Housing and Community Development Act of 1974 is amended—

(1) by striking ''and'' after the semicolon in subparagraph (C);

(2) by redesignating subparagraph (D) as subparagraph (E); and

(3) by inserting after subparagraph (C) the following:

''(D) when applicable as determined by the Secretary, the extent of regional cooperation demonstrated by the proposed plan; and''.

H.R. 2

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 21: Page 335, after line 6, insert the following new section:

SEC. 709. HOUSING COUNSELING.

(a) EXTENSION OF EMERGENCY HOMEOWNERSHIP COUNSELING.—Section 106(c)(9) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(c)(9)) is amended by striking ''September 30, 1994'' and inserting ''September 30, 1999''.

(b) EXTENSION OF PREPURCHASE AND FORECLOSURE PREVENTION COUNSELING DEMONSTRATION.—Section 106(d)(13) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(d)(12)) is amended by striking ''fiscal year 1994'' and inserting ''fiscal year 1999''.

(c) NOTIFICATION OF DELINQUENCY ON VETERANS HOME LOANS.—

Subparagraph (C) of section 106(c)(5) of the Housing and Urban Development Act of 1968 is amended to read as follows:

''(C) NOTIFICATION—Notification under subparagraph (A) shall not be required with respect to any loan for which the eligible homeowner pays the amount overdue before the expiration of the 45-day period under subparagraph (B)(ii).''.

H.R. 2

OFFERED BY: MR. VENTO

AMENDMENT NO. 22: Page 40, line 19, strike ''and''.

Page 40, line 19, insert the following new subparagraph:

(G) the procedures for coordination with entities providing assistance to homeless families in the jurisdiction of the agency; and

Page 40, line 20, strike ''(G)'' and insert ''(H)''.

H.R. 2

OFFERED BY: MR. VENTO

AMENDMENT NO. 23: Page 104, line 24, insert after ''program'' the following:

'', including a family that includes a member who is an alien lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996''.

H.R. 2

OFFERED BY: MR. VENTO

AMENDMENT NO. 24: Page 193, line 21, insert after ''program'' the following:

'', including a family that includes a member who is an alien lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996''.

H.R. 2

OFFERED BY: MR. VENTO

AMENDMENT NO. 25: Page 244, strike line 1 and all that follows through line 8 on page 254, and insert the following:

Subtitle C—Public Housing Management Assessment Program

H.R. 2

OFFERED BY: MS. WATERS

AMENDMENT NO. 26: Page 57, strike lines 14 through 22 and insert the following:

(b) EXCLUSION FROM ADMINISTRATIVE PROCEDURE OF GRIEVANCES CONCERNING EVICTIONS FROM PUBLIC HOUSING INVOLVING HEALTH, SAFETY, OR PEACEFUL ENJOYMENT.—A public housing agency may exclude from its procedure established under subsection (a) any grievance, in any jurisdiction which requires that prior to eviction, a tenant be given a hearing in court, which the Secretary determines provides the basic elements of due process (which the Secretary shall establish by rule under section 553 of title 5, United States Code), concerning an eviction from or termination of tenancy in public housing that involves any activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other tenants or employees of the public housing agency or any drug-related criminal activity on or off such premises.

H.R. 2

OFFERED BY: MR. WATT OF NORTH CAROLINA

AMENDMENT NO. 27: Page 25, line 21, strike ''**COMMUNITY WORK AND**''.

Page 25, strike line 23 and all that follows through page 27, line 10.

Page 32, line 2, strike ''subsection (a) and''.

Page 33, line 3, strike ''COMMUNITY WORK AND''.

Page 33, line 6, strike ''community work and''.

Page 33, strike line 23 and all that follows through page 34, line 2.

Page 34, strike lines 23 and 24.

H.R. 867

OFFERED BY: MR. BURTON

AMENDMENT NO. 1: In section 475(5)(E) of the Social Security Act, as proposed to be added by section 3(a) of the bill—

(1) add ''or'' at the end of clause (i);

(2) strike ''; or'' at the end of clause (ii) and insert a period followed by close quotation marks and a period; and

(3) strike clause (iii).

H.R. 867

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 2: Add at any appropriate place the following:

''In making adoptive or foster parent placements, the state or appropriate entity shall make efforts to ensure that such prospective adoptive or foster parent is sensitive to the child's ethnic background.''

H.R. 867

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 3: Add at any appropriate place the following:

SEC. PRIORITY IN PROVIDING SUBSTANCE ABUSE TREATMENT

Section 1927 of the Public Health Service Act (42 U.S.C. 300x-27) is amended—

(1) in the heading, by inserting ''**AND CARETAKER PARENTS**'' AFTER ''**WOMEN**'', and

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''and all caretaker parents who are referred for treatment by the State or local child welfare agency'' after ''referred for''; and

(ii) by striking ''is given'' and inserting ''are given''; and

(B) in paragraph (2)—

(i) by striking ''such women'' and inserting ''such pregnant women and caretaker parents''; and

(ii) by striking ''the women'' and inserting ''the pregnant women and caretaker parents''.

H.R. 867

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 4: Add at any appropriate place the following:

SEC. CRIMINAL RECORDS CHECKS FOR PROSPECTIVE FOSTER AND ADOPTIVE PARENTS AND GROUP CARE STAFF

Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(1) in paragraph (18), by striking ''and'' at the end;

(2) in paragraph (19), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(20) provides procedures for criminal records checks and checks of a State's child abuse registry for any prospective foster parent or adoptive parent, and any employee of a child-care institution before the foster care or adoptive parent, or the child-care institution may be finally approved for placement of a child on whose behalf foster care maintenance payments or adoption assistance payments are to be made under the State plan under this part, including procedures requiring that—

''(A) in any case in which a criminal record check reveals a criminal conviction for child abuse or neglect, or spousal abuse, a criminal conviction for crimes against children, or a criminal conviction for a crime involving violence, including rape, sexual or other assault, or homicide, approval shall be granted; and

''(B) in any case in which a criminal record check reveals a criminal conviction for a felony or misdemeanor not involving violence, or a check of any State child abuse registry indicates that a substantiated report of abuse or neglect, final approval may be granted only after consideration of the nature of the offense or incident, the length of time that has elapsed since the commission of the offense or the occurrence of the incident, the individual's life experiences during the period since the commission of the offense or the occurrence of the incident, and any risk to the child.''.

H.R. 867

OFFERED BY: MRS. MORELLA

AMENDMENT NO. 5: At the end of the bill, add the following:

SEC. KINSHIP CARE DEMONSTRATION PROJECTS.

(a) IN GENERAL.—Part E of title IV of the Social Security Act (42 U.S.C. 670–679) is amended by inserting after section 477 the following:

''SEC. 478. KINSHIP CARE DEMONSTRATION PROJECTS.

''(a) PURPOSE.—The purpose of this section is to allow and encourage States to develop effective alternatives to foster care for children who might be eligible for foster care but who have adult relatives who can provide safe and appropriate care for the child.

''(b) DEMONSTRATION AUTHORITY.—The Secretary may authorize any State to conduct a demonstration project designed to determine whether it is feasible to establish kinship care as an alternative to foster care for a child who—

''(1) has been removed from home as a result of a judicial determination that continuation in the home would be contrary to the welfare of the child;

''(2) would otherwise be placed in foster care; and

''(3) has adult relatives willing to provide safe and appropriate care for the child.

''(c) KINSHIP CARE DEFINED.—As used in this section, the term 'kinship care' means safe and appropriate care (including long-term care) of a child by 1 or more adult relatives of the child who have legal custody of the child, or physical custody of the child pending transfer to the adult relative of legal custody of the child.

''(d) PROJECT REQUIREMENTS.—In my demonstration project authorized to be conducted under this section, the State—

''(1) should examine the provision of alternative financial and service supports to families providing kinship care; and

''(2) shall establish such procedures as may be necessary to assure the safety of children who are placed in kinship care.

''(e) WAIVER AUTHORITY.—The Secretary may waive compliance with any requirement of this part which (if applied) would prevent a State from carrying out a demonstration project under this section or prevent the State from effectively achieving the purpose of such a project, except that the Secretary may not waive—

''(1) any provision of section 422(b)(10), section 479, or this section; or

''(2) any provision of this part, to the extent that the waiver would impair the entitlement of any qualified child or family to benefits under a State plan approved under this part.

''(f) PAYMENTS TO STATES; COST NEUTRALITY.—In lieu of any payment under section 473 for expenses incurred by a State during a quarter with respect to a demonstration project authorized to be conducted under this section, the Secretary shall pay to the State an amount equal to the total amount that would be paid to the State for the quarter under this part, in the absence of the project, with respect to the children and families participating in the project.

''(g) USE OF FUNDS.—A State may use funds paid under this section for any purpose related to the provision of services and financial support for families participating in a demonstration project under this section.

''(h) DURATION OF PROJECT.—A demonstration project under this section may be conducted for not more than 5 years.

''(i) APPLICATION.—Any State seeking to conduct a demonstration project under this section shall submit to the Secretary an application, in such form as the Secretary may require, which includes—

''(1) a description of the proposed project, the geographic area in which the proposed project would be conducted, the children or families who would be served by the proposed project, the procedures to be used to assure the safety of such children, and the services which would be provided by the proposed project (which shall provide, where appropriate, for random assignment of children and families to groups served under the project and to control groups);

''(2) a statement of the period during which the proposed project would be conducted, and how, at the termination of the project, the safety and stability of the children and families who participated in the project will be protected;

''(3) a discussion of the benefits that are expected from the proposed project (compared to a continuation of activities under the State plan approved under this part);

''(4) an estimate of the savings to the State of the proposed project;

''(5) a statement of program requirements for which waivers would be needed to permit the proposed project to be conducted;

''(6) a description of the proposed evaluation design; and

''(7) such additional information as the Secretary may require.

''(j) STATE EVALUATIONS AND REPORTS.—Each State authorized to conduct a demonstration project under this section shall—

''(1) obtain an evaluation by an independent contractor of the effectiveness of the project, using an evaluation design approved by the Secretary which provides for—

''(A) comparison of outcomes for children and families (and groups of children and families) under the project, and such outcomes under the State plan approved under this part, for purposes of assessing the effectiveness of the project in achieving program goals; and

''(B) any other information that the Secretary may require;

''(2) obtain an evaluation by an independent contractor of the effectiveness of the State in assuring the safety of the children participating in the project; and

''(3) provide interim and final evaluation reports to the Secretary, at such times and in such manner as the Secretary may require.

''(k) REPORT TO THE CONGRESS.—Not later than 4 years after the date of the enactment of this section, the Secretary shall submit to the Congress a report that contains the recommendations of the Secretary for changes in law with respect to kinship care and placements.''.

(b) CONFORMING AMENDMENTS.—Title IV of the Social Security Act (42 U.S.C. 601 et seq.) is amended—

(1) in section 422(b)—

(A) by striking the period at the end of the paragraph (9) (as added by section 544(3) of the Improving America's Schools Act of 1994 (Public Law 103–382; 108 Stat. 4057)) and inserting a semicolon;

(B) by redesignating paragraph (10) as paragraph (11); and

(C) by redesignating paragraph (9), as added by section 202(a)(3) of the Social Security Act Amendments of 1994 (Public Law 103–432, 108 Stat. 4453), as paragraph (10);

(2) in sections 424(b), 425(a), and 472(d), by striking ''422(b)(9)'' each place it appears and inserting ''422(b)(10)''; and

(3) in section 471(a)—

(A) by striking ''and'' at the end of paragraph (17);

(B) by striking the period at the end of paragraph (18) (as added by section 1808(a) of the Small Business Job Protection Act of 1996 (Public Law 104–188; 110 Stat. 1903)) and inserting ''; and''; and

(C) by redesignating paragraph (18) (as added by section 505(3) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193; 110 Stat. 2278)) as paragraph (19).

H.R. 867

OFFERED BY: MR. TIAHRT

AMENDMENT NO. 6: Strike the matter proposed to be added by section 3(a)(3) of the bill and insert the following:

''(E) in the case of a child who has been in foster care under the responsibility of the State during 12 of the most recent 18 months, and a child in such foster care who has not attained 13 years of age (or such greater age as the State may establish) and with respect whom reasonable efforts of the type described in section 471(a)(15)(A)(i) are discontinued or not made, the State shall seek to terminate all parental rights with respect to the child, unless—

''(i) at the option of the State, the child is being cared for by a relative; or

''(ii) a State court or State agency has documented a compelling reason for determining that filing such a petition would not be in the best interests of the child.''.