United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, FRIDAY, JUNE 20, 1997 No. 87

House of Representatives

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

We begin this day, O gracious God, with thankful hearts for the days that have passed, with anticipation for what tomorrow will bring, and with appreciation for the opportunities of today. With all the pressures of modern life and with all the needs that are yet undone, we know that You grant us the resources for the responsibilities of the day and You free our hearts and souls with grace and peace and love. Grant to us and every person, O God, these gifts and bless us along life's way. Amen.

THE JOURNAL

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina [Mr. BALLENGER] come forward and lead the House in the Pledge of Allegiance.

Mr. BALLENGER led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 858. An act to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain five 1-minutes on each side.

REPUBLICAN TAX BILL NEEDS LOTS OF WORK

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

Mr. PALLONE. Mr. Speaker, the House is expected to vote next week on a Republican tax bill that gives more than half of its benefits to the wealthiest 5 percent of Americans. Because the Republicans do not know how to defend themselves against charges that their bill short-changes working families, Republicans are firing back with the blatantly false charge that tax breaks for millions of working families would be welfare payments.

I would tell my colleagues that the Republican bill denies the $500 child tax credit to 20 million working families, because it does not let them count the credit against their payroll taxes. This is the Federal taxes that are deducted from the worker's paycheck.

I do not understand why the Republicans are so desperate to keep these working families from getting tax breaks. I suspect it is because they are trying to funnel every dollar they can right back to their wealthy contributors.

I would say, Mr. Speaker, we should welcome ourselves to the Republican Congress where tax breaks for struggling working families are welfare, but massive capital gains and estate tax breaks for the very rich are an important national policy.

NO TAX BREAKS FOR THOSE WHO DO NOT PAY TAXES

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

Mr. BALLENGER. Mr. Speaker, there are actually some Democrats who are outraged that those who pay no Federal income tax will not benefit from the tax credits that are contained in the Republican tax cut plan.

Let us think about this for a minute. If one pays no Federal income tax, should I be upset because I am not getting a tax cut? This, in my view, is what we call the mother of all entitlement mentalities. It is kind of like complaining about not having a headache because some great new aspirin product is not going to do anything for you. Talk about not fair.

So let us see if I got this straight. It is about 9 o'clock on the night of April 14 and I am filling out my 1040 and I finally get through the form, and at first I am happy as a lottery winner when I find that there is no income tax this year being paid by me. Fat zero. Then I realize hey, wait a minute. This is not fair. If Congress passes a tax cut, I will not get one because I do not pay any taxes. Suddenly now I am sad. I guess I am not as lucky as I thought.

☐ 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.

Printed on recycled paper containing 100% post consumer waste

FAIR PAY ACT

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

Ms. VELÁZQUEZ. Mr. Speaker, while the Republicans are trying to give huge tax breaks to the rich, working people struggle to make ends meet. While the Republicans attempt to deny the minimum wage to women trying to move from welfare to work, the challenge for working women to achieve pay equity becomes more difficult.

For Hispanic women, the challenge is greater still. Tomorrow, June 21, will mark the day when Hispanic women earn what white men earned the year before for comparable work, and Hispanic women, they pay payroll taxes. That is taxes.

We know that discrimination is wrong, but employers continue to get away with wage discrimination despite the passage of the Equal Pay Act 30 years ago.

Today I rise in support of the Fair Pay Act, which requires employers to pay equal wages for compatible work.

While the Republicans try to keep women from even earning the minimum wage, the Democrats are fighting to provide fairness for working women.

ANY EXCUSE IS A GOOD EXCUSE

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

Mr. TIAHRT. Mr. Speaker, any excuse is a good excuse if one does not want to do something. Let us see. What is today's excuse for voting against tax relief?

Well, the tax relief is going for the wealthy. We cannot give the rich a tax break. Well, who are these so-called rich? Liberals say that if one makes more than $40,000 per year, one is rich. Well, that is bad news for the aircraft workers in Wichita, the air capital of the world, bad news because this will be the third weekend this month that single mothers have gone to work to work overtime, the third weekend they will miss spending time with their three children. They are just working to make ends meet, and somehow, somehow they thought being rich would be just a little bit better.

No tax relief for the wealthy. Mr. Speaker, any excuse is a good excuse when you do not want to do something.

□ 0915

SUPPORT DEMOCRACY IN ALBANIA

(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, since 1992 Albania has evolved into a democracy. Inspired by their dynamic leader, Speaker of Parliament Arbnori, who spent 25 years in prison struggling for democracy, they were able to set communism aside. Mr. Speaker, those great triumphs are now in danger. The Communist Party in Albania vowed to disregard the outcome of the June 29 elections unless the Communist Party wins.

Mr. Speaker, this is a great tragedy, and this is a danger for the entire free world. Albania can become the next Bosnia. Congress must ensure free and open elections in Albania. Congress must support Speaker Arbnori, and in addition, the Congress of the United States should support admitting a free, open, and democratic Albania into NATO. The Albanians have set communism aside. Congress must join to help the freedom fighters in Albania.

REDUCE TAXES ON SMALL BUSINESSES

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

Mr. PAPPAS. Mr. Speaker, most people on Main Street in my district in central New Jersey understand who the real job creators are. They know that the little shops just starting out, small businesses struggling to get by, and people who have decided to work out of their homes are aware of where most of the jobs are. More jobs are created in those areas than anywhere else in the economy.

The kicker is that these small businesses, mom and pop enterprises that are slowly built up over a lifetime, sometimes cannot get passed on to their children when they die. For all these reasons we need tax relief for the real engines of our economy, small businesses: death tax relief, capital gains tax relief, and the new home office tax deduction for people giving it a go on their own. Let us pass this kind of tax relief this year. That is why I am here. That is what the American people expect.

TAX RELIEF FOR THOSE WHO NEED IT MOST

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

Mr. LEWIS of Georgia. Mr. Speaker, the American people want tax relief. They want lower taxes, but Mr. Speaker, the American people want a tax cut that goes to the people who need it most, American working families. The Republican tax bill is a boom for Wall Street, but a bust for Main Street.

The Republican tax bill gives little relief to the working people, people struggling to pay a mortgage, a car loan, their credit card bills, and send their kids to college. The Republican tax bill gives most of the tax breaks to the wealthiest people in America. Almost 60 percent of the Republican tax credits goes to the the wealthiest 5 percent of Americans, people who on average earn $250,000 a year.

That is not right, it is not fair, and it is not just. That is not what the American people want. Democrats want a tax cut for the middle class, for working families. These are the people who deserve tax relief. Let us not give away the store to millionaires like Rush Limbaugh and other yacht-owning junk bond traders and Rolls Royce drivers. Say no to the Republican tax break bill.

BIG HAT, NO CATTLE; NOT MUCH BEHIND THE DEMOCRATS' RHETORIC

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

Mr. GIBBONS. Mr. Speaker, I am told in Texas they have a saying that means ''All talk but no action.'' In classic Texan, they say, ''Big hat, no cattle.'' To me that means there is not much behind the rhetoric.

Mr. Speaker, I am from the great State of Nevada, but I am pretty sure that the people of Texas are talking about the Democrats when they talk about taxes. Sure, they are all for them, they say, but when it comes to giving the middle-class families some real tax relief, all of a sudden the middle-class tax cuts get magically transformed into tax cuts for the wealthy. Middle-class taxpayers in my district are starting to scratch their heads when they hear that some people in Washington think they should not get tax relief because suddenly they are the rich.

I think I understand what so many of them start questioning, whether some of the people who claim to be for middle-class tax cuts are really sincere. Big hat, no cattle. I think Texans are onto something here.

REPUBLICANS WILL PROVIDE TAX BREAKS AND TAX CUTS TO THE RICHEST IN AMERICA

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

Ms. DELAURO. Mr. Speaker, let us be clear about the bogus arguments of my colleagues on the other side of the aisle. The fact of the matter is that if you do not pay Federal taxes, income tax or a payroll tax, you are not eligible for a child tax credit in the Democratic proposal. If you do work and pay taxes, in fact you are eligible for the child tax credit.

Let them not pull the wool over peoples' eyes, while they want to provide tax breaks and tax cuts to the richest 1 percent of the people in this country, those who make over $247,000. That is where the bulk of their tax break goes.

What they have done is they have cut back on the child care tax credit for working families; two people in the workplace who have to be there for economic reasons, they have cut back

that child care tax credit. They have cut back the education tax credit, the HOPE scholarships to allow working families to get their children to school, in an effort to provide a tax cut to the richest 1 percent of the people in this country. It is wrong and we should not let it happen.

THE JOURNAL

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 5 of rule I, the pending business is the question de novo of the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal of the last day's proceedings.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 336, nays 49, not voting 49, as follows:

[Roll No. 218]

YEAS—336

Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Christensen
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Flake
Foley
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gibbons
Gilchrest
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Greenwood
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Hill
Hilleary
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)
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Ryun
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stokes
Strickland
Stump
Stupak
Talent
Tanner
Tauscher
Thomas
Thornberry
Thune
Thurman
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Vento
Walsh
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (FL)

NAYS—49

Abercrombie
Borski
Brown (CA)
Brown (OH)
Chenoweth
Clay
DeFazio
English
Ensign
Fazio
Filner
Foglietta
Forbes
Fox
Gephardt
Gillmor
Green
Gutierrez
Gutknecht
Hefley
Hilliard
Hoekstra
Hulshof
Johnson, E. B.
Kucinich
Lewis (GA)
LoBiondo
Maloney (NY)
McDermott
McNulty
Meek
Moran (KS)
Nussle
Pallone
Pickett
Poshard
Ramstad
Rush
Sabo
Schaffer, Bob
Stearns
Sununu
Taylor (MS)
Thompson
Tiahrt
Visclosky
Wamp
Watt (NC)
Weller

NOT VOTING—49

Ackerman
Becerra
Blunt
Brown (FL)
Burr
Clayton
Conyers
Coyne
Crane
Crapo
Cubin
DeGette
Dixon
Doolittle
Dunn
Engel
Franks (NJ)
Gekas
Goss
Herger
Johnson, Sam
Kolbe
Lipinski
Markey
Martinez
McDade
Menendez
Miller (CA)
Oberstar
Pascrell
Pombo
Pomeroy
Porter
Riggs
Royce
Sanchez
Scarborough
Schiff
Schumer
Smith (NJ)
Smith (OR)
Stark
Stenholm
Tauzin
Taylor (NC)
Torres
Waters
Yates
Young (AK)

☐ 0945

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ENGEL. Mr. Speaker, I was necessarily absent during rollcall vote 218. If present, I would have voted ''aye'' on rollcall 218.

PROVIDING SPECIAL INVESTIGATIVE AUTHORITIES FOR COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 167 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 167

Resolved,

SECTION 1. APPLICATION.

This resolution shall apply to the investigation by the Committee on Government Reform and Oversight of political fundraising improprieties and possible violations of law.

SEC. 2. HANDLING OF INFORMATION.

Information obtained under the authority of this resolution shall be—

(1) considered as taken by the Committee on Government Reform and Oversight in the District of Columbia, as well as at the location actually taken; and

(2) considered as taken in executive session.

SEC. 3. DEPOSITIONS AND INTERROGATORIES.

The chairman of the Committee on Government Reform and Oversight, after consultation with the ranking minority member of the committee, may—

(1) order the taking of depositions or interrogatories anywhere within the United States, under oath and pursuant to notice or subpoena; and

(2) designate a member of the committee or an attorney on the staff of the committee to conduct any such proceeding.

SEC. 4. INTERNATIONAL AUTHORITIES.

The chairman of the Committee on Government Reform and Oversight, after consultation with the ranking minority member of the committee, may—

(1) order the taking of depositions and other testimony under oath anywhere outside the United States; and

(2) make application for issuance of letters rogatory, and request, through appropriate channels, other means of international assistance, as appropriate.

The SPEAKER pro tempore (Mr. LAHOOD). The gentlewoman from Ohio [Ms. PRYCE] is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], my good friend and the distinguished ranking minority member of the Committee on Rules, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. PRYCE of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks on H. Res. 167, and that I may be permitted to insert extraneous materials in the RECORD following my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Ms. PRYCE of Ohio. Mr. Speaker, House Resolution 167 is a straightforward resolution designed to provide special investigative authorities for the Committee on Government Reform and Oversight. In most cases, the standing rules of the House provide committees with the tools they need to carry out formal investigations, including the power to issue subpoenas. But in circumstances such as this, the complexity and scope of congressional inquiry require that special authorities be granted to ensure that investigations are conducted thoroughly and that they are not unduly prolonged.

This resolution applies only to the Committee on Government Reform and Oversight's current investigation of political fund-raising abuses and possible violations of Federal law, and it is divided into three basic parts:

First, the resolution states that information obtained under its authority shall be considered as taken by the committee in the District of Columbia and that the information shall be considered as taken in executive session of the committee.

Second, the resolution authorizes the chairman, after consultation with the ranking minority member, to order the taking of depositions or interrogatories anywhere within the United States, under oath and pursuant to notice or subpoena, and to designate a member of the committee or staff attorney to conduct any such proceeding.

Finally, because it may be necessary to seek evidence beyond our borders, the resolution authorizes the chairman, again after consultation with the ranking minority member, to order the taking of depositions and other testimony, under oath, anywhere outside the United States, and to make application for issuance of letters rogatory, and to request, through the appropriate channels, other means of international assistance.

In the view of the Committee on Rules, the need for deposition authority in this case is clearly justified. The investigation concerns a series of complex matters that necessitate the taking of testimony of numerous key witnesses under oath. For major wide-ranging investigations such as this, the House has historically provided deposition authority in order to facilitate the fact-finding process.

Because of the potentially hundreds of witnesses who will need to be deposed, it would not only be impractical but physically impossible for Members to be present at every step and to engage in time-consuming depositions. In this way, staff depositions will allow the committee to obtain sworn testimony quickly and confidently without the need for lengthy and possibly unfocused hearings.

The Committee on Government Reform and Oversight at the present time is deeply involved in a massive investigation focused on the use of illegal foreign contributions to influence American policy, which also includes matters relating to potential illegal or improper political fund-raising, related activities involving the White House and other Federal agencies, the improper use of official resources, potential interference with Government investigation, and many other related matters. As the principal investigatory body of the House, this is the committee's statutory obligation.

As our colleagues know, serious questions of national policy and national security have arisen as daily revelations disclose more troubling facts about the unusual access that questionable individuals had to high-ranking White House and administration officials. The threats to national security are a very troubling matter, Mr. Speaker, and I know the gentleman from New York [Mr. SOLOMON] will have more to say about that in just a few minutes.

These disturbing questions and allegations clearly point to the need for the resolution that is now before us. Due to the sheer magnitude and severity of the revelations from the executive branch, and the need to bolster the ability of the Committee on Government Reform and Oversight to properly investigate this matter, the Committee on Rules is compelled to bring this resolution today.

Mr. Speaker, when the Committee on Rules marked up this resolution yesterday, our colleagues in the minority raised several concerns, and I recognize their sincerity; but I would hasten to add this resolution is not only backed by ample precedent, it is also justifiably warranted given the enormous amount of ground that the Burton investigation must cover. We owe it to the integrity of Congress' investigatory process to make certain that the investigation is conducted as officially as possible and in a manner that will guard against any dilatory tactics that may be employed by those who oppose this investigation.

Mr. Speaker, as a former judge, I recognize the importance of basing our actions on past precedent, and our committee staff has worked diligently to ensure that this resolution is in keeping with previous House practice. As our committee report points out, there have been many cases where special investigative authorities were granted. Since 1974, there have been at least 10 major investigations undertaken by the House where the membership determined that additional authorities beyond those provided in House rules were needed to ensure a thorough and complete inquiry.

In at least six major investigations since 1975, the House concluded that the need to gather evidentiary information from abroad justified granting special authorities to the investigating committee. In just the last Congress, staff deposition authority and the ability to gather evidence abroad were granted for the Bosnia select subcommittee, investigating the White House Travel Office matter, for the Senate Whitewater investigation, and the list goes on.

Like so many Americans, we on the Committee on Rules are very concerned about the numerous allegations that lay at the heart of this investigation, and we are equally alarmed that our national security may have been severely compromised in this affair. As a result, the Committee on Rules has responded with a fair, responsible resolution that, No. 1, conforms with the investigating committee's own rules; No. 2, does not depart in any significant way from previous House practice; and, No. 3, that is designed to assist the investigating committee in finding answers to these and other troubling questions.

In closing, Mr. Speaker, I would urge my colleagues to support this straightforward resolution. It is an honest attempt to balance efficiency, expediency and fairness without trampling on the rules of the House or on the basic rights of the minority. I urge a ''yes'' vote on this very important resolution.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume, and I thank my colleague and dear friend, the gentlewoman from Ohio [Ms. PRYCE] for yielding me the customary half hour.

Mr. Speaker, I want to begin by complimenting my chairman, the gentleman from New York [Mr. SOLOMON], for making some improvements to the first draft of this resolution that came to the Committee on Rules. That proposal was even more outrageous than this one. The Committee on Government Reform and Oversight actually wanted access to tax records of all the witnesses that appear before them, but the gentleman from New York wisely, living up to his name, said no, and he was right to do so.

But despite that improvement, I am urging my colleagues to defeat this resolution and not to grant special investigative powers to the Committee on Government Reform and Oversight. My colleagues say they want to clean up campaign practices. We should certainly do that, but the additional powers we are considering today far exceed what is required to ensure clean campaign practices, if that is indeed the goal.

I am not sure, Mr. Speaker, what the goal is, because although the scope of the investigation is political fundraising improprieties, what worries me is how that scope is defined. It seems to be only alleged improprieties on the part of Democrats, not improprieties on the part of Republicans.

In the report the Committee on Rules presented to us just yesterday, 12 pages were dedicated to a long list of alleged Democratic activities and there was only mention of one Republican activity, although we know that there are more than just a few of those activities out there.

□ 1000

So in terms of this investigation, the Republican committee does not know what exactly they are investigating, they just know who they are investigating. They do not seem to be out to get facts as much as they are out to get Democrats. It is very clear to me, Mr. Speaker, after the number of subpoenas that have been issued, it is very clear who they are after in the way the Committee on Rules report is written. It is clear they are after who they are after in the questioning of witnesses.

Mr. Speaker, if it is clear who the Republican leadership is after but it is not exactly clear what they are after, then this is a lot more partisan fishing expedition and a lot less of a serious investigation. We seriously, certainly, do not need any more partisan fishing expeditions, particularly partisan fishing expeditions that violate the rights of the witnesses and virtually ignore the minority.

The chairman of the committee, and I would like everybody to pay attention to this, the chairman of the committee has already issued more unilateral subpoenas than any other Member in the history of the House of Representatives, 165 unilateral subpoenas to be exact; and he has also conducted interviews. But the Democrats on that committee do not know exactly how many because they were not consulted.

Mr. Speaker, this is no way to conduct a fair bipartisan investigation. I realize that none of this investigating is very pleasant business. Frankly, I do not think Congress should conduct so many investigations and pass so few laws. But if that is the way the Republican leadership wants to do things, if they want to spend millions upon millions of dollars looking for something, then by all means they should be fair about it, they should protect the rights of the witnesses and at least pretend the investigation is bipartisan.

Because if they do not, Mr. Speaker, if they continue the way they are going, absolutely no one is going to believe the outcome of this so-called investigation, if anything other than opposition research is left for the next campaign. And it is very possible, Mr. Speaker, to conduct a better investigation.

The Iran-Contra hearings, the October Surprise hearings, and even the Bosnia arms transfer investigation were conducted with joint cooperation of the majority and minority. They managed to protect witnesses' rights. They managed to define the scope. And they managed to cut with the minority. And since the committees and the last Congress managed to complete their investigations without being granted these very unusual powers, I believe that the Committee on Government Reform and Oversight in this Congress should be no different.

For that reason, Mr. Speaker, I will try to defeat the previous question in order to require that the Committee on Government Reform and Oversight adopt the same rules that Chairman Clinger used last Congress. These rules worked perfectly, and they protected the rights of the witnesses and they protected the rights of the minority. This investigation should be no different.

So I urge my colleagues to oppose granting unprecedented powers to the Committee on Government Reform and Oversight and defeat the previous question.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. DIAZ-BALART].

Mr. DIAZ-BALART. Mr. Speaker, I rise to support this resolution. It is a resolution that provides tools needed by the Committee on Government Reform and Oversight so that it may conduct a proper, fair, and thorough investigation of political fund-raising improprieties and other possible violations of the law.

Staff deposition authority is not something new for a committee to be granted. There are several examples from a few Republican, but mostly Democratic, controlled majorities in which this practice was used, consistent with what this resolution provides. The impeachment proceedings of President Nixon, the House assassinations inquiry, and Koreagate are all instances from the 1970s in which similar staff deposition authority was utilized.

In the 1980's, there were, among others, the Iran-Contra committee and the Abscam investigations. And more recently, this authority for the taking of depositions by staff attorneys was practiced by the October Surprise Task Force, the White House Travel Office matter investigation, and the Bosnia select subcommittee.

As for the international aspects of the investigation, there are also several cases of similar precedence, including the Church Committee, the House assassinations inquiry, Koreagate, Abscam, Iran-Contra, the October Surprise Task Force, and the Senate Whitewater investigation.

It is important to keep in mind why deposition authority is needed by the Committee on Government Reform and Oversight. This investigation, Mr. Speaker, concerns matters of very serious national security which require the sworn testimony of numerous key witnesses.

Let us remember that there are serious allegations that even national security secrets were leaked, for example, to the Chinese Government in exchange for campaign contributions. In serious investigations such as this, the House has historically provided deposition authority in order to expedite the fact-finding process. As opposed to lengthy and possibly unfocused hearings, the deposition process allows the committee to obtain testimony under oath both quickly and confidentially.

Mr. Speaker, this is a very serious matter. I think it is important that we all support it. We are simply trying to provide tools for the committee to make it easier, to make it possible, in fact, for the committee to get to the truth. I strongly urge the adoption of this resolution and urge my colleagues to vote for it.

Mr. MOAKLEY. Mr. Speaker, I yield 4½ minutes to the gentleman from California [Mr. WAXMAN], the ranking member of the Committee on Government Reform and Oversight.

Mr. WAXMAN. Mr. Speaker, I rise in strong opposition to this resolution. The majority is establishing procedures for the House campaign finance investigation that have no precedent. Those procedures allow the gentleman from Indiana [Mr. BURTON] to act unilaterally, and they ensure that the minority will have no real voice in the committee's work.

The gentleman from Indiana [Mr. BURTON] alone is being given the authority to subpoena any document he wants or any witness he chooses to depose. He can make those decisions without any committee debate or any committee vote. These procedures deny the minority even the chance of debating or appealing the decisions of Chairman BURTON to the other 23 Republican members of the committee. And when the minority wants to issue a subpoena of its own, it can only ask Chairman BURTON to do so. If he says no, there is no opportunity for the minority to debate the issue or take it to a committee vote.

That is all the minority is asking for, an opportunity for the committee, and not just the chairman, to decide important questions. That is why in committee we offered the Clinger language adopted by the Republican majority in 1996, when the Committee on Government Reform and Oversight used subpoena power for depositions for the very first time in its history.

That precedent, which Chairman Clinger wrote, memorializes the longstanding practice of this committee to seek a consensus on the issuance of a subpoena, provided that subpoenas for depositions would only be issued if the minority concurred or if the committee voted to issue one.

Last year, that language was proposed by a Republican chairman, ratified by the Republican majority in committee and in the House, and implemented without any problem during the travel office investigation. This year, we told Chairman BURTON that we would support his request for subpoena power if he followed that common-sense process. It did not give the minority a veto, it only gave us a chance to be heard.

That is why the House has always conducted its investigations in this manner. As this chart indicates, from 1971 to 1994, no Democratic chairman ever issued a unilateral subpoena, never. But since February, Chairman BURTON has issued 156 unilateral subpoenas for documents. And he is now threatening to issue hundreds and hundreds of subpoenas without any debate or committee approval for depositions.

No Member of Congress, no American has ever had that breadth of power. It is a terrible idea even if it were being handled responsibly. But it is not. The record of these past 4 months proves that it is being used as a raw partisan tool.

The second chart, this one over here, shows that Chairman BURTON has sent over 280 subpoenas and letters seeking information to Democratic targets. Only 10 Republican targets have received subpoenas or letters seeking information. The third chart, over at the end here, shows the Democratic targets have submitted over 320,000 pages of documents to the committee. Republican targets, as my colleagues can see from that chart, have given us a total of 15 pages.

There is not even a pretense of fairness. If there were, our request to subpoena Haley Barbour would have been granted weeks ago. Instead, it was refused by the chairman.

So this is what we have. The chairman finds the Clinger precedent set just 1 year ago too personally confining. He has decided to contend that longstanding practice Chairman Clinger articulated no longer exists, and he is refusing to allow any debate or votes on his subpoena decision.

This multi-million-dollar partisan crusade has no legitimacy. I urge my colleagues to follow their conscience, follow the House precedence, follow ordinary fairness, and defeat this resolution.

Mr. Speaker, I insert for the RECORD the following:

The number of subpoenas issued unilaterally by Democratic chairmen, 0—1971–1994.

The number of subpoenas issued unilaterally by Chairman DAN BURTON, 156—February–June 1997.

Ms. PRYCE of Ohio. Mr. Speaker, in response to the gentleman from California [Mr. WAXMAN], smoke follows fire. The subpoenas follow the trouble. That is why they are directed at the White House.

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

Mr. SOLOMON. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, the last sentence of the last speaker, saying that there is no basis for this investigation, I think speaks to the problem here today, and it is why we need the Solomon resolution on this floor, giving the authority to the Committee on Government Reform and Oversight.

Mr. Speaker, at the outset of this debate, I want to commend the gentleman from Indiana [Mr. BURTON]. He has one of the toughest jobs in this Congress. And I would remind my minority colleagues of the grave institutional importance of this inquiry. Anybody that does not think so had better think twice.

As my colleagues know, Congress' authority to investigate is derived principally from the authority to legislate; and our ability to conduct effective investigations is absolutely crucial to our legislative function.

Mr. Speaker, my friend, the gentlewoman from Ohio [Ms. PRYCE], has more than ably explained this resolution, but I must emphasize that in the development of this resolution, the Committee on Rules insisted, and I want you to listen to this back in your offices or the White House, wherever everybody is, that the Committee on Government Reform and Oversight adopt committee rules in advance which specify the right of the minority to participate in staff depositions in protection for witnesses, very important to me, provisions for notice, among other things.

The Committee on Government Reform and Oversight, after an extensive and lengthy debate on Tuesday, adopted rules as I have just described, and I went over them thoroughly. The Committee on Rules believes that this procedure which we have before us today, in which the committee of jurisdiction is free to adopt its own specific rules in its own committee, while at the same time the House grants the broader authority necessary under the Solomon resolution on the floor here right now, is the proper manner, and it is the manner that has been followed by precedent, in which this body should grant additional authority to committees when necessary.

The Committee on Rules also insisted, and this is very important, that the rules of the Committee on Government Reform and Oversight be consistent with House rules. In other words, we cannot vary from that, we must stick to the precedent to protect the integrity of this House and to be consistent with past precedence; and these requirements have clearly met all of that.

Let me read the first sentence of the statement of the gentleman from Florida [Mr. MICA] which cites the comparison of Iran-Contra, October Surprise, and the GRO committee subpoena authority. Let me read the first sentence to my colleagues, because this is the precedent in all eight of the last previous investigations:

Unless otherwise determined by the select committee the chairman, upon consultation with the ranking minority member, or the select committee, may authorize the taking of affidavits, and of depositions pursuant to notice or subpoena.

And it goes on and on.

Mr. Speaker, the staff deposition authority provided in this resolution is consistent with 10 House precedents in major congressional investigations, dating all the way back to 1974, in addressing investigations of Republicans and Democratic administrations.

My colleagues, there has been a reluctance, even a refusal, of some to cooperate in perfectly necessary and legitimate congressional inquiry. The committee has been faced with fifth amendment claims, people taking the fifth, over a dozen of them. Why are they taking the fifth amendment? Assertions of executive privilege. Why? And the flight from the country of other key figures in this scandal, such as, well I could name a bunch, but I will not take the time right now. I will submit it for the RECORD afterwards.

Mr. Speaker, I insert for the RECORD the following:

COMPARISON OF IRAN-CONTRA, OCTOBER SURPRISE, AND GRO COMMITTEE SUBPOENA AUTHORITY

IRAN-CONTRA—RULE 7.1

''Unless otherwise determined by the select committee the chairman, upon consultation with the ranking minority member, or the select committee, may authorize the taking of affidavits, and of depositions pursuant to notice or subpoena. Such authorization may occur on a case-by-case basis, or by instructions to take a series of affidavits or depositions. The chairman may either issue the deposition notices himself, or direct the chief counsel to do so.''

OCTOBER SURPRISE—RULE 7.1

''The chairman, upon consultation with the ranking Republican member, or the Task Force, may authorize the taking of affidavits, and of depositions, pursuant to notice or subpoena. Such authorization may occur on a case-by-case basis, or by instructions to take a series of affidavits or depositions. The chairman may either issue the deposition notices himself, or direct the chief counsel to do so.''

GOVERNMENT REFORM AND OVERSIGHT COMMITTEE—EXCERPT FROM PROPOSED RULE 20

''The chairman, upon consultation with the ranking minority member, may order the taking of interrogatories or depositions, under oath and pursuant to notice or subpoena. Such authorization may occur on a case-by-case basis, or by instructions to take a series of interrogatories or depositions. Notices for the taking of depositions shall specify the date, time, and place of examination. Answers to interrogatories shall be answered fully in writing under oath and depositions shall be taken under oath administered by a member or a person otherwise authorized by law to administered oaths. Consultation with the ranking minority member shall include three day's notice before any deposition it taken. All members shall also receive three day's notice that a deposition has been scheduled.''

□ 1015

Mr. Speaker, because of the obstructionist tactics that the gentleman from Indiana [Mr. BURTON] has encountered, the deposition authority contained in this resolution is necessary to take quick evidence in confidentiality. The limited abilities to seek information overseas also contained in this resolution before the House today conforms with all eight previous congressional investigations, again dating back to 1975.

During the consideration of this resolution before the Committee on Rules, we heard a great deal from the minority about the internal proceedings of the Committee on Government Reform and Oversight. In fact, when pressed, the minority admitted that they had no problem with this resolution on the floor here today.

Mr. Speaker, there has been a great reluctance on the part of the minority to address the international evidence-gathering techniques in this resolution, which are so vitally important to enable the committee to do its job.

Let me be perfectly clear, the Committee on Rules intends that if the Committee on Government Reform and Oversight seeks letters rogatory or other means of international assistance to question a recalcitrant witness through official channels, such as the State Department, then the committee is given all necessary assistance in the furtherance of such a request. We must get to the bottom of this.

The executive branch, if called upon for such a mechanism, would be very wise to cooperate with this effort to conduct worldwide discovery just as they should be cooperative in the McIntosh investigation on the data base.

Mr. Speaker, because certain witnesses have chosen to leave this country rather than cooperate, the committee needs these international evidence-gathering techniques to adequately investigate the complicated financial dealings of the Clinton administration.

Mr. Speaker, I might ask my friends in the minority who occasionally ensnare one of our rules that I bring on the floor in nongermane debate relating to campaign finance reform, I want them to come over here and vote for this resolution. If my colleagues assert that there is a problem in the manner in which campaigns are financed in this country, then here is the opportunity to give the Congress the effective tools it needs to investigate the extent of which current law has been ignored by the Clinton administration.

What I read about in the newspapers, and what my constituents in the Hudson Valley are asking me about, is not campaign financing, but rather, has the White House obeyed the law? These are the questions that need to be answered here.

Mr. Speaker, the campaign finance improprieties which have been documented in the media are serious enough, but I am truly alarmed at the flood of daily revelations which indicate that national security has been compromised by high-ranking political appointees serving in the Clinton administration.

Mr. Speaker, breaches of national security and economic espionage by people in the Clinton administration have real consequences to Americans and this country's security but, more than that, jobs back in my colleagues' districts. Mr. Speaker, these are not merely ethical violations or moral transgressions. These are crimes which have led to breaching of our security by foreign governments and it is American jobs and our economic well-being that suffers.

Let me just say, passage of this resolution is absolutely essential so we can go home and tell the American people that they can have confidence in the executive branch of this Government. Governments have an obligation to investigate our national security, whether it has been compromised by a foreign government.

Mr. Speaker, I want my colleagues to come over here and vote for this resolution. We made absolutely sure that it does not violate House rules and we will continue to see to it that it does not through our own personal oversight.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CONDIT].

Mr. CONDIT. Mr. Speaker, first let me clearly state that I fully support an investigative look and review of any wrongdoing. I think we ought to do that. But let me tell my colleagues, when we were in committee a couple of days ago, it sounded sort of like this:

''Last year you did this, so that means we do this.''

''Two years ago they did that, so we do this.''

''Twenty years ago, you did it that way, so we ought to do it this way.''

''Twenty-five years ago that's the way it was.''

Mr. Speaker, we have been there, we have done that, and we ought to be wiser for the fact that we have been through this many, many times.

Investigations ought not to be about drama and theater. It ought not to be a search and destroy mission. It ought to be about trying to find the truth in an efficient and effective way. We have urged this committee, we have urged and pleaded with the committee not to duplicate what the Senate is doing. We have asked them to work with Senator THOMPSON, to try to figure out, not to call all these people up here to be witnesses and be subpoenaed and be deposed two times. It is a tremendous cost to the committee and to the taxpayers of this country, and they are confused why we cannot work together. They cannot figure that out. Neighbors can share a lawn mower, but we cannot share information. How silly. They think we are silly because we cannot share information.

That is what is wrong with this resolution. That is what is wrong with the investigative process, is that we do not want to share information. We do not want to save money for the taxpayers. We can do that if we force ourselves to do it.

Mr. Speaker, we ought to be against this resolution. We will have a recommit motion later today. The recommit motion will have that language in there. We will not have duplication. I ask my colleagues to vote against this resolution and for the motion to recommit.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1½ minutes to the gentleman from California [Mr. HORN].

Mr. HORN. I thank the gentlewoman for yielding me this time. As was noted, she is a former judge and she correctly cited the precedents of this House. I am a former professor of political science and primarily a historian with some expertise on Congress, and obviously when I get into a situation like this, I like to look at what various Members of the House said.

One of the people in this House for whom I have the highest regard and whom I regularly showed my students on videotapes, one of the most respected Members for the last several decades, I want to quote from what he had to say. He is a leading Democrat. During the October surprise resolution, when a similar situation was on the floor, he said:

''My final reason for urging Members to oppose the substitute, and the substitute is in essence what the minority wants to do here, is because it provides for rules and procedures that would severely hamstring the investigation. The procedures proposed in the substitute are a recipe for an ineffective investigation. The substitute would in fact deprive the task force of the same tools that have been given other congressional investigative bodies. First, requiring a majority vote for each subpoena would be extremely time consuming and difficult to arrange. It would be impractical. It has been common practice in special congressional investigations to give the chairman responsibility for issuing subpoenas.''

Now, who said that? Was it some conservative? No, it was the gentleman from Indiana [Mr. HAMILTON], speaking on the October surprise resolution, one of the most respected Members of this House, a leading member of the Democratic Party. Follow his advice.

Mr. MOAKLEY. Mr. Speaker, I would just like to correct a statement that the gentleman from California [Mr. CONDIT] said. He talked about the vote on the motion to recommit. There is no motion to recommit. His amendment will be in the previous question. The gentleman is asking to defeat the previous question.

Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Ms. SLAUGHTER].

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

Ms. SLAUGHTER. Mr. Speaker, I in no way want to impede this hearing process. Like everybody else in the country, I want to make sure that the political process in the United States is as good as it can be, but I want to speak to the committee process, if I may.

Protecting the civil liberties and the civil rights of the citizens of the United States is our job. We write the laws here that people count on to do just

that. Also, the importance of the committee hearing is almost a religious belief in the United States. A congressional hearing carries the weight of truth and honor with it.

I served on this Committee on Government Reform and Oversight in the last term of Congress when we had the Waco hearings, and to our great surprise when we had those hearings, we found that persons who identified themselves as being with the committee were instead with the National Rifle Association, having no connection whatever with Congress. Yet they felt free and were allowed to call witnesses and ask them questions about the hearing before they came to testify. This was a terrible breach of Congressional process. Was the committee chair disturbed? Not at all. Did the Justice Dept. care. Not at all. It is only the protection of minority and majority working in concert that keeps the process honest. For the first time in the history of the House, that consultation and concurrence of the majority and minority has been breached. This is a perilous step to take. As long as outside sources or special interest groups are allowed to pose as Government officials, we abrogate our authority as Members. We are not entitled to do that.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker, why do we need this deposition authority? First, the scope of this scandal, I submit, is unprecedented in the history of this Congress or any administration, Republican or Democrat. Second, nearly every individual subpoenaed has fled the country or pled the fifth amendment. Third, in an unprecedented fashion, everything possible has been done to block, intimidate, destroy, obstruct, and block this investigation and get to the truth of this matter.

The investigative authority sought here today is no different than what the Democrats had under Iran Contra and October Surprise. Congress, the American people and responsible media should be outraged that this administration and certain members of the other party are trying to close down this investigation and this outrageous corruption of our political process. What every American should be asking is, why are they trying to block this investigation? Why are they trying to keep us from talking to foreign nationals who fled the country and corrupted this process? Why are they trying to keep us from questioning those who have corrupted our elections process on a scale unprecedented in American history?

This week brings the latest threat to disrupt and destroy this process. The Democrats have said they will block attempts to grant immunity with those who hope to cooperate.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Maine [Mr. ALLEN].

Mr. ALLEN. I thank the gentleman for yielding me this time.

Mr. Speaker, I want to begin by saying that this is not about our effort to prevent an investigation. We believe in this investigation. It must go forward. We believe in staff depositions. They must be taken. We believe that this investigation should be pursued as far as it can go. That is not the issue in front of this Congress today.

The gentlewoman from Ohio began this debate by talking about the importance of precedent. Several Members on the other side have stood up and talked about the importance of precedent. Mr. Speaker, there is precedent. There is absolutely solid precedent on the issue that we are confronted with today. I would simply read from the CONGRESSIONAL RECORD. The rule adopted by the Committee on Government Reform and Oversight last year concerning subpoenas for depositions, the rule approved by this House said simply:

''The chairman shall not authorize and issue a subpoena for a deposition without the concurrence of the ranking minority member or the committee.''

That was the rule that applied in the White House Travel Office case. That is the rule that the Republicans proposed and this House adopted. It was good enough last year. It is good enough for this year.

Mr. Speaker, I would also point out that last year, March 6, 1996, the chairman of the Committee on Government Reform and Oversight, Bill Clinger, wrote to Cardiss Collins, the ranking minority member, and described the precedent for issuing subpoenas for deposition. He said:

''The proposed rule requires that if a subpoena is required in the case of an affidavit or a deposition in the Travel Office matter, I shall not authorize such subpoena without your concurrence or the vote of the committee. I believe that this new rule memorializes the longstanding practice of this committee to seek a consensus on the issuance of subpoenas.''

Mr. Speaker, we have precedent, it is directly relevant, and we should follow it. That is what the minority is asking for.

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

Mr. BARRETT of Wisconsin. Mr. Speaker, of course this investigation should be getting at the truth. We should be investigating allegations against both Democrats and Republicans of campaign finance misuse. The current system is wrong. It is a disgrace. But there should not be a person in this room who is going to leave this room today who think that the Democrats have done something wrong and the Republicans have raised all their money from widows and altar boys. That is not the case. But we should have and what we do not have is a fair investigation. There is nothing fair about this investigation at all. Look at this graph.

□ 1030

Ever since we started having investigations there has not been a single chairman, either a Democrat or a Republican, who has not failed to get concurrence from the minority members, not a single one until the current chairman of this committee; and in the last 4 months we have had 156 subpoenas without any input from the Democrats, without any input at all.

Why is input important? The reason it is important is we cannot have a committee chairman who attempts to intimidate witnesses simply for giving money to Democrats, and that is what this is. This is campaign finance reform, Republican style.

What they are going to do is try to intimidate anybody who has ever given money to Democrats, and they are not just going to do it once. They will hit them over in the Senate, and they will make them hire an attorney here in the House as well. They are going to waste taxpayers' dollars by having these people who have been forced not only to be interrogated by the Senate committee, but also to be interrogated here.

Mr. Speaker, that is wrong; that is something that has never occurred in the history of this country. There has never been a chairman in the history of this country who has issued these subpoenas without either concurrence of the minority Members or by having the approval by the House.

We should not be taking a step off this cliff. It is dangerous not because Republicans are in control, not because the Democrats are in control, but because of the need for checks and balance in this system. We have to have checks and balances in the system. There should not be one man who has this power.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. BLAGOJEVICH].

Mr. BLAGOJEVICH. Mr. Speaker, let me just reiterate briefly the issue which we have to decide today, and that is very simply whether or not this committee, the Committee on Government Reform and Oversight, and whether or not this Congress will give to a committee chairman of an investigative committee the right to unilaterally issue subpoenas for people to appear for depositions.

Will we decide to do something that has never ever been done before in the history of Congress? And I would like to, if I can, piggyback briefly on what the previous speaker from Wisconsin said.

The issue fundamentally is one of fairness and the credibility and the integrity of this investigation. If this investigation does not have the fundamental fairness and integrity, then the fruits of the investigation will not be believed; and they will not be credible and, therefore, they will be tainted. These are serious allegations.

I love my country more than I love my political party, and I am as outraged by some of these allegations as

most Americans ought to be. But before we decide whether these allegations are in fact true, let us make sure that we find and have a factfinding committee that is going to do this in a fair way that includes all Members.

This ought to be a joint undertaking to find the truth, not a partisan effort to find dirt.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. TIERNEY], a member of the committee.

Mr. TIERNEY. Mr. Speaker, let me just say that as a member of the committee, I think that it is important to note that everybody on the Democratic side of this committee is perfectly willing to step forward and investigate any alleged abuses of our campaign finance reform system, whether they be Democratic or Republican. What we are not willing to do is to proceed with an investigation that is overly partisan, which lacks any credibility and which is not inclusive. Whether my colleagues are a prior judge or a prior professor or whatever their background is, I think everybody can recognize that there is no value to the outcome of any investigation that does not have integrity, that is not credible and that was not inclusive of the entire committee that was charged with the investigation.

Mr. Speaker, from the first time we sat down in this committee, we suggested that we not duplicate the efforts of the Senate, that we work with them, that we not spend twice as much money. A strictly partisan vote defeated that idea, and it has been that way every day in that committee since then. I should think that if my colleagues want to have an investigation that means anything, they want to have an investigation that the people can have confidence in, they will get off the partisanship and move toward the credibility; and we ask that the committee do that.

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

Mr. TOWNS. Mr. Speaker, let me begin by saying that I was hoping that when we got involved in this process that maybe something positive would come out of it. But we are starting out in a way that we have no credibility right from the outset, that we are just starting out, chairman subpoenaed everybody, people that really had nothing to do. The only thing they did was make a contribution to the Democratic Party. He subpoenaed them. And the fact is that we are wasting money.

The Senate side is doing the same thing that we are doing, that if somebody lives in Alaska, they would come here because they are being subpoenaed by the Senate, and as soon as they get back home, within 24 hours they could be subpoenaed to come back by our committee.

Mr. Speaker, that is a very obvious waste of money, waste of time, and also the fact that we are not really accomplishing anything.

The other part which I think that, if we are going to do something, we should at least have credibility. It is very obvious that this is a situation where the Republican Party is trying to gain advantage over the Democratic Party. I am not interested in any kind of campaign reform, so I urge my colleagues to vote ''no''.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. DAVIS].

Mr. DAVIS of Illinois. Mr. Speaker, I have been told that there is a principle which states that power corrupts and absolute power corrupts absolutely.

It seems to me that we ought to be trying to find corruption and ferret it out, not create an opportunity to further it.

And so it is clear, Mr. Speaker, that if we are looking for corruption, then we ought to have an open and fair investigation, not give all of the power to one person. Let us vote down this resolution and give the American people a fair process, an honest process, an open process. Let us give them fairness.

Ms. PRYCE of Ohio. Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, when Oliver North was called in front of the Iran Contra Committee, he complained that he would not be a potted plant. When we pass these rules, we are going to make the Democratic side an entire garden because that is what these rules are designed to do.

I want to talk about the precedent of practice. I have heard a lot about what the rules were in the past. Let us look at the precedent of practice.

The precedent of practice says that from 1971 to 1994 no Democratic chairman issued a unilateral subpoena; they went and they got the concurrence of the minority, the other side, as well.

In this year alone, February to June of 1997, our chairman has issued 156 unilateral subpoenas. ''Unilateral'' means one person.

Nobody argues about issuing subpoenas. I want subpoenas issued when it is valid, too. But I think in order to have a credible investigation, a bipartisan investigation, both sides have to be involved in which we bring it to the minority member for concurrence, and if we do not get that, then we bring it to the full committee for a vote.

As a Democrat, I am very concerned about the allegations and the possible cloud that may hang over fund-raising practices of my party. As a Republican, I would be even more concerned, being in the majority, that their significant allegations are not even going to be looked at.

Ms. PRYCE of Ohio. Mr. Speaker, I would like to let the gentleman to know it was not Oliver North; it was his attorney who stated he was not a potted plant.

Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. BURTON] chairman of the Committee on Government Reform and Oversight who has a great job ahead of him to conduct this investigation.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentlewoman from Ohio for yielding this time to me.

I would just like to say to my colleagues on the other side of the aisle, we are not going to try to intimidate anybody. That is first; and second, we are going to be working with the Senate wherever possible. I am going to be meeting with Senator THOMPSON next week and his staff to coordinate our activities.

Mr. Speaker, let me tell my colleagues a few of the things about which this committee is going to be investigating and why.

We are investigating a possible massive scheme, massive scheme of funneling millions of dollars in foreign money into the U.S. electoral system. We are investigating allegations that the Chinese Government at the highest levels decided to infiltrate our political system. We are investigating allegations of gross misuse of our national security structure including the national security council and the CIA. We are investigating the White House that became a frequent stop, a frequent stop for major donors with foreign ties who have now fled the country or taken the fifth amendment.

Here are some key facts to prove the critical importance of this investigation, and I hope my colleagues will look at this chart.

Charlie Trie, a friend of the President for 20 years, has reportedly fled the country and is in the People's Republic of China, Communist China, to avoid being questioned about wire transfers of over $1 million from Asian banks to him at the same time that he was giving in excess of $200,000 to the Democrat National Committee and more than $600,000 to the President's legal defense fund. All of that money has been returned, the $600,000.

John Huang, a friend of the President's who is pleading the fifth amendment raised between $3 and $4 million for the Democrat National Committee. The DNC is currently pledged to return almost half of that money. Huang is also under investigation for allegedly disclosing secret information to his former employer the Lippo Bank that has ties with the Chinese Communist Government and possibly the Chinese Government itself, and he did this while he was at the Commerce Department and the Democrat National Committee.

Roger Tamraz, who was recently detained by the Government of Georgia because there was an international arrest warrant for him issued by Lebanon, received repeated meetings with President Clinton at a time when he was trying to get the administration support to build a pipeline in Asia despite objections by the National Security Council. A NSC staffer was recently reported as saying that she felt

pressured to cooperate with Mr. Tamraz because of $200,000 in democrat contributions.

Former DNC chairman, the chairman of the DNC, Don Fowler reportedly tried to manipulate the CIA to provide favorable information about Roger Tamraz so that the National Security Council would back off their objections to his going to the White House to meet with the President. The NSC lost that battle, and so did our national security because he did go to the White House and he did meet with the President.

Another example of national security concerns being brushed aside in favor of campaign cash is a case of Johnny Chung. He raised $366,000 in contributions returned by the DNC. He visited the White House 49 times despite warnings by the National Security Council that he was a hustler and should not be there.

Yogesh Gandhi was barred from giving money to President Clinton at the White House because of his dubious background, but that did not stop the White House. Craig Livingston and John Huang arranged a meeting two blocks away from the White House at a hotel where the President did meet with him and $325,000 was subsequently given to the DNC.

Former third ranking Justice Department official and convicted felon, Webster Hubbell, between June 21, 1994, and June 25, 1994, there were 10 meetings at the White House, some involving the President regarding whether or not what he was going to be doing between the time he left the Justice Department and was indicted, and after the tenth meeting, 2 days later the Lippo Group the Riadys gave him $100,000 in legal fees, and many people believed, myself included, that that might have been hush money. In fact Abe Rosenthal, a supporter of the President, said in a New York Times column it would not take a particularly suspicious mind let alone a prosecutor's to see high paying jobs as hush money to keep a defendant silent.

Pauline Kanchanalak, the mysterious contributor from Thailand, was one of John Huang's associates. She visited the White House 30 times, raised money for the DNC, and she fled the country. We cannot get her even with a subpoena.

Ted Sioeng, yet another dubious DNC contributor, is reportedly in Hong Kong now. He has avoided any questions about his contributions totaling $355,000 to the DNC.

□ 1145

He is under investigation right now, but we cannot get to him. He also worked with the Chinese Government, we believe, trying to acquire influence for China.

Let me just say in closing, there is substantial reasons why this investigation must go forward. We must depose these witnesses and we need the help of this body to get that job done.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. Mr. Speaker, my intentions were to reiterate some of the arguments made by myself and other members of the committee, but actually, after having heard the 5 minutes from the chairman of this committee, the question comes to my mind, why do we need an investigation? The chairman has just written the conclusions and the facts that he intends to find in his opening statement here trying to justify why we need an investigation.

We could save an awful lot of money if the chairman of the committee just writes the report up, as the chairman has said it now. Obviously, his facts are found, his conclusions are made, and the purposes for this investigation are for no other purpose but for political purpose.

The majority has an opportunity today, a simple opportunity. If it wants any credibility in this investigation, if it wants any appearance of fairness, it could adopt the rule that Mr. Clinger and past examinations of this Congress have always honored; that is, the majority chairman and the ranking member, with concurrence, would issue subpoenas. That is the only process that should be used. I urge that this is not going to be an investigation to find fact. This is a political witch-hunt.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Maryland [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Speaker, the resolution that we are considering today gives the Chairman of the Committee on Government Reform and Oversight broad and unprecedented powers. This resolution does not have an underlying premise of uncovering the truth in a bipartisan manner; but rather, its goal is to arm its bearers with overreaching congressional authority.

My colleagues, if we vote to approve this resolution, we are creating a dangerous precedent. There has never been a single instance in which a chairman of any House or Senate committee has ever unilaterally issued subpoenas for depositions.

Common Cause stated, ''Fairness will be ensured only if the committee follows congressional precedents for investigative procedures and gives the minority Members a voice in the investigation.''

The League of Women Voters stated, ''The House is headed towards a partisan sideshow. These are the kind of political games that disgust the American people.''

Let us return comity to this committee and resurrect what is left of this investigation. Let us work in a legitimate fact-finding manner. I urge my colleagues to reject this resolution.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. FATTAH].

Mr. FATTAH. Mr. Speaker, I think that what we have here is maybe not what it appears to be, because what I am getting concerned about now is that perhaps the gentleman from Indiana [Mr. BURTON] is being used as some kind of fall guy. We know that he is over eager to investigate the Democrats and especially Bill Clinton.

The majority gives him three times the amount of money, some $15 million, $17 million to investigate. They want to give him all of the rights individually to decide on who should be subpoenaed, who should be deposed, unprecedented powers. No one else on the committee will have to risk their career, put their career on the line to vote on behalf of subpoenaing anyone, no one will have to take responsibility for the actions in this investigation.

So what I suggest is that our view here in the minority is that we need to have everyone share the responsibility, not just put the gentleman from Indiana [Mr. BURTON] out in front of this, as if he is the only one conducting this train and the only one responsible for what is going to be in the final analysis something that defamed seriously the credibility and the integrity of this Congress and this committee.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY of New York. Mr. Speaker, if my majority colleagues have their way this morning, we will empower the chair of the Committee on Government Reform and Oversight as never before, and I have just one question to ask my colleagues: Can anyone tell me when in the history of this Congress has this kind of authority been exercised unilaterally?

Mr. COX of California. Mr. Speaker, will the gentlewoman yield?

Mrs. MALONEY of New York. I yield to the gentleman from California.

Mr. COX of California. Mr. Speaker, the rules of the 103d Congress state the following.

Mrs. MALONEY of New York. Mr. Speaker, reclaiming my time, I did not ask about rules, I asked when was this power used unilaterally?

Mr. COX of California. Mr. Speaker, does the gentlewoman mean when did the Republicans in the minority not go along with what the Democrats wished to do?

Mrs. MALONEY of New York. Mr. Speaker, my question is, when was it used? When in the history of this Congress did a chairman go out and unilaterally issue subpoenas? Never in the history of this Congress has it happened. The numbers speak for themselves. Zero to 156.

Furthermore, 156 of those subpoenas had been issued for Democrats, 9 are targeting Republicans. The numbers speak for themselves. We should not be wasting $12 million to $15 million on a partisan investigation.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. GILMAN].

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

Mr. GILMAN. Mr. Speaker, I commend the gentleman from Indiana [Mr. BURTON] and his staff for their diligent work and their important work in bringing this resolution to the floor at this time that would authorize the chairman of the Committee on Government Reform and Oversight, after consultation with the ranking minority member, to order the taking of depositions and interrogatories.

My colleagues in the minority have raised the argument that such depositions in the committee's current subpoena authority is an abuse of majority power. In fact, during consideration of the October Surprise resolution, on February 5, the Democrats opposed and voted down the Republican substitute which would have authorized a majority vote before issuing any subpoenas.

During that debate, it was stated, it has been common practice in special congressional investigations to give the chairman responsibility for issuing subpoenas. If such a limiting substitute was not impractical then, it certainly should not be impractical now.

Accordingly, I urge my colleagues to support the resolution and allow the Committee on Government Reform and Oversight to get on with its work.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. DINGELL], the ranking member of the Committee on Commerce.

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

Mr. DINGELL. Mr. Speaker, over a period of 14 years, the Committee on Commerce, under my chairmanship, conducted hundreds of investigations, issued thousands of subpoenas, and never were any of these events done without full participation by the minority, without full consultation, and without a vote of the minority.

The public wants a good investigation of the election process and the fundraising. They will expect this Congress to do an honorable and a decent job. Let us investigate everybody.

Let us see to it that we find out where the wrongdoing is, when it was done. Let us not have a carefully cooked investigation wherein only one side is investigated. Let us find all of the wrongdoing, and let us use this as what the American people want it to be, an investigation to lay the predicate for meaningful reform of our campaign laws. To do less brings shame upon the investigation, brings shame upon this body, and I would urge that this body make the kind of investigation that the American people want, where we get to the bottom of the facts and we conduct it in a fashion in which the American people may say, the Congress did well, and trust us to do well in the future. That is not to be seen here.

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

If the previous question is defeated, I will offer an amendment which will do two things. First, it will require the Committee on Government Reform and Oversight to adopt the same rules that Mr. Clinger used in the last Congress and, second, prohibit the subpoena of any witness already deposed by the Senate unless the committee votes, unless the committee votes, to issue that subpoena.

This is the taxpayer protection and antiduplication amendment of the gentleman from California [Mr. CONDIT], which was defeated in the committee, but it is a very, very good idea. I urge my colleagues to support it by defeating the previous question.

Mr. Speaker, I insert my amendment and extraneous materials in the RECORD.

Mr. SPEAKER, if the previous question is defeated I will offer an amendment to do two things: First, require the Government Reform Committee to adopt the same rules Chairman Clinger used last Congress and second, prohibit the subpoena of any witness already deposed by the Senate unless the committee votes to issue the subpoena.

This is Mr. CONDIT's taxpayer protection and antiduplication amendment which was defeated in committee but is a very good idea, I urge my colleagues to support it by defeating the previous question.

PREVIOUS QUESTION FOR HOUSE RESOLUTION 167

Amendment text:

Page 3, after line 2, insert the following new sections:

SEC. 5. IMPLEMENTING RULES.

The Committee on Government Reform and Oversight shall implement this resolution by adopting rules identical in substance to those adopted by the Committee on Government Reform and Oversight in the 104th Congress to implement H.Res. 369 as printed in the CONGRESSIONAL RECORD of March 7, 1996.

SEC. 6. ANTI-DUPLICATION PROVISIONS.

The Committee on Government Reform and Oversight is directed to amend its rules that implement this resolution to require that the chairman and ranking member shall make a formal request to the chairman of the Senate Committee on Government Affairs to coordinate efforts to avoid duplication in the deposition process. If the Senate Committee accepts this request, the chairman shall consult with the Senate Committee on Governmental Affairs prior to deposing a witness that the Senate Committee has deposed or scheduled to depose. If after such consultation the chairman seeks to depose such witness, a Committee vote shall be required before a notice or subpoena is authorized or issued for the deposition of the witness. The chairman shall include the ranking minority member in any consultations with the Senate Committee and shall provide the ranking minority member with a copy of any deposition transcripts obtained from the Senate Committee. In turn, the chairman shall provide upon request to the Senate Committee on Governmental Affairs a copy of any transcript of a deposition taken by the House Committee.

To: Members of the Government Reform and Oversight Committee.

From: William F. Clinger, Jr., Chairman.

Date: March 6, 1996.

Re: House Resolution 369 to provide for deposition authority in the White House Travel Office investigation and committee rules to implement such authority.

On Thursday, March 7, 1996, the Committee will vote on adopting a new Committee Rule to allow for special affidavits and depositions. The Rule will be voted on in anticipation of passage of House Resolution 369, which is expected to have floor consideration on Thursday, March 7 or Friday, March 8, 1996. (See attached copy of Draft Rule.)

House Resolution 369 will provide authority to the Committee on Government Reform and Oversight to conduct depositions and submit interrogatories under oath in the process of conducting the ongoing White House Travel office investigation. The Resolution only applies to the White House Travel Office investigation. Rules to conduct the depositions and interrogatories have been developed in consultation with the minority ranking member of the Committee.

Deposition authority is sought to obtain testimony in a timely and efficient manner and curtail the need for extensive hearings. Such depositions will help resolve the numerous discrepancies that have arisen in the course of civil and criminal investigations into the White House Travel Office matter over the past two and a half years.

RULE 19.—SPECIAL AFFIDAVITS AND DEPOSITIONS

If the House provides the committee with authority to take affidavits and depositions, the following rules apply:

(a) The Chairman, upon consultation with the ranking minority member of the committee, may authorize the taking of affidavits, and of depositions pursuant to notice or subpoena. Such authorization may occur on a case-by-case basis, or by instructions to take a series of affidavits or depositions. Notices for the taking of depositions shall specify a time and place for examination. Affidavits and depositions shall be taken under oath administered by a member or a person otherwise authorized by law to administer oaths. Consultation with the ranking minority member will include three (3) business days written notice before any deposition is taken unless otherwise agreed to by the ranking minority member or committee.

(b) The committee shall not initiate procedures leading to contempt proceedings in the event a witness fails to appear at a deposition unless the deposition notice was accompanied by a committee subpoena authorized and issued by the chairman. Notwithstanding committee Rule 18(d), the chairman shall not authorize and issue a subpoena for a deposition without the concurrence of the ranking minority member or the committee.

(c) Witnesses may be accompanied at a deposition by counsel to advise them of their constitutional rights. Absent special permission or instructions from the chairman, no one may be present in depositions except members, staff designated by the chairman or ranking minority member, an official reporter, the witness and any counsel; observers or counsel for other persons or for the agencies under investigation may not attend.

(d) A deposition will be conducted by members or jointly by

(1) No more than two staff members of the committee, of whom—

(1.a) One will be designated by the chairman of the committee, and

(2.b) One will be designated by the ranking minority party member of the committee, unless such member elects not to designate a staff member.

(2) Any member designated by the chairman.

Other staff designated by the chairman or ranking minority members may attend, but are not permitted to pose questions to the witness.

(e) Questions in the deposition will be propounded in rounds. A round will include as much time as necessary to ask all pending

questions, but not more than one hour. In each round, the member or staff member designated by the chairman will ask questions first, and the member or staff member designated by the ranking minority member will ask questions second.

(f) Objections by the witness as to the form of questions shall be noted for the record. If a witness objects to a question and refuses to answer, the members or staff may proceed with the deposition, or may obtain, at that time or at a subsequent time, a ruling on the objection by telephone or otherwise from the chairman or his designee. The committee shall not initiate procedures leading to contempt for refusals to answer questions at a deposition unless the witness refuses to testify after his objection has been overruled and after he has been ordered and directed to answer by the chairman or his designee upon a good faith attempt to consult with the ranking minority member or her designee.

(g) The committee staff shall insure that the testimony is either transcribed or electronically recorded, or both. If a witness' testimony is transcribed, he shall be furnished with an opportunity to review a copy. No later than five days thereafter, the staff shall enter the changes, if any, requested by the witness, with a statement of the witness' reasons for the changes, and the witness shall be instructed to sign the transcript. The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn in his presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall be filed, together with any electronic recording, with the clerk of the committee in Washington, D.C. Affidavits and depositions shall be deemed to have been taken in Washington, D.C. once filed there with the clerk of the committee for the committee's use. The ranking minority member will be provided a copy of the transcripts of the deposition once the procedures provided above have been completed.

(h) Unless otherwise directed by the committee, all depositions and affidavits received in the investigation shall be considered nonpublic until received by the committee. Once received by the committee, use of such materials shall be governed by the committee rules. All such material shall unless otherwise directed by the committee, be available for use by the members of the committee in open session.

(i) A witness shall not be required to testify if they have not been provided a copy of the House Resolution and the amended Committee Rules.

(j) Committee Rule 19 expires on July 8, 1996.

HOUSE OF REPRESENTATIVES, COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,

Washington, DC, March 6, 1996.

Hon. CARDISS COLLINS,

Ranking Minority Member, Committee on Government Reform and Oversight, U.S. House of Representatives, Washington, DC.

DEAR MS. COLLINS: Thank you and your staff for working with my office to develop a new committee rule to provide for the implementation of the affidavit and deposition authorities provided in H. Res. 369. Your office has asked that I provide you with the supplemental information regarding how I interpret some provisions of the proposed committee rule.

19(a). Regarding the right of the minority to recommend witnesses to be deposed, it is my intention that for any witness you would recommend, I will either agree to issue a subpoena or place the question before the full committee for a vote.

19(b). The proposed rule requires that if a subpoena is required in the case of an affidavit or deposition in the Travel Office matter, I shall not authorize such subpoena without your concurrence or the vote of the committee. I believe that this new rule memorializes the longstanding practice of this committee to seek a consensus on the issuance of a subpoena.

19(c). The question has arisen as to whether a witness may be represented by counsel employed by the same government agency as the witness. I further understand that the White House Counsel's office has indicated that it will not seek to personally represent any White House employee during the course of this investigation. It is my intention to discuss with you on case by case basis the ability of Justice Department attorneys to represent Justice Department witnesses. I respect the ability of a witness to have an attorney of their choice, but I also must avoid any conflict of interest between an agency under investigation and a witness' individual rights.

19(d). The proposed committee rule is draft under the assumption that most, if not all, depositions will be conducted by staff. Any members who wish to participate in a deposition should notify me before the scheduled day of the deposition. I will, of course, designate the minority member of your choice. However, in no way are the proposed committee rules intended to limit the ability of a member to participate and ask questions.

19(f). The term ''designee'' is intended to imply a member, and not staff. Furthermore, let me confirm to you my strongest intention to consult with you before ruling on an objection raised by a witness. In the instance that you are uncontrollably indisposed. I will certainly listen to any concerns expressed by your senior staff.

19(h). The depositions will be assumed to be received in executive session. Members and their staff will not be permitted to release a copy or excerpt of the deposition until such time that is entered into the official record of the committee, under penalty of House sanction. Witnesses will be given the opportunity to edit their transcript but will not be given a copy.

Finally, a question has arisen regarding what steps occur if a witness fails to appear for a deposition under subpoena or fails to respond to a question notwithstanding the chairman's ruling. It will be my intent, under such circumstances, to subpoena the witness before the full Committee to explain why he/she should not be held in contempt of Congress. The scope of such a hearing would not extend to the factual questions of the Travel Office matter, but would be limited to the question of contempt of the prior contempt.

I hope that this answers any outstanding questions you may have. Please feel free to discuss this matter with me further. And, again, thank you for your kind cooperation.

Sincerely,

WILLIAM F. CLINGER, Jr.,

Chairman.

Mr. Speaker, I yield the balance of my time to the gentleman from California [Mr. WAXMAN].

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from California [Mr. WAXMAN] is recognized for 1½ minutes.

Mr. WAXMAN. Mr. Speaker, not a single Democrat is against investigating the campaign finance abuses of the 1996 campaign. That is not what this debate is all about. It is about whether a chairman ought to be given the power unilaterally to issue subpoenas. It has never happened before. No chairman has ever issued subpoenas unilaterally in the House, the Senate, Democrat or Republican. This is the first time that we have seen such an activity.

This is about wasting money. I was impressed over and over again by the points made by the gentleman from California [Mr. CONDIT]. He has worked on a bipartisan basis on fiscally conservative measures to save taxpayer's funds, and what he suggested is that we ought to coordinate our investigation with the Senate and not waste this money through duplication.

We ought to defeat the amendment that is before us, defeat the previous question, so that we can offer the amendment that the gentleman from California [Mr. CONDIT] offered in committee, to simply have coordination and saving of taxpayers' dollars in a reasonable campaign finance investigation process so that we can return to the precedents of this House and this Congress, that all investigations will be determined by the members of a committee, even if the majority of the members want to vote on a party line basis, the members conduct the investigation, not one single person who happens to be chairman. Giving that kind of power to one person invites abuse, and we ought not to let that happen.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Committee on Government Reform and Oversight has been compelled by substantial allegations in the media, an accumulating body of evidence and an ensuing public outcry to undertake a thorough investigation of campaign financing improprieties and threats to national security. Because of the serious magnitude of the revelations that continue to surface in this scandal, the Committee on Rules has responded by crafting this very effective, but very limited resolution. So I would urge my colleagues on both sides of the aisle to support it so we can get to the bottom of this complicated and complex affair.

RULE 20.—INTERROGATORIES AND DEPOSITIONS

The chairman, upon consultation with the ranking minority member, may order the taking of interrogatories or depositions, under oath and pursuant to notice or subpoena. Such authorization may occur on a case-by-case basis, or by instructions to take a series of interrogatories or depositions. Notices for the taking of depositions shall specify the date, time, and place of examination. Answers to interrogatories shall be answered fully in writing under oath and depositions shall be taken under oath administered by a member or a person otherwise authorized by law to administer oaths. Consultation with the ranking minority member shall include three business day's written notice before any deposition is taken. All members shall also receive three business day's written notice that a deposition has been scheduled.

The committee shall not initiate contempt proceedings based on the failure of a witness to appear at a deposition unless the deposition notice was accompanied by a committee subpoena issued by the chairman.

Witnesses may be accompanied at a deposition by counsel to advise them of their rights. No one may be present at depositions except members, committee staff designated by the chairman or ranking minority member, an official reporter, the witness, and the witness's counsel. Observers or counsel for other persons or for agencies under investigation may not attend.

A deposition shall be conducted by any member or committee staff attorney designated by the chairman or ranking minority member. When depositions are conducted by committee staff attorneys, there shall be no more than two committee staff attorneys of the committee permitted to question a witness per round. One of the committee staff attorneys shall be designated by the chairman and the other shall be designated by the ranking minority member. Other committee staff members designated by the chairman or the ranking minority member may attend, but are not permitted to pose questions to the witness.

Questions in the deposition will be propounded in rounds. A round shall include as much time as is necessary to ask all pending questions. In each round, a member or committee staff attorney designated by the chairman shall ask questions first, and the member or committee staff attorney designated by the ranking minority member shall ask questions second.

An objection by the witness as to the form of a question shall be noted for the record. If a witness objects to a question and refuses to answer, the member or committee staff attorney may proceed with the deposition, or may obtain, at that time or a subsequent time, a ruling on the objection by telephone or otherwise from the chairman or a member designated chairman. The committee shall not initiate procedures leading to contempt proceedings based on a refusal to answer a question at a deposition unless the witness refuses to testify after an objection of the witness has been overruled and after the witness has been ordered by the chairman or a member designated by the chairman to answer the question. Overruled objections shall be preserved for committee consideration within the meaning of clause 2(k)(8) of House Rule 11.

Committee staff shall insure that the testimony is either transcribed or electronically recorded, or both. If a witness's testimony is transcribed, the witness or the witness's counsel shall be afforded an opportunity to review a copy. No later than five days thereafter, the witness may submit suggested changes to the chairman. Committee staff may make any typographical and technical changes requested by the witness. Substantive changes, modifications, clarifications, or amendments to the deposition transcript submitted by the witness must be accompanied by a letter requesting the changes and a statement of the witness's reasons for each proposed change. A letter requesting any substantive changes, modifications, clarifications, or amendments must be signed by the witness. Any substantive changes, modifications, clarifications, or amendments shall be included as an appendix to the transcript conditioned upon the witness signing the transcript.

The individual administering the oath, if other than a member, shall certify on the transcript that the witness was duly sworn. The transcriber shall certify that the transcript is a true record of the testimony and the transcript shall be filed, together with any electronic recording, with the clerk of the committee in Washington, D.C. Interrogatories and depositions shall be considered to have been taken in Washington, D.C. as well as at the location actually taken once filed there with the clerk of the committee for the committee's use. The chairman and the ranking minority member shall be provided with a copy of the transcripts of the deposition at the same time.

All depositions and interrogatories received pursuant to this rule shall be considered as taken in executive session.

A witness shall not be required to testify unless the witness has been provided with a copy of the committee's rules.

This rule is applicable to the committee's investigation of political fundraising improprieties and possible violations of law, and is effective upon adoption of a resolution, in the House of Representatives, providing the committee with special investigative authorities.

RULE 21.—LETTERS ROGATORY AND INTERNATIONAL GOVERNMENT ASSISTANCE

The chairman, after consultation with the ranking minority member, may obtain testimony and evidence in other countries through letters rogatory and other means of international government cooperation and assistance. This rule is applicable to the committee's investigation of political fundraising improprieties and possible violations of law, and is effective upon adoption of a resolution, in the House of Representatives, providing the committee with special investigative authorities.

Mr. Speaker, I yield the balance of my time to the gentleman from California [Mr. COX], a member of the Committee on Government Reform and Oversight.

□ 1100

Mr. COX of California. Mr. Speaker, it is well, as we conclude debate and prepare to vote, that we recall what it is that is contained in the resolution before us. This is a resolution that will grant the staff attorneys, not the staff but the staff attorneys, former U.S. attorneys, of the Committee on Government Reform and Oversight, the ability to conduct depositions in preparation for hearings by the full committee.

The previous speaker spoke instead to the issue of subpoenas, and he said, incorrectly, that never before in history has the chairman had the power unilaterally to issue subpoenas. I first point out, that is not what this resolution provides. It does not provide anything about subpoenas.

But for the Record, I would also point out that for the entirety of the Democratic control of Congress over a 40-year period that was precisely what was the rule, and for the most recent Democratic Congress, the 103d Congress, let me quote from the Committee on Government Operations, the House of Representatives, rule XVIII: ''The chairman of the full committee shall authorize and issue subpoenas.'' It does not say anything even about consultation with the minority, let alone concurrence.

Second, with respect to staff depositions themselves, over and over and over again this authority has been granted by this Congress in precisely this way. This was the rule for the Iran-Contra investigation. Let me quote the rule: ''* * * the chairman, upon consultation with the ranking minority member * * * may authorize the taking * * * of depositions. * * *''

That was the rule for Iran-Contra, and it is the very same rule we are adopting here, with consultation; not a veto, not concurrence, which means agreement, which means if we do not agree, as the minority, then we have to have a full committee vote on every one, but consultation.

In fact, in this rule we provide something that the Democratic Party, for all the years they controlled Congress, never provided us when we were in the minority, and that is 3 full business days advance notice and consultation. This rule, therefore, is better than anything that the Democrats had when they were in charge.

October Surprise, we have heard that mentioned out here before. Let me read the rule for the October Surprise investigation when the Democrats were in the majority: ''The chairman, upon consultation with the ranking Republican member * * * may authorize the taking of * * * depositions. * * *

But that is not the rule they are offering. They wanted a veto power to kick it to full committee. Why should it not be kicked to full committee? Let me read from a leading Democrat, the gentleman from Indiana, Mr. LEE HAMILTON, whose statement it seems to me speaks for itself:

> * * * requiring a majority vote for each subpoena would be extremely time-consuming and difficult to arrange. It would be impractical. It has been common practice in special congressional investigations to give the chairman responsibility for issuing subpoenas. * * *

So we need to focus once again on what is in the resolution before us; nothing about subpoena authority, but the authority to take staff depositions. Let me add also that we have an opportunity to cooperate and to make this the kind of bipartisan investigation that so much of the debate has focused on here today.

Mr. Speaker, recall what went on in the October Surprise investigation. It was an election year. This is not. The charges were not about Webster Hubbell receiving hush money from the Lippo Group and the Riadys, people that have taken the fifth amendment and fled the country, and whose grievous offenses, apparent grievous offenses have been drawn to the Nation's attention by the New York Times.

Rather, it was alleged that President George Bush met secretly in Paris with the Ayatollah and begged that he not release our hostages. That absurd premise was dismissed because we cooperated in that investigation. Please cooperate with us in this one. Vote yes for the resolution.

The SPEAKER pro tempore (Mr. LAHOOD). All time has expired.

Ms. PRYCE of Ohio. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 217, nays 196, not voting 21, as follows:

[Roll No. 219]

YEAS—217

Aderholt
Archer
Armey
Bachus
Baker
Barr
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Morella
Myrick
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NAYS—196

Abercrombie
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—21

Ackerman
Ballenger
Barrett (NE)
Clayton
DeGette
Doolittle
Goss
Johnson, Sam
Lipinski
Miller (CA)
Nethercutt
Oberstar
Pombo
Pomeroy
Schiff
Stark
Tauzin
Taylor (NC)
Torres
Yates
Young (AK)

□ 1121

The Clerk announced the following pairs:

On this vote:

Mr. Ballenger for, with Ms. DeGette against.

Mr. McIntosh for, with Mr. Stark against.

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 216, noes 194, not voting 24, as follows:

[Roll No. 220]

AYES—216

Aderholt
Archer
Armey
Bachus
Baker
Barr
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Morella
Myrick
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Taylor (MS)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOES—194

Abercrombie
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez

Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—24

Ackerman
Ballenger
Barrett (NE)
Bonilla
Clayton
DeGette
Doolittle
Goss
Herger
Johnson, Sam
Lipinski
McIntosh
Miller (CA)
Nethercutt
Oberstar
Pombo
Pomeroy
Schiff
Stark
Tauzin
Taylor (NC)
Torres
Yates
Young (AK)

□ 1140

The Clerk announced the following pairs:

On this vote:

Mr. Ballenger for, with Ms. DeGette against.

Mr. McIntosh for, Mr. Stark against.

Ms. MCKINNEY changed her vote from ''aye'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BONILLA. Mr. Speaker, on rollcall No. 220, I was unavoidably detained. Had I been present, I would have voted ''aye.''

ALTERING ORDER OF CONSIDERATION OF AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 1119, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

Mr. SPENCE. Mr. Speaker, pursuant to section 5 of House Resolution 169, I ask unanimous consent that during further consideration of H.R. 1119 in the Committee of the Whole, and following consideration of the Luther amendment referred to in part 1 of House Resolution 169, the following amendments be considered in the following order:

Amendments No. 22 and 41, printed in part 2 of House Report 105–137;

The amendment printed in section 8(e) contained in House Resolution 169; and

Amendment 15, printed in part 2 of House Report 105–137, as modified by section 8(b) of House Resolution 169.

And, Mr. Speaker, I ask unanimous consent that this be considered sufficient notice for the purposes of section 5 of House Resolution 169.

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

Mr. DELLUMS. Mr. Speaker, reserving the right to object, and I do not intend to object, but I would simply like to ask the question: Have all of the persons who the distinguished Chair has laid out as authors of amendments that we will address during the remaining period of this session today been notified as to the agreement?

Mr. SPENCE. Yes, we have made every attempt to notify them and we believe they have been. I have not checked every one to make sure, but we, as we talk, will be contacting the others.

Mr. DELLUMS. Mr. Speaker, I withdraw my reservation of objection and, with those admonishments, trust the word of the Chair.

The SPEAKER pro tempore. Without objection, the notice shall be considered sufficient.

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

The SPEAKER pro tempore. Pursuant to House Resolution 169 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1119.

□ 1144

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1119) to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes, with Mr. YOUNG of Florida in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, June 19, 1997, amendment No. 5, printed in part 1 of House Report 105–137, offered by the gentleman from Connecticut [Mr. SHAYS], had been disposed of.

It is now in order to consider amendment No. 6, printed in part 1 of House Report 105–137.

AMENDMENT NO. 6 OFFERED BY MR. LUTHER

Mr. LUTHER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. LUTHER:

At the end of title I (page 23, before line 7), insert the following new section:

SEC. 123. TERMINATION OF NEW PRODUCTION OF TRIDENT II (D–5) MISSILES.

(a) PRODUCTION TERMINATION.—Funds appropriated for the Department of Defense for fiscal years after fiscal year 1997 may not be obligated or expended to commence production of additional Trident II (D–5) missiles.

(b) AUTHORIZED SCOPE OF TRIDENT II (D–5) PROGRAM.—Amounts appropriated for the Department of Defense may be expended for the Trident II (D–5) missile program only for the completion of production of those Trident II (D–5) missiles which were commenced with funds appropriated for a fiscal year before fiscal year 1998.

(c) FUNDING REDUCTION.—The amount provided in section 102 for weapons procurement for the Navy is hereby reduced by $342,000,000.

The CHAIRMAN. Pursuant to the rule, the gentleman from Minnesota [Mr. LUTHER] and a Member opposed, the gentleman from California [Mr. HUNTER] each will control 15 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. LUTHER].

□ 1145

Mr. LUTHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Members of the House, I am pleased today to join with my fellow Minnesotan [Mr. RAMSTAD] in offering this bipartisan amendment to the fiscal year 1998 defense authorization bill to terminate further production of the Trident D–5 submarine launched ballistic missile.

The Trident D–5 is a ballistic missile with a range of more than 4,000 nautical miles. Each is capable of carrying up to 8 independently targetable nuclear warheads at speeds in excess of 13,000 miles per hour. The U.S. Navy currently operates a force of 17 Ohio-class fleet ballistic missile submarines with an eighteenth boat scheduled to join the force later this summer. Eight of these submarines, homeported at Bangor, WA, carry the older C–4 missile system. The other 9 Ohio-class subs and the new sub being deployed this year are homeported at Kings Bay, GA, and carry the new Trident D–5 missile system. Each submarine carries 24 missiles.

In order to comply with the START II Treaty, the Navy is planning to retire four of the older subs carrying the C–4 missiles, but the Navy is currently planning to back-fit the other four with the new D–5 missiles. Although the Navy has already an inventory of 350 D–5 missiles, it nevertheless plans to procure an additional 84 Trident D–5's through the year 2005, unless Congress intercedes.

We believe the responsible course is for our Navy to cancel the proposed back-fit of the older C–4 subs and, over time, reduce its fleet of Ohio-class submarines to 10 vessels. With a fleet of 10

Ohio-class submarines carrying the new D–5 missiles, the Navy will no longer need the additional 84 missiles they have requested through fiscal year 2005. The current inventory of 350 missiles will be sufficient, 240 for the 10 Trident D–5 subs and 110 for testing purposes.

There are very important reasons why this amendment should be approved by the House of Representatives. The Trident D–5 missile is a cold war weapon specifically designed to destroy hardened missile silos and other military targets found in the former Soviet Union. But today the nuclear threat from the former Soviet Union is dramatically reduced.

While there is still an important role for strategic nuclear weapons in our arsenal, that role is dramatically reduced from what it was in the past, and weapon procurement should reflect that.

The Congressional Budget Office estimates that this amendment would save taxpayers with this act this year and with future subsequent acts more than $5.7 billion over 10 years, including $342 million in fiscal year 1998. This savings would then be available for personnel readiness and military training purposes or to reduce the deficit.

Members of the House, the United States has an unchallenged world lead in the area of submarine-launched ballistic missiles. Only Russia, China, France, and Great Britain have this capability. China has just one submarine with 12 ballistic missiles, and the Russian fleet is outmoded and largely rusting away in port. A fully modernized fleet of 10 Ohio-class subs carrying Trident D–5 missiles will continue our leadership in this critical area of strategic defense.

Balancing the budget requires continuing scrutiny of every dollar the Government spends. We need to maintain a strong military and an absolutely credible nuclear deterrent force, but we must maintain that defense while keeping in mind the realistic threats facing our country. A 10 Trident submarine fleet, carrying the new D–5 missile, is enough to secure our interests. And saving over $5.7 billion by canceling the production of more D–5 missiles will make it much easier to balance the budget in the year 2002.

I ask that we think about the way we think about military spending. Times have changed, and I hope this amendment that the gentleman from Minnesota [Mr. RAMSTAD] and I are proposing will help move us into the future.

I urge my colleagues to join taxpayers for common sense in support of this bipartisan amendment.

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

Mr. HUNTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have great respect for both proponents of this amendment, but I have to tell my colleagues that this amendment is not grounded in common sense, for a couple of reasons. There are a lot of things with respect to arms control that we disagree with, conservatives, liberals, Democrats, Republicans, arms control proponents, and people who are very skeptical of the arms control process.

But there are certain cornerstones of our deterrent force and our overall strategy of deterrents that we all agree on. When I say, ''we all agree on,'' I am speaking of not only of the majority in the Congress but also the President of the United States, whether he is a Democrat or Republican, and his respective military leaders in the Pentagon.

I have a lot of disagreements with President Clinton on security, but this is not one of them. The President, and I have several letters, one from his CNO and one from his director of the Commander in Chief, the U.S. Strategic Command, President Clinton does not want to see our strategic force, and the most important part of our triad, which is our submarine force, upon which we are going to rely for 50 percent of our deterrent counterstrike force under START II, he does not want to see that force reduced, and especially to reduce it unilaterally.

So let us review the bidding here. We have three legs of the triad. We have our missiles based on land. We have our bomber force. But the most survivable forces of our triad, our deterrent system that has worked for so many years, is undersea. It is difficult to target. It is difficult to preempt. And that deterrent force will become more and more important under START II if the Russians ever approve START II.

Now here is what my colleagues should reflect upon: START II has not yet been approved by the Russian Duma. Our friends who are offering this amendment are proposing to cut back on the number of ballistic missile submarines, in anticipation that at some point in the future there will be a START III and the Russians will give us reciprocity on this cut and will somehow come through with cuts of their own.

That is a very dangerous thing to do. Let us leave all the chips on the side of our negotiators so that, as we work down our strategic forces, they give a chip, we give a chip, they give a chip, we give a chip, and we still guard or act to detour not only the Russians but others who are now developing nuclear systems around the world.

And there are others developing those systems. The Chinese, for example, are not a part of the START II agreements. They are developing nuclear systems aimed at American cities. So it is a very dangerous thing to try to get a jump-start on arms negotiations and start unilaterally to pull down our strategic forces, especially the underwater part of our strategic forces.

All of our military experts, the White House leadership, the Pentagon, and the majority in Congress, agree the undersea part of our ballistic missile submarines are the most survivable part of our triad. And to do away with the large portion of those in anticipation of some future concession on the part of our negotiating partners makes no sense.

Mr. Chairman, I yield to my friend, the gentleman from Washington [Mr. DICKS].

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

Mr. DICKS. Mr. Chairman, I thank the gentleman for yielding me the time, and I rise in opposition to the Luther amendment and in support of the committee's position on this.

One of the problems here is that we have a missile on these older Tridents. The Pacific Tridents were built first. And the older missile, the C–4 missile, has a lifetime up to about 2004. Then, if we do not build the D–5 and replace the C–4's with the D–5's, we are going to have to go out and spend billions of dollars to fix up the C–4 missile.

In fact, I have been told that that course is more expensive than buying the newer, more capable missiles. So why would we not want to retrofit? The other problem is, if we have two missiles, then we have to have two infrastructures for the missiles, the D–5's. And if we can go to an all D–5 force, than we can have one missile, one set of repair parts, and it is actually, in terms of ownership, less expensive.

I would agree with my friend from California [Mr. HUNTER] that until we see what happens in the START talks, we would, in my judgment, be premature to go even from 18 to 14 in terms of the number of submarines that we have. And the D–5 program is in place. We should buy these missiles now while the line is open. We need to keep this open until we see whether, in fact, we are going to get an arms control agreement.

To cut it off now would be premature and we would have a situation where the submarines in the Atlantic have D–5's and none of the submarines in the Pacific would. The D–5 is a more capable missile, and we need to have that capability, in my judgment, in both oceans.

So I understand the intent here to try to save some money. We all want to save money. But there is a lot more to this, and it goes right to the security of the country. The D–5 and the Trident submarine are the most survivable part of our triad. I think until we get these arms control agreements in place we should stay with this program, support the administration, who strongly is committed to keeping the D–5 program going.

Mr. HUNTER. Mr. Chairman, I yield as much time as he may consume to my friend, the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Chairman, I appreciate my friend from California, Mr. HUNTER yielding me the time.

Mr. Chairman, here we go again. It seems like we always go through this every year or so on what to do with the

D–5. I think the point has been made, and made very well, that as we finally had the cold war come to an end, the thing that did it was the triad system, or the system where we figured out how we were going to handle this problem.

We had the aircraft, and we looked at the old B–52, which is a very, very old airplane, came out with the B–1 and now the B–2. We got the land-based missiles, and now we are going to take the MX and take it out of the silos and all we will have is the Minuteman III.

But the ace in the hole, all this comes down to, is the D–5. I think most people, when they look at this, find out that if you can take a boat and hide it somewhere and just sit it somewhere, fine. But I still recall, when Les Aspin was the chairman of the committee, bringing in some admirals and generals from the old Soviet Union, as it was then constituted, and talked about how difficult it was to stay up with the modernization of the United States. And the key to this whole thing is modernization. C–4 has been a reliable missile, but it is the D–5 that now gives us the ace in the hole.

It would seem to me that now we have the opportunity to finish out all 14 boats, get them up to this very, very accurate missile, a missile with more range, a missile that can do the job that gives us that deciding edge that we finally won with the Soviet Union years ago. It would be very foolish, in my humble opinion, to do away with it. It also puts our negotiators in a very bad position when we have Congress micromanaging what they are going to do and what type of armament they would use.

I have great respect for my friend from Minnesota, but in my humble opinion, it would be a smart thing to defeat this amendment and go ahead with the production of the D–5.

Mr. LUTHER. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. RAMSTAD], cosponsor of the amendment.

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

Mr. RAMSTAD. Mr. Chairman, I thank my colleague for yielding me this time.

Mr. Chairman, I rise today in strong support of the Ramstad amendment to terminate further production of the Trident D–5 submarine launched ballistic missile. As we continue our efforts here to balance the budget and reduce the Federal debt, each and every Government program, including defense, must be scrutinized for potential savings. The further production of the Trident D–5 missile is one such program.

We already have over 350 Trident D–5's in service. At a cost of over $50 million each, we simply cannot afford to continue increasing the size of this missile force, nor do we need to, as our missile capability is more than adequate. By ending production of this missile, we will save taxpayers $5.7 billion over the next 10 years, without sacrificing our national security.

We must all strongly support the need for a strong national defense. But, at the same time, we cannot continue to fund programs that excessively spend scarce resources.

□ 1200

Mr. Chairman, let me read from this letter from Taxpayers for Common Sense:

> As the United States moves to a balanced budget, it is unacceptable for taxpayers to finance an outdated missile program originally designed to counter Cold War threats. With 350 D–5 missiles already in service, the U.S. Navy is well-equipped, making further D–5 purchases unnecessary. Only a select few nations possess SLBM capabilities. The United States already leads the world in this area, with 4 other nations, Russia, China, France and Great Britain, all trailing in the distance. To the extent that the SLBM remains a viable strategic weapon in the redefined global arena, the United States possesses an adequate deterrent capability.

Let us save the taxpayer $5.7 billion. Please vote for this amendment.

Mr. Chairman, I include for the RECORD the letter from Jill Lancelot from Taxpayers for Common Sense:

TAXPAYERS FOR COMMON $ENSE,
June 19, 1997.

SUPPORT LUTHER-RAMSTAD AMENDMENT TO DOD BILL: CUT D–5 MISSILE—SAVE $5.7 BILLION

DEAR REPRESENTATIVES LUTHER AND RAMSTAD: Taxpayers for Common $ense is pleased to support the Luther-Ramstad amendment to the FY98 Defense Authorization Bill to end further procurement of the D–5 submarine-launched ballistic missile (SLBM) and deactivate eight Trident submarines currently equipped with an older missile system. This amendment would both eliminate future purchases of a weapon costing $50 million per missile and cancel the backfitting of submarines with older missile systems, leading to ultimate savings of $5.7 billion.

As the United States moves to a balanced budget, it is unacceptable for taxpayers to finance an outdated missile program originally designed to counter Cold War threats. With 350D–5 missiles currently in service, the U.S. Navy is more than well-equipped, making further D–5 purchases unnecessary. Only a select few nations possess SLBM capabilities. The U.S. already leads the world in this area, with four other nations, Russia, China, France and Great Britain, all trailing in the distance. To the extent that the SLBM still remains a viable strategic weapon in the redefined global arena, the U.S. possesses an adequate deterrent capability.

To ensure that we achieve the goal of a balanced budget, Congress must make difficult decisions regarding each and every dollar. Your amendment represents a sensible balance between sound defense policy and sound budget policy.

Sincerely,

JILL LANCELOT,
Legislative Director.

Mr. HUNTER. Mr. Chairman, I yield myself 1½ minutes to respond briefly to the gentleman from Minnesota.

Mr. Chairman, the gentleman from Minnesota cited a taxpayer group and their decision, their unilateral decision to disarm approximately one-third of America's most important leg of the strategic triad on the basis that they think it is a good deal and it makes sense. I might remind my colleagues that of all of the hundreds of arms control experts and military experts and deterrent experts that we rely on, including our scientists and our policymakers, whether they are liberal, conservative, Democrat, Republican, in the administration or in the Congress, none of those people have been cited as justifying or backing up this unilateral decision to jump start or prejump the negotiators by sacrificing one-third of our underwater deterrent. No experts have been cited. It just looks like it is a good deal for a taxpayers group.

I would suggest that the reason this defense budget today is $140 billion less than the defense budget in 1985 is because we were strong, and we built lots of *Tridents* and we put them in the water. That brought the Russians to the negotiating table. The Russians were never brought to the negotiating table by us making unilateral concessions. They were brought to the negotiating table by us being strong and then doing one for one, under Ronald Reagan and George Bush and now under Bill Clinton. That means they give a chip, we give a chip. We do not unilaterally pull the rug out from under our negotiators by giving up big pieces of our triad.

Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, in fact I think Secretary Longuemare makes a good point in support of what the gentleman just said:

> Delaying the backfit of 4 SSBNs with D–5 missiles sends the wrong message to Russia. It removes Russia's incentive to ratify START II in a timely manner and begin START III negotiations as agreed in Helsinki.

I have to agree. I think this would send the wrong message. If we are going to bring down the strategic forces, we want to bring them down on both sides.

I also would take some umbrage about the status of the Russian Navy. As the ranking Democrat on the Permanent Select Committee on Intelligence and someone who has served 19 years on defense appropriations, this is one area in the submarine area where the Russians are still making significant investments. I would not characterize their submarine capabilities as defective or weak. They have very capable submarines, particularly in the attack area.

Mr. LUTHER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan [Ms. RIVERS].

Ms. RIVERS. Mr. Chairman, in the past Members of Congress were oftentimes reluctant to propose decreases in defense spending. Those who had the temerity to suggest that we cut the spending that we do for the military or in areas of weaponry could pretty much expect to see a 30-second ad attacking their courage, their character, and their patriotism.

Things are changing here in Washington. This is a new Congress and it is a new era. No longer do we have programs that are immune from scrutiny. No longer do we not look at how we spend taxpayers' dollars. Every dollar spent must be justified.

I join the gentleman from Minnesota in supporting their proposal to strip the unnecessary and ultimately wasteful proposal within this Department of Defense budget to continue production of *Trident* D–5 missiles, and in doing so, to save the American taxpayer $5.7 billion. Thomas Jefferson said many, many, many years ago:

> Sound principles will not justify our taxing the industry of our fellow citizen to accumulate treasure for wars to happen we know not when and which might not ever happen but from the temptation offered by that treasure.

I think that is still true today. With this amendment, we are not hurting our capability to wage war in the future should that become necessary. Even if we choose to retire our aging vessels, we are left with 10 modern submarines equipped with 240 D–5 missiles. More appropriately we have the appropriate number left behind for testing and replacement and we will save the public $5.7 billion.

This DOD proposal is a poor use of resources. By eliminating the backfitting of the C–4 subs, we will stop what is essentially a plan to put old wine in new bottles. The C–4 subs are too old to have a lot of service life left in them and they are likely to be eliminated as has been suggested by START II. But even if we keep the C–4's, a 1992 DOD study said that the current C–4 missiles would last until 2015. This proposal in no way will do what others have suggested, that we are stripping some of our submarines of arms. The internal documents of the Department of Defense suggest that that is just not true.

I support this cut. I hope others will as well. I think they should stand up for the principle here and feel secure in their patriotism because Calvin Coolidge once said, ''Patriotism is easy to understand in America. It means looking out for yourself by looking out for your country.''

This amendment is good for our country.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Chairman, I want to join my colleagues, the gentleman from California [Mr. HUNTER] and the gentleman from Washington [Mr. DICKS], and others, in opposing the amendment. I know the amendment is genuinely offered. I was an opponent of the D–5 missile at the beginning of the program because frankly I felt the original missile was adequate. The reality, however, is that the argument that the gentleman from Washington [Mr. DICKS] makes about a unified system without the complexities and costs of supporting two missiles in the same operation really has to win the day here. There was a time when I thought we could have done without the D–5 missile. But now as we have moved to a point where it is the dominant system out there and we need to make sure we complete that work here today because of the effect overall on the cost of maintenance, supply, of training, it adds a complication to a smaller Navy that frankly is bothersome and frankly is something that we cannot afford to do.

I would join my colleagues in opposing the amendment.

Mr. LUTHER. Mr. Chairman, I yield 3 minutes to the gentlewoman from California [Ms. WOOLSEY].

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

Ms. WOOLSEY. Mr. Chairman, I am especially pleased to speak on behalf of this amendment because it represents a cause that I have taken up in the past. I thank the gentleman from Minnesota [Mr. LUTHER] and the gentleman from Minnesota [Mr. RAMSTAD] for bringing it back to the floor yet again.

Mr. Chairman, the issue here is simple. We no longer need the Trident D–5 missile to defend our country. This missile was designed specifically to counter the threat of the Soviet Union, a threat which no longer exists. Under this amendment, Mr. Chairman, the United States will retain its current inventory of Trident D–5 missiles and submarines. All this amendment will do is stop further production of this costly missile, saving Americans $342 million next year and saving over 10 years $5.7 billion.

Mr. Chairman, we should be reducing our nuclear stockpile, not building it up. Stopping production of the Trident will send a clear message that the United States is truly committed to a nuclear nonproliferation policy.

Mr. Chairman, let us not fool ourselves. Production of the Trident missile is the equivalent of flushing $5.7 billion down the toilet over the next 10 years when we should actually be funding programs that we truly need, such as education, job training, health care, and environmental protection.

The cold war is history, Mr. Chairman. I urge my colleagues to join me in closing this chapter of the history book by supporting the Luther-Ramstad amendment.

Mr. LUTHER. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, I rise in support of the Luther-Ramstad amendment. We can safely reduce our fleet of Trident submarines to 10 and that will make us save $344 million. I would say that nuclear weapons are becoming obsolete, but that is not important. What is important is what the experts say. This last December, 60 generals and admirals, including Gen. Lee Butler, who was the former Commander of the U.S. Strategic Air Command, called for the eventual elimination of nuclear weapons.

General Butler's statement reads in part: ''With the end of the cold war, these weapons are of sharply reduced utility, and there is much to be gained by substantially reducing their numbers.'' He went on to say, ''We should explore the feasibility of their ultimate complete elimination.''

Obviously, we should not be putting in new nuclear weapons. What do the American people say? In an April poll, 77 percent of those questioned favored the elimination of all nuclear weapons.

Mr. LUTHER. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Minnesota is recognized for 3½ minutes.

Mr. LUTHER. Mr. Chairman, I want to first of all express my thanks to the gentleman from South Carolina [Mr. SPENCE], the chairman of the committee; the gentleman from California [Mr. DELLUMS], the ranking member; and the gentleman from Washington [Mr. DICKS] for their consideration. Also, I want to thank the gentleman from Minnesota [Mr. RAMSTAD] and all of the other speakers who spoke so eloquently on behalf of this amendment.

Before we move to a vote on this issue, I would like to leave just a couple of thoughts with the Members of the House. First of all, please keep in mind that unlike the B–2 bomber, the D–5 missile is not a dual-use weapons system. There is no conventional warfare role for the D–5. Its sole utility is as a strategic nuclear weapon. If my colleagues are interested in voting to cut a weapons system that will not affect our ability to wage the conventional or regional wars that we must be prepared for, this is the system.

Second, keep in mind our experience with the Minuteman III land-based ICBM. Many of my colleagues will remember the plans in the 1980's to replace the Minuteman with the MX. We decided to scrap those plans. Today the Minuteman III serves as the backbone of our land-based leg of the triad. The C–4 missiles we are retiring are much more modern weapons than the Minuteman III's.

Under this amendment we will continue to have 18 Trident subs through the year 2001 and we will not be down to 10 subs until 2005. Until that date, the C–4 missile will continue to serve its important role in our strategic defense just like the Minuteman III.

The opponents of this amendment have made the same arguments here on the floor that have been made over the years, to run our defense budget up to the level that it is at today and to run the debt of this country up to the $5.3 trillion of debt that we have today.

I urge Members of the House to reject that approach today. A vote for this amendment will save $5.7 billion of unnecessary spending. My colleagues have made that commitment to their constituents to do away with unnecessary spending.

□ 1215

And we can use that money for other more important purposes or to help balance the budget.

I thank my colleagues for their consideration.

The CHAIRMAN. The remaining time is 3½ minutes to the gentleman from California [Mr. HUNTER] who has the right to close.

Mr. HUNTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think this is an example of snatching defeat from the jaws of victory. We have an arms control process that is walking down the line that has taken us to the point where we are waiting for the Soviet Union to ratify the second arms agreement. We have got a situation where we can get a quid pro quo; that means when we take down a weapons system, the Soviet Union, now Russia, will take down a weapons system, and I want to answer just a couple of things that the proponents of this amendment made that are just not the case, a couple of their arguments.

First, this does not save any money. According to the Navy it is $2.3 billion to upgrade the C–4 missile. If we are not going to have the D–5, we are going to have to upgraded the C–4. That is $2.3 billion. According to the Navy, if we add all the termination costs, we are actually going to pay, the taxpayers will pay, 60 million more dollars to maintain the old C–4 missile then to complete the project on the D–5 missile. So we do not save money for the taxpayers according to the Navy. We spend an extra $60 million.

But second and most importantly, there have been no experts here that have said that we should unilaterally eliminate this program without getting anything from the Soviet Union. The assembled admirals and generals who were quoted here simply said we should eventually do away with nuclear weapons. Well, the best way to eventually do away with nuclear weapons is to have something to negotiate with to get the Soviets to and the Russians to walk down on their inventory.

This is giving up something unilaterally that means we will not get a concession from Russia for it, we will not get an SS–18 removed, we will not get one of their strategic boats removed, we will simply make a unilateral concession.

So we get nothing for it economically, we get nothing for it in terms of arms control; it is not an amendment of value, it is a dangerous amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I just want to compliment the gentleman. He has got this exactly right. This is one of those ironies. If we kill the D–5, we are going to spend more on the existing missile which is less capable. It is less capable. And then we got 2 systems, we are going to have the duplication in repair, spare parts and everything else.

So let us stay with the program. At some point in the future, as my colleagues know, we may get down to 14, but that is going to be when we have agreed to it, when there is a negotiated agreement between the 2 sides.

To do it unilaterally I think would be a very serious mistake, and I urge a no vote on the Luther Ramstad amendment.

Mr. HUNTER. I thank the gentleman from Washington [Mr. DICKS] for his very articulate statement.

Mr. Chairman, I yield back the balance of my time and urge a no vote on this amendment.

The CHAIRMAN. All time has expired.

Mr. DELLUMS. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. Under section 2(c) of the rule, the gentleman does have that right and is recognized for 5 minutes.

Mr. DELLUMS. Mr. Chairman, I have listened very carefully to both sides of this debate, and I would like to indicate to my colleagues that I rise in strong support of the amendment offered by my distinguished colleague.

Now let us have the discussion.

I would ask my colleagues:

''Would you authorize new construction on a base you're going to close?''

The point I make here is that if we know where we are headed, we know where we are going, the only issue is how do we get there most efficiently, most effectively, and, in this limited dollar environment, most economically.

I would suggest, Mr. Chairman, that we think boldly, not this incremental cautious step that ends up costing the American taxpayers billions and billions of dollars at a time when we do not need to spend them.

Now, when my colleagues on this side of the aisle in support of the amendment have indicated that it would save them $5.67 billion, Mr. Chairman, that is only part of the savings.

My colleagues who oppose this amendment said: But we will have to upgrade C–4 missiles.

Think boldly. I am going to give my colleagues a proposal that does not require them to improve C–4 missiles.

Think boldly. I am going to give my colleagues a proposal that does not require them to retrofit.

Think boldly. I am going to give my colleagues a proposal that does not allow them to have to worry about two missiles.

We are sitting here debating about whether it is boats or missiles. It is about warheads. The boats and the missiles are only the delivery system. What we are looking at, at this point, are a large number of boats with few warheads.

Think boldly. Few boats, greater number of warheads, saving the American taxpayers not just $5.7 billion, but two to three times more money at a time that we live in a limited dollar environment.

What is the proposal? Go now to 10 boats. The Navy could then with 10 boats meet essential requirements under START II today and the anticipated requirements under START III framework tomorrow. We can do both simultaneously.

Think boldly. Not from 16, 14, 13, 12; go to 10. My colleagues know where they are headed. Save the money.

We have been talking about a 5-year budget agreement where we have to scrutinize every dollar. Well, get out of this little cautious approach that we have and save people money. By varying the number of missiles outloaded per boat and the number of warheads uploaded per missile this can be accomplished within the current 350-missile inventory.

This approach would save us, as I said, from expensive C–5 retrofit for four to eight boats. That is not necessary, the multibillion-dollar cost to buy 84 D–5 missiles planned through the year 2005, and the operation and support costs associated with the above.

Do the math on that, Mr. Chairman; we have saved the American taxpayer $10, $15 billion.

But move beyond the point that they are trying to make. We all know that we are trying to go to a new world. We all know that we are moving toward fewer and fewer nuclear weapons and greater capability.

My colleague from California says this is unilateral disarmament. That is bizarre. What we are looking at, at this point, is the Navy buying a fixed amount of missiles and then varying the boats.

Now, one does not have to be too smart to recognize that a boat costs a hell of a lot of money, a lot more money than the missile. I say turn it around, think rationally, vary the number of missiles, fix the number of boats. Go quickly to 10. I know it is bold, but I want to shake my colleagues up some. We have been talking about saving American people money. This is not about unilateralism. Those are euphemisms and hot-button words, but rational intelligent, thought says that we ought to go someplace, save money.

With those thoughts I am in enthusiastic and overwhelming support to the gentleman's amendment.

One last point. If there is any problem with the gentleman's amendment, it is that he has thought further out than most people have thought. He got here faster than anybody got here. This debate is a preview of a debate that we are going to have next year and the year after next. I compliment the gentleman for his over-the-horizon forward thinking. He got there before everybody did. He put before this body what needs to be discussed, and it needs to be discussed now, and the earlier we start to think about it, the better off we will be.

Mr. HUNTER. Mr. Chairman, I ask unanimous consent to exercise the authority to strike the last word.

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

There was no objection.

The CHAIRMAN. The chair recognizes the gentleman from California for 5 minutes.

Mr. HUNTER. Mr. Chairman, I just wanted to take this time to engage with my colleague and with the other side, and I just want to go over the points that have been made earlier and the points that he spoke to.

First, according to the Navy, and if we are going to save money, we have got to put a pencil to the balance sheet and we have to try to figure out whether extending the life of the C–4 is going to be cheaper or more expensive than buying the rest of the D–5. If money, and I would submit there is a lot more to this debate than just money, but if money is the object, we have got to put a pencil to it and see if it works. According to the Navy it does not work, and we end up spending $60 million more extending the life of the C–4 missile then completing the program on D–5. Now that is the fact.

Second, let me just say to my friend, as my colleagues know, this is a long debate that we have been in; he and I have debated arms control for 16 years now, and I can recall the early days of the 1980's when Ronald Reagan was building a stronger strategic deterrent. My friend answered ''No, that is not the way to go, and you are driving the Russians away from the bargaining table,'' and when the Russians were lining our European allies' borders with SS–20 missiles and Ronald Reagan said we are going to put in ground-launched cruise missiles and Pershings to meet them, and there was enormous debate in Europe in the mid 1980's, there were many people on this side of the ocean, many pundits, many journalists, many Members of Congress who said, ''You are driving the Russians away from the negotiating table,'' but by being strong and by establishing a reinforced strategic triad, and that included our land based systems, going with the B–1 bomber on our air breathing systems and putting more capability into our undersea systems we brought the Russians to the negotiating table, and one day the phone rang and all of a sudden the Russians wanted to talk, and we started down this trail of arms negotiations.

But the genius of our side in the arms negotiations and reductions has been that we have gotten a quid pro quo for everything we have given up, we have gotten something in return. The President of the United States said ''Trust but verify.'' We do not unilaterally make concessions. That has worked, Mr. Chairman. We are now walking the Russians down on arms control.

So the gentleman's ascertation that this is a brilliant thing for Congress to unilaterally start giving up pieces of the strategic triad in anticipation of a third arms control agreement when the second arms control agreement has not even been ratified by the Russian Duma does not make any sense in that it is totally inconsistent with our history. And I think my friend wants to talk, and I am going to yield to him.

Mr. Chairman, I yield to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. One very quick response to the gentleman is: The logic. Do we build up to build down. To build up we are going to spend billions of dollars and we know we are ultimately going to build down. That is the answer to the gentleman's point, that is the central part of this debate, and that is what needs to be developed. If we accept the logic of spending money going up so we negotiate to go down, the gentleman may have a point.

I do not see the point in that, I do not see the wisdom, and I certainly do not see the economics.

Mr. HUNTER. Mr. Chairman, I will explain what I think is the wisdom there.

We are going to a smaller and smaller strategic triad. Both sides have agreed that part of the triad that remains is going to be as modern and effective and as reliable as possible.

Now our experts have determined that the most reliable part of the strategic triad is the undersea part; it is certainly the most invulnerable part, and that the D–5 missile is an important component of that part of the strategic triad. It is the most modern, the most accurate, the most effective, the most reliable.

So when we are going to build down and we are going to get down to a smaller number of units, carrying that very important American deterrent, we want to have the best.

Now the Russians, I would offer to my friend, have done exactly the same thing. They have not thrown away their modern stuff and left their old stuff. They have kept the most modern part of their own strategic triad in place.

It is our right under the arms control agreement to stay strong in that respect. I think we owe it to the American people to stay strong in that respect.

Mr. Chairman, I yield to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. To establish some reality to people who are listening to this debate, we already have 350 of these missiles. The debate is whether we buy 84 additional ones. I am saying that is the build up to build down.

In my proposal we can stay within the anticipated requirements of START II, of the START II negotiation, and what we anticipate in START III, we can do that within the current inventory of 350. Why buy 84 more because we know we are going to come down again?

That logic escapes me; the gentleman cannot make me understand that.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Minnesota [Mr. LUTHER].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. LUTHER. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 169, further proceedings on the amendment offered by the gentleman from Minnesota [Mr. LUTHER] will be postponed.

The point of no quorum is considered withdrawn.

□ 1230

The CHAIRMAN. Pursuant to section 5 of House Resolution 169, it is now in order to consider amendment No. 22 in part 2 of House Report 105–137.

AMENDMENT NO. 22 OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. HEFLEY:

At the end of title XXXIV (page 504, after line 3), insert the following new section:

SEC. 3404. TRANSFER OF JURISDICTION, NAVAL OIL SHALE RESERVES NUMBERED 1 AND 3.

(a) TRANSFER REQUIRED.—Chapter 641 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7439. Certain oil shale reserves: transfer of jurisdiction and petroleum exploration, development, and production

''(a) TRANSFER REQUIRED.—(1) Upon the enactment of this section, the Secretary of Energy shall transfer to the Secretary of the Interior administrative jurisdiction over all public domain lands included within Oil Shale Reserve Numbered 1 and those public domain lands included within the undeveloped tract of Oil Shale Reserve Numbered 3.

''(2) Not later than one year after the date of the enactment of this section, the Secretary of Energy shall transfer to the Secretary of the Interior administrative jurisdiction over those public domain lands included within the developed tract of Oil Shale Reserve Numbered 3, which consists of approximately 6,000 acres and 24 natural gas wells, together with pipelines and associated facilities.

''(3) Notwithstanding the transfer of jurisdiction, the Secretary of Energy shall continue to be responsible for all environmental restoration, waste management, and environmental compliance activities that are required under Federal and State laws with respect to conditions existing on the lands at the time of the transfer.

''(4) Upon the transfer to the Secretary of the Interior of jurisdiction over public domain lands under this subsection, the other provisions of this chapter shall cease to apply with respect to the transferred lands.

''(b) AUTHORITY TO LEASE.—(1) Beginning on the date of the enactment of this section, or as soon thereafter as practicable, the Secretary of the Interior shall enter into leases with one or more private entities for the purpose of exploration for, and development and production of, petroleum (other than in the form of oil shale) located on or in public domain lands in Oil Shale Reserves Numbered 1 and 3 (including the developed tract of Oil Shale Reserve Numbered 3). Any such lease shall be made in accordance with the requirements of the Mineral Leasing Act (30 U.S.C 181 et seq.) regarding the lease of oil

and gas lands and shall be subject to valid existing rights.

''(2) Notwithstanding the delayed transfer of the developed tract of Oil Shale Reserve Numbered 3 under subsection (a)(2), the Secretary of the Interior shall enter into a lease under paragraph (1) with respect to the developed tract before the end of the one-year period beginning on the date of the enactment of this section.

''(c) MANAGEMENT.—The Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall manage the lands transferred under subsection (a) in accordance with the Federal and Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other laws applicable to the public lands.

''(d) TRANSFER OF EXISTING EQUIPMENT.—The lease of lands by the Secretary of the Interior under this section may include the transfer, at fair market value, of any well, gathering line, or related equipment owned by the United States on the lands transferred under subsection (a) and suitable for use in the exploration, development, or production of petroleum on the lands.

''(e) COST MINIMIZATION.—The cost of any environmental assessment required pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in connection with a proposed lease under this section shall be paid out of unobligated amounts available for administrative expenses of the Bureau of Land Management.

''(f) DISTRIBUTION OF RECEIPTS.—Notwithstanding any other provision of law, all moneys received from a lease under this section (including sales, bonuses, royalties (including interest charges collected under the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.)), and rentals) shall be paid and distributed under section 35 of the Mineral Leasing Act (30 U.S.C. 191) in the same manner as moneys derived from other oil and gas leases involving public domain lands other than naval petroleum reserves.''.

(b) CLERICAL AMENDMENT.—The tale of sections at the beginning of such chapter is amended by adding at the end the following new item:

''7439. Certain oil shale reserves: transfer of jurisdiction and petroleum exploration, development, and production.''.

The CHAIRMAN. Pursuant to the rule, the gentleman from Colorado [Mr. HEFLEY] and a Member opposed, the gentleman from Virginia [Mr. BATEMAN] each will control 5 minutes.

The Chair recognizes the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

I have an amendment that would transfer the administrative jurisdiction over oil shale reserves 1 and 3 from the Department of Energy to the Bureau of Land Management at the Department of the Interior. It would direct the leasing of oil and gas, natural gas rights on two reserves and the outright sale of some existing equipment.

The bill is based upon discussions between the two departments. It embodies four points of agreement between the two agencies. It reflects recommendations of an Energy Department report entitled ''Report and Recommendations on Management and Disposition of Naval Petroleum Oil Shale Reserves.'' This report was a request from the Subcommittee on Military Readiness of the Committee on National Security last year.

The Department of Energy would be responsible for 50 acres of cleanup at the NOSR site 3. The amendment specifies that any environmental assessment costs for the leasing program will be funded out of unobligated administrative funds at the Bureau of Land Management. The amendment will allow a continuing revenue stream to the United States Transfer and leasing would, at worst, result in no loss to the Treasury and has the potential to rake in as much as $126 million in Federal revenues over the next 10 years. Even the CBO's conservative estimates give this amendment a positive score of $10 million.

The State of Colorado has done a study which appears to show that the Federal share of royalty revenues through the first 5 years of the leasing program could total up to $53.1 million. Later revenues could run that total to $126.6 million.

Leasing under my amendment would be conducted under the Mineral Leasing Act of 1920. Precedent has been set for a 50–50 royalty split under that act. This split was developed through negotiations on leasing of oil on National Petroleum Reserve No. 4 in Alaska in the 1970's, and it took 40 years to develop this agreement. The split is also endorsed by the Energy Department.

The Committee on Resources apparently has no problem with inclusion in the defense authorization, as long as the 50–50 split is maintained.

In conclusion, this is an issue that has been around for at least 8 years that I have been involved in it. Senator CAMPBELL first introduced it over here, and I got a bill in the past two Congresses. Two years ago I asked that it be included in the defense mark. It was believed more study was needed and ordered the Energy Department to study the issue. This spring the Energy Department delivered this report which I showed earlier, and its findings mirrored this amendment. I am trying to do in this amendment what the Energy Department in their study and the Department of the Interior have suggested that we do.

Despite these findings, this proposal has not been seriously considered, and despite the fact its central premise is endorsed by the very report the subcommittee commissioned. The amendment offers us the opportunity to benefit the State, private industry, and the Federal Treasury, and that is a rare opportunity. Therefore, Mr. Chairman, I ask for the support of the body.

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

Mr. BATEMAN. Mr. Chairman, I yield myself such time as I may consume.

I rise in reluctant opposition to the gentleman's amendment and wish that I had more than 5 minutes in order to explain the background and the reason why.

I am not in disagreement with the gentleman's amendment insofar as it calls for the leasing of the naval oil shale petroleum reserves. I agree with him that this is the better disposition of these properties in terms of the benefit to the taxpayers of the United States, whose resource or asset this is.

These properties were set aside by the Federal Government after the turn of the century when the Navy turned from coal-fired to oil-fired vessels. They are no longer recorded as necessary to national security purposes, and the property, therefore, can appropriately be disposed of. But it ought to be disposed of in a way that the profit or the income derived therefrom redound to the benefit of all of the people and all of the States of the United States.

The problem that I have with the gentleman's amendment is that, by transferring the properties from the Department of Energy to the Department of the Interior and directing their leasing under the Mineral Leasing Act, it essentially has the practical effect of saying that 50 percent of all of the revenues generated from the leasing will redound to the State of Colorado, and only 50 percent, instead of 100 percent, will redound to the benefit of all of the other States of the Union.

We are dealing here with property which has always been Federal property. It was Federal when Utah, Colorado, and California entered the Union; it has been Federal through all of the years since. Now that it is not necessary for national security purposes and should be disposed of, it should be disposed of in a way that redounds best to the interest of all of the States of the Union and its taxpayers.

While I have no disagreement with any equitable claims that Colorado may mount as to having added value that generates additional revenue and there being recompense for it, nor would I have any objection, since we are dealing with a resource that we are using only for purposes of generating revenue, to Colorado receiving income in lieu of taxes as they would on private property that was being leased. But I do not see the reason, nor the equity, of the taxpayers of America, whose asset this is, receiving only 50 percent of the benefit.

There is a further problem with the amendment in that it deals only with the Naval Oil Shale Petroleum Reserves 1 and 3 in Colorado. It does not deal with the Naval Petroleum Reserve No. 2 in California, nor with the naval petroleum reserves in Utah, nor Naval Oil Shale Reserve No. 2 in, I believe, Wyoming. This is a defect in the bill in the context of how to work out a total solution of the proper and most sound disposition of these resources.

It is for those reasons that I would ask for a no vote on the gentleman's amendment, and hope that we will be able to work with the Senate, which has a different provision in their bill, in order to see that an equitable and comprehensive disposition is made of these properties.

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

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

The gentleman from Virginia [Mr. BATEMAN] and I agree on most aspects of this. He is just scared to death that Colorado might get something that it does not deserve.

I make no argument when the State of Virginia gets help cleaning up the Chesapeake Bay, which we did not pollute, but I think it is important that we clean it up. But he seems to be afraid that we are going to get something in the West that we should not have.

This amendment mirrors the recommendations of a report delivered to the Subcommittee on Military Readiness in March. That report recommended the transfer and leasing of all three Navy oil shale reserves, the two involved in this amendment and one in Utah. The Energy Department endorsed transfer and leasing because it says in the report BLM management would yield a wide variety of economic and noneconomic benefits to the Nation. The amendment also retains the split, as we have already talked about.

Let me explain why this is a good thing. First, it is the law. The Mineral Leasing Act provides an exemption for a revenue split on strategic properties, but the only time the subject has arisen under the Department of Energy involved NPR No. 4 in Alaska in the 1970's. After lawsuits and much negotiations, the two sides settled on the 50–50 split.

Mr. Chairman, I yield whatever time I have remaining to the gentleman from Colorado [Mr. MCINNIS].

The CHAIRMAN. The gentleman from Colorado [Mr. MCINNIS] is recognized for 10 seconds.

Mr. MCINNIS. Mr. Chairman, what the good gentleman from Colorado [Mr. HEFLEY] has said is absolutely correct. This is the recommendation of the Department of Energy and I urge my colleagues to support it. It makes budgetary sense, and again, it follows the recommendations of the Department of Energy.

Mr. BATEMAN. Mr. Chairman, I yield myself such time as I may consume.

No. 1, let me say that these properties were exempted at all times up to the present time from the provisions of the Mineral Leasing Act. They have always been Federal properties, Federal assets, and I think the disposition of them should redound to the benefit of all of the people of the United States. This is not a Virginia issue versus Colorado; this is 49 States versus Colorado in terms of a fair disposition of the properties.

Let me conclude by saying that, while, yes, the Department of Energy recommends for these properties what the gentleman from Colorado is suggesting, it is with some significance that the Secretary of Energy, the new Secretary of Energy is the former mayor of the city of Denver, which the last time I checked, was in Colorado.

What I am suggesting is a more equitable disposition that is in keeping with the findings of the General Accounting Office, and I would again ask for a ''no'' vote on the amendment.

Mr. SKAGGS. Mr. Chairman, I urge support of this amendment. There are many reasons, but three are particularly important:

First, because it cuts red tape. DOE isn't a land-management agency, and the Interior Department's Bureau of Land Management (BLM) already does most of the management of these lands, under an agreement with DOE. Our amendment would simply make BLM's role permanent, and end duplication.

Second, because it's good for multiple-use management: Oil shale isn't a realistic energy source now, but some of these lands also have potential for natural gas. Under our amendment, BLM would make these areas available for leasing, under the same laws that govern leasing of other lands BLM manages. At the same time, other uses (like grazing, hunting, and fishing) would continue under experienced BLM management.

And, third, because it's good for the environment: Part of these lands have high environmental values, including many rare plants and animals. Under our amendment, BLM, through its planning process, will provide for their continued protection and will consider whether some of these lands should be set aside as wilderness or given other special protected designation.

Mr. Chairman, transferring these lands to BLM makes sense, and has been recommended by the administration. I urge the House to follow that recommendation and to approve this amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Colorado [Mr. HEFLEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 169, further proceedings on the amendment offered by the gentleman from Colorado [Mr. HEFLEY] will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. Pursuant to section 5 of House Resolution 169, it is now in order to consider amendment No. 41 in part 2 of House Report 105–137.

AMENDMENT NO. 41 OFFERED BY MR. WELDON OF PENNSYLVANIA

Mr. WELDON of Pennsylvania. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 41 offered by Mr. WELDON of Pennsylvania:

At the end of title XII (page 379, after line 19), insert the following new section:

SEC. 1205. PRESIDENTIAL CERTIFICATIONS CONCERNING DETARGETING OF RUSSIAN INTERCONTINENTAL BALLISTIC MISSILES.

(a) REQUIRED CERTIFICATIONS.—Not later than January 1, 1998, the President shall submit to Congress a report containing a certification by the President of each of the following:

(1) Whether it is possible for the United States to verify by technical means that a Russian ICBM is or is not targeted at a site in the United States.

(2) The length of time it would take for a Russian ICBM formerly, but no longer, targeted at a site in the United States to be retargeted at a site in the United States.

(3) Whether a Russian ICBM that was formerly, but is no longer, targeted at a site in the United States would be automatically retargeted at a site in the United States in the event of an accidental launch of such missile.

(b) RUSSIAN ICBMS DEFINED.—For purposes of subsection (a), the term ''Russian ICBM'' means an intercontinental ballistic missile of the Russian Federation.

The CHAIRMAN. Pursuant to the rule, the gentleman from Pennsylvania [Mr. WELDON] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. WELDON of Pennsylvania. Mr. Chairman, I rise to support this amendment, which may seem unimportant to some, but which is perhaps in my opinion one of the most important statements that this body will make in this bill this year.

Mr. Chairman, as all of us know, the funding level for what our military needs are is largely determined by the threat that is perceived by the American people and by Members of Congress. So if the American people perceive that there is no threat, then in fact they want us to cut defense spending. If they in fact think there is an emerging threat, then they respond and say increase defense spending.

Now, our colleagues are going around saying well, the American people are satisfied; we are spending too much on defense.

Mr. Chairman, my question is, why would they think that? Well, Mr. Chairman, my amendment gets right to the heart of why they think that, because this President, over the last 5 years, has used the bully pulpit to drive home a message that I seriously question, and let me get at the heart of my amendment.

On 130 occasions, actually it is 130 and counting, this President has made the statement; so it is not just once, three times in this pulpit, at universities across the country, in 36 of our States, to women's groups, to environmental groups, on college campuses, he has said, and I quote: There are no longer Russian missiles pointed at America's children.

Now, he has made this statement not one time, 130 times; and his chief advisers in the security operation and the

Vice President have made that contention 22 more times in public speeches. So the President is clearly trying to get the point across to America, do not worry; as the Commander in Chief, I certify to you that there are no Russian missiles pointed at America's children.

Mr. Chairman, in testimony before my subcommittee, Bruce Blair, a former targeting officer, said that one can retarget a Russian missile in 10 seconds. Ed Bradley on CBS News, ''60 Minutes'' interviewed General Sergev who in fact headed up strategic command and space for Russia and who now is the defense minister.

□ 1245

He has said there is no way to verify whether or not they are targeting their missiles at our children, just like they cannot verify ours. But yet the President continues to make this statement, that there are no missiles pointed at our children, so all of our constituents back home in our districts think, well, if the Commander in Chief said they are no longer pointing their missiles at us, that must be true.

My amendment is very simple, Mr. Chairman. It requires the President to certify to the Congress that in fact there are no missiles pointed at America; that in fact we have a way of verifying that, and also what the time would be to retarget a missile, even if we did know.

Why is this so important? Because when the top leaders of this country on 152 occasions on every major media network in every major media outlet tell the stories in our cities and towns that we no longer have a threat, they respond. They criticize us when we say that we need to deal with that threat.

This amendment is very simple. It says, Mr. President, certify what you are saying. You said from this pulpit on three occasions that you are confident there are no missiles pointed at America's kids. This amendment says, certify that, put that in writing, and verify that for this Congress. If you cannot do that, Mr. President, you had better stop misinforming the American people.

Nothing is more fundamental to this debate, because that speech, given 130 times by the President, 22 times by the Vice President, by the heads of security for this administration, has misled the American people. The President has a chance to rectify it. All he has to do is give us an official certification that in fact he can certify that there are no Russian missiles pointed at our children.

General Sergeyev from Russia says you cannot do that. Bruce Blair says you cannot do that. General Shalikashvili says you cannot do that. Secretary Perry told us you cannot do that. But yet the President has said it 130 times.

What we are saying in effect, Mr. Chairman, is, put up or shut up. If you cannot verify the statement that you are making to the American people about one of the most severe threats facing this country, then do not mislead the American people, because from the bully pulpit that drives the debate in this country, to have the American people believe that they no longer have to worry, that drives the debate on missile defense, it drives the debate on the threat, and it drives the debate on the systems that we want to fund.

I ask my colleagues to vote for this very simple amendment.

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

Mr. DELLUMS. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from California [Mr. DELLUMS] is recognized for 5 minutes.

Mr. DELLUMS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would first like to say to my distinguished colleague, the gentleman from Pennsylvania [Mr. WELDON], I appreciate the gentleman's effort to offer this amendment. I share the gentleman's concern about the issue of targeting. I rise in opposition not to the substance of what my colleague is trying to do, but rather, on technical grounds.

My staff and I have attempted to work with the gentleman's staff in trying to achieve some accommodation on this matter on technical grounds. We would believe that a report, rather than certification, is much more in the realm of reality. Let me tell the gentleman what I am thinking and then he can respond.

I heard the gentleman's speech, but at some point this gets drafted into legislative language. Legislative language is very important. The gentleman mentioned, required certification. The President must certify. Now, what is the President's first certification, whether it is possible for the United States to verify by technical means that a Russian ICBM is or is not targeted at a site in the United States?

We can try to verify that it is possible or that it is not possible, but trying to verify whether it is possible, I would suggest that that is language and a technical change, that it is impossible to verify whether. You either certify that something is or it is not, but whether it is, I think is inappropriate language. I think that is technically flawed.

Second, how do we verify the length of time it would take for an ICBM, a Russian ICBM, formerly but no longer targeted at a site in the United States, to be retargeted at a site in the United States? How in the real world do you really certify that?

What I am saying is, I agree with the gentleman with respect to the substance of what he is trying to do. I have a technical concern that he raises a hurdle beyond which no one, that no one can jump.

In the real world, I respect the gentleman's sense of fairness and fair play. We do not want to set a hurdle that no one can cross and then say, gee, you cannot jump the hurdle. There is something inappropriate about that. We want to establish a hurdle that makes sense with the Government. We are trying to do something reasonable. I would think if we could move away from certification to report, that makes sense.

I would like to work with the gentleman, if this amendment goes forward, in the context of the conference with the other body to try to resolve these matters.

There is one other thing that I would like to see in the legislation. Additional efforts to achieve verifiability, efforts to achieve confidence in these matters, if we could put that in, it seems to me that would make sense. I am just raising a technical question, not a substantive issue.

I think we are talking about trying to verify some things we cannot verify. We ought to, in the legislative process, try to achieve things that are achievable, rather than to assert matters that we want to try to achieve that in the real world we know we cannot. I know the gentleman is not trying to play games in that regard. That is why I am prepared to give and take on that. How does he think about those things and what is his response?

Mr. WELDON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from Pennsylvania.

Mr. WELDON of Pennsylvania. Mr. Chairman, I appreciate the gentleman and my friend for raising these issues. I pledge to work with him through the conference process.

I would not raise this issue if the President had made this statement only one or two times, and I have the actual citation for every time he has made the statement. Mr. Chairman, the President has raised this issue specifically 130 times. The Vice President and his staff have raised it 22 times.

There is a very deliberate effort on the part of the administration to make this same statement, which the gentleman, I think, agrees with me on, we cannot verify it, but yet the President continues to make this statement. And that drives the mood and the feeling of my constituents, because they think, well, if the Commander in Chief says this, it must be true.

I understand the gentleman's concern with the wording, and I would say he is probably correct, no wording will probably satisfy this, because in the end he knows what the President is going to come back and say. We asked DOD to do a report last year on this same issue. They came back and said to us in a report, you cannot verify it.

My point is, even though DOD in a report certified that to us, the President, between last year's bill and this year, has made that statement time and time again across the country. I

have no other recourse. I would like to go to the President and say, Mr. President, please stop saying this, not just because it is not true, but you send the wrong message.

As the gentleman knows, I am not an alarmist. I have spent a lot of time working with Russia. But I would like to be frank and candid and open and honest with them. I will confront them on this issue, but I think when the President makes this statement, in the context of the number of times he has made it since, it is wrong, but I will pledge to work with the gentleman through the conference process.

Mr. DELLUMS. Mr. Chairman, I appreciate the gentleman's candor.

Mr. WELDON. Mr. Chairman, I include for the RECORD the following:

ONE HUNDRED THIRTY AND COUNTING: PRESIDENT CLINTON ASSURES US NO NUCLEAR MISSILE THREAT EXISTS

President Clinton has assured the American people on at least 130 separate occasions that Russian nuclear missiles no longer threaten the United States. On dozens of those occasions—including his October 6, 1996 debate with Senator Bob Dole—he said that no nuclear missiles of any kind threaten America. The following quotes are excerpted from his speeches, interviews, and radio addresses, as downloaded from the ''White House Virtual Library'' on the World Wide Web and other electronic databases.

1. ''I was proud to go to Russia and sign an agreement where we agreed that for the first time in decades we would no longer even point our missiles at each other.''—President Clinton, Remarks to the Citizens of Atlanta, May 3, 1994.

2. ''* * * there are no nuclear missiles pointed at us from the Soviet Union [sic], but there are other countries trying to develop nuclear programs.''—President Clinton, Remarks at the Small Business Person of the Year Announcement, Old Executive Office Building, May 4, 1994.

3. ''And now, for the first time, our nuclear missiles are no longer targeted at Russia, nor theirs ours [sic].''—President Clinton, Remarks on CNN Telecast, ''A Global Forum with President Clinton,'' May 4, 1994.

4. ''* * * the nuclear arsenal in Russia is no longer pointed at the United States, nor are our missiles pointed at them.''—President Clinton, Remarks to the People of Warwick, Rhode Island, May 9, 1994.

5. ''* * * the United States and Russia at last no longer aim their nuclear weapons at each other.''—President Clinton, Speech at the U.S. Naval Academy Graduation Ceremony, May 25, 1994.

6. ''* * * for the first time since the dawn of the atomic age, the United States and Russia no longer have nuclear missiles pointed at each other.''—President Clinton, Remarks at Swearing-In Ceremony for the President's Council on Physical Fitness and Sports, Rose Garden, May 31, 1994.

7. ''We are reducing nuclear stockpiles, and America and Russia no longer aim their nuclear missiles at each other.''—President Clinton, Address to the National Assembly, Paris, France, June 7, 1994.

8. ''For the first time since World War II * * * Russian and American missiles no longer target each other's people. Three of the four nuclear members of the former Soviet Union have agreed to remove all nuclear weapons from their soil.''—President Clinton, Address to the 49th Session of the United Nations General Assembly, September 26, 1994.

9. ''Our missiles no longer target each other's people for destruction; instead they are being dismantled.''—President Clinton, Remarks at arrival ceremony for Russian President Boris Yeltsin, South Lawn, the White House, September 27, 1994.

10. ''We've got Russian missiles that are no longer pointed at the United States for the first time since World War II.''—President Clinton, Radio interview with Eileen Ratner, October 7, 1994.

11. ''* * * Russian President Boris Yeltsin came to further the partnership between our two nations so well expressed by the fact that now Russian and U.S. missiles are no longer pointed at each other's people, and we are working to reduce the nuclear threat even more.''—President Clinton, Address to the Nation, The Oval Office, October 10, 1994.

12. ''. . . for the first time the missiles of Russia are no longer pointed at the American people. . . .''—President Clinton, Speech to the Citizens of the Bridgeport Area, Stratford, Connecticut, October 15, 1994.

13. ''The United States and Russian missiles missiles are no longer targeted at each other.''—President Clinton, Saturday Radio Address, October 15, 1994.

14. ''Russian missiles are no longer pointed at the United States.''—President Clinton, Speech to the International Association of Chiefs of Police, Albuquerque, New Mexico, October 17, 1994.

15. ''I know that this country is a safer and more secure place because Russian missiles aren't pointing at us and we're making peace in Haiti, the Middle East, Northern Ireland.''—President Clinton, Interview with WLIB radio, New York, October 18, 1994.

16. ''We also clearly are working to make the world a safer and a more democratic and a freer place. For the first time since the dawn of the nuclear age, Russian missiles are no longer pointed at the United States.''—President Clinton, Remarks to the Governors Leadership Conference on the Future of the Economy, New York, October 19, 1994.

17. ''Is the fact that Russian missiles are not pointed at your children for the first time since the dawn of the nuclear age an abnormal thing? I think that's pretty good.''—President Clinton, Remarks at dinner honoring Kathleen Brown, San Francisco, October 22, 1994.

18. ''I wanted you to be safer. And that's why I'm so proud of the fact that these little children are the first generation of Americans since the dawn of nuclear power that do not have Russian missiles pointing at them. I'm proud of that.''—President Clinton, Remarks at the Washington State Coordinated Campaign Rally, Seattle, October 23, 1994.

19. ''...we've had the success in no Russian missiles are pointed at American children for the first time.''—President Clinton, Interview, Cleveland Plain Dealer, October 24, 1994.

20. ''For the first time since nuclear weapons were developed, no Russian missiles are pointed at the children of Ohio and the United States this year.''—President Clinton, Reception honoring Congressman Thomas Sawyer, Akron, Ohio, October 24, 1994.

21. ''Russian missiles aren't pointed at Americans for the first time since the beginning of the nuclear age.''—President Clinton, Interview, KYW radio, Philadelphia, from Pittsburgh, October 31, 1994.

22. ''For the first time since nuclear weapons came about, there are no Russian missiles pointed at our people.''—President Clinton, Interview, WDIV–TV, Detroit, October 31, 1994.

23. ''The Russian missiles aren't pointing at us for the first time since we've had nuclear weapons.''—President Clinton, Interview, Pittsburgh Post-Gazette, October 31, 1994.

24. ''. . . we've increased trade and reduced the nuclear threat-for the first time since the dawn of the nuclear age, no Russian missiles are pointing at your children or grandchildren.''—President Clinton, speech to Senior Citizens, Portuguese Social Club, Pawtucket, Rhode Island, November 2, 1994.

25. ''Here's what the Contract [With America] says—now, pay attention. The contract says, vote for the Republicans, put us in charge in Washington, and here is what we will do. We'll give everybody a tax cut, but mostly people in the upper-income groups—they'll get 70 percent of it. We will increase defense; we will bring back Star Wars; and we will balance the budget. Well, how much does that cost? A trillion dollars. How are we going to pay for it? We'll tell you after the elections. (Laughter.) . . . We [in the administration] have reduced the nuclear threat. For the first time since nuclear weapons were developed, there are no missiles pointed at the children of Iowa and the United States.''—President Clinton, Remarks to the People of Des Moines, Iowa, November 3, 1994.

26. ''And for the first time since the dawn of the nuclear age there are no Russian missiles pointed at the children of Iowa. This is a great country.''—President Clinton, Remarks at Reception for Democratic Candidates, Des Moines, November 3, 1994.

27. ''Here's what they [the Republicans] promise . . . we're going to increase defense and we're going to bring back Star Wars. And then we're going to balance the budget. (Laughter). And how much does that cost? . . . I want you to think about this—we're also moving forward overseas. No Russian missiles are pointed at the children of Minnesota and the United States for the first time since the dawn of the nuclear age.''—President Clinton, Duluth Campaign rally, Duluth, Minnesota, November 4, 1994.

28. ''I think it makes a difference that for the first time since the dawn of the nuclear age, there are no Russian nuclear missiles pointed at these children here.''—President Clinton, ''Rally for Victory,'' Oakland, California, November 5, 1994.

29. ''And we're a lot closer toward having a safer, more democratic, more free world. Russian missiles aren't pointing at us . . .''—President Clinton, Interview with Larry King, CNN, November 6, 1994.

30. ''. . . there are no Russian missiles pointed at these children for the first time since the dawn of the nuclear age . . .''—President Clinton, Speech at the Delaware Democrat Rally, Wilmington, Delaware, November 7, 1994.

31. ''So I think it matters that for the first time since the dawn of the nuclear age, there are no Russian missiles pointed at these children here.''—President Clinton, Speech at ''Get Out the Vote'' rally, Flint, Michigan, November 7, 1994.

32. ''. . . for the first time since the drawn of the nuclear age there are no Russian missiles pointed at the people of the United States.''—President Clinton, Speech on the 75th anniversary of the Edmund J. Walsh School of Foreign Policy, Georgetown University, Washington, D.C. November 10, 1994.

33. ''For the first time since the dawn of the nuclear age, not Russian missiles are pointed at Americans.''—President Clinton, Radio Address to the Nation, Elmendorf AFB, Anchorage, Alaska, November 12, 1994.

34. ''. . . getting the nuclear agreement between Russia and Ukraine which led to no Russian missiles pointed at the United States for the first time since the dawn of the nuclear age.''—President Clinton, Remarks at Press Conference, Jakarta, Indonesia, November 15, 1994.

35. ''For the first time since the dawn of the nuclear age, no Russian missiles are pointed at the children of the United States.''—President Clinton, Remarks to

U.S.—Pacific Business Community Members and Leaders. November 16, 1994.

36. ''. . . if you look at the fact that in Russia for the first time since nuclear weapons came on the face of the earth, there are no Russian missiles pointed at American children, you'd have to say we're on the move.''—President Clinton, Remarks to Military Personnel and Families at Hickam Air Force Base, Honolulu, Hawaii, November 16, 1994.

37. ''This is the first Thanksgiving since the dawn of the nuclear age when parents can tuck their children into bed at night knowing that no Russian missiles are pointed at the children of the United States.''—President Clinton, Radio Address from Camp David, November 26, 1994.

38. ''This is the first State of the Union address ever delivered since the beginning of the Cold War when not a single Russian missile is pointed at the children of America.''—President Clinton, State of the Union address, January 24, 1995.

39. ''There are no Russian missiles pointed at America now for the first time since the dawn of the nuclear age.''—President Clinton, Interview with Tom Brokaw, NBC Nightly News, January 26, 1995.

40. ''As a result of an agreement President Yeltsin and I reached, for the first time in a generation Russian missiles are not pointed at our cities or our citizens. . . . [Per the terms of START I] Both our countries are dismantling the weapons as fast as we can. And thanks to a far-reaching verification system, including on-site inspections which began in Russia and the United States today, each of us knows exactly what the other is doing.''—President Clinton, Remarks to the Nixon Center for Peace and Freedom Policy Conference, Washington, D.C., March 1, 1995.

41. ''And for the first time since the dawn of the Nuclear Age, there are no nuclear missiles pointed at the children of the United States of America.''—President Clinton, Address to the Faculty and Students of Hillsborough Community College, Tampa, Florida, March 30, 1995.

42. ''And for the first time since the dawn of the nuclear age, there are no nuclear missiles pointed at the children of the United States today.''—President Clinton, Remarks to the Florida State Legislature, Tallahassee, Florida, March 30, 1995.

43. ''I am proud of the fact that since I've been President there are no Russian missiles pointed at the children of the United States for the first time since the dawn of the nuclear age.''—President Clinton, Remarks at the Dean B. Ellis Library Dedication, Arkansas State University, Jonesboro, Arkansas, April 3, 1995.

44. ''The second thing that we have to pay attention to is the security of our people—our security from attack from abroad, and our security from within. I'm proud of the fact that since I have been president, for the first time since the dawn of the nuclear age there are no Russian missiles pointed at the children of the United States of America.''—President Clinton, Remarks to the National Building and Construction Trades Department Conference, Washington, D.C., April 5, 1995.

45. ''The American people are marching toward more security because there are no Russian missiles pointed at the children of our country for the first time since the dawn of the nuclear age.''—President Clinton, Remarks to the American Society of Newspaper Editors, Dallas, Texas, April 7, 1995.

46.''For the first time since the dawn of the nuclear age, there are no Russian missiles pointed at the children of the United States of America.''—President Clinton, Remarks to California Democratic Party, Sacramento, California, April 8, 1995.

47. ''. . . this is the first time since the dawn of the nuclear age when no Russian missiles are pointed at the children of America. . . .''—President Clinton, Remarks at Luncheon with the Jewish Federation, Beverly Hills, California, April 9, 1995.

48. ''There are nuclear weapons—large numbers of them now—being destroyed in Russia, weapons from Russian and the states of the former Soviet Union that had them before. And we are destroying weapons. For the first time, there are no Russian nuclear missiles pointed at the United States.''—President Clinton, Press Conference, East Room, The White House, April 18, 1995.

49. ''For the first time since the dawn of the nuclear age, there are no Russian missiles pointed at America's children. And those nuclear weapons are being destroyed every day.''—President Clinton, Address to the Iowa State Legislature, State Capitol, Des Moines, April 25, 1995.

50. ''. . . no Russian missiles pointed at the people of the United States for the first time since the dawn of the nuclear age.''—President Clinton, Remarks to Students at Iowa State University, Ames, Iowa, April 25, 1995.

51. ''Oh, we knew so clearly when we had the Soviet Union, the Cold War, and the massive nuclear threat. Today, no Soviet Union, no Cold War, and for the first time since the dawn of the Nuclear Age, no Russian missiles are pointed at the children of the United States.''—President Clinton, Remarks at World Jewish Congress Dinner, New York, April 30, 1995.

52. ''. . . for the first time since the dawn of the nuclear age there are no Russian missiles pointing at the American people.''—President Clinton, Remarks to the White House Conference on Aging, Washington, D.C., May 3, 1995.

53. ''Some of you may not know this, but because of the agreement we made last year between the United States and Russia, for the first time since the dawn of the nuclear age, there are no Russian missiles pointed at the citizens of the United States.''—President Clinton, Speech to AIPAC Policy Conference, Washington, D.C., May 7, 1995.

54. ''For the first time since the dawn of the nuclear age, no Russian missiles are pointed at our children.''—President Clinton, Remarks at V–E Day Celebration, Fort Myer, Virginia, May 8, 1995.

55. ''I am very proud to say that for the first time since the dawn of the nuclear age, no Russian missiles are pointed at the people of the United States.''—President Clinton, Remarks at Commencement Ceremony at Michigan State University, East Lansing, Michigan, May 8, 1995.

56. ''I am proud that for the first time since the dawn of the nuclear age, no Russian missiles are pointed at the children of America. And now that I am here, I might paraphrase what your Foreign Minister told me in Washington last month—I am also proud that no American missiles are pointed at you or me for the first time since the dawn of the nuclear age.''—President Clinton, Remarks to the Students of Moscow State University, Moscow, Russian Federation, May 10, 1995.

57. ''. . . for the first time since the dawn of the nuclear age, no Russian missiles are pointed at the people of the United States of America.''—President Clinton, Remarks at a Memorial Day ceremony, Arlington, Virginia, May 29, 1995.

58. ''. . . at the end of the Cold War, the first thing we have to do is to finish the work of removing the nuclear threat. In the last two years we can say for the first time that there are no nuclear missiles pointed at the United States. We are destroying parts of our nuclear arsenal and so are the Russians.''—President Clinton, Telephone interview with Colorado Springs Gazette, May 30, 1995.

59. ''We are dramatically reducing the nuclear threat. for the first time since the dawn of the nuclear age, there are no Russian missiles pointed at the people of the United States.''—President Clinton, Remarks at U.S. Air Force Academy Graduation Ceremony, Colorado Springs, May 31, 1995.

60. ''I am very proud of the fact that in the last two years, for the first time since the dawn of the nuclear age, there are no Russian missiles pointed at the people of the United States of America.''—President Clinton, Remarks at the Dartmouth College Commencement, Hanover, New Hampshire, June 11, 1995.

61. ''One of the things that I am proudest of is that during our administration, for the first time since the dawn of the nuclear age, there are no Russian missiles pointed at the people of the United States. So we're celebrating.''—President Clinton, Remarks at Chicago Presidential Gala, Chicago, June 29, 1995.

62. ''The Cold War is over. That means we don't have to worry about nuclear annihilation. For the first time since the dawn of the nuclear age, there are no Russian missiles pointed at Americans, no American missiles pointed at Russians.''—President Clinton, Remarks to the 1995 Annual Convention of the American Association of Physicians From India, Chicago, June 30, 1995.

63. ''. . . agreement with Russia that now mean that both our nations no longer target our missiles at each other.''—President Clinton, Announcement of Comprehensive Nuclear Weapons Test Ban, Washington, D.C., August 11, 1995.

64. ''I'm proud of the fact that there are no Russian missiles pointed at this country for the first time since the dawn of the Nuclear Age, since our administration came in.''—President Clinton, Remarks at Clinton-Gore Fundraiser, Mayflower Hotel, Washington, D.C., September 7, 1995.

65. ''We don't now fear a bomb dropping on us from the Soviet Union. I am proud to say that since I've been president, for the first time since the dawn of the nuclear age there are no Russian missiles pointed at the people of the United States.''—President Clinton, Remarks at the Pennsylvania Presidential Gala, Philadelphia, September 18, 1995.

66. ''I'm proud of the fact that there are no Russian missiles pointed at our kids for the first time since the dawn of the nuclear age.''—President Clinton, Speech at Southern California Presidential Gala, Los Angeles, California, September 21, 1995.

67. ''. . . there are no Russian missiles pointed at our people . . .''—President Clinton, Interview with the San Diego Union-Tribune, en route to San Diego, California, September 22, 1995.

68. ''. . . there are no missiles pointed at the people of the United States since the dawn of the nuclear age.''—President Clinton, Remarks at 25th Anniversary Dinner of the Congressional Black Caucus, Washington, D.C., September 23, 1995.

69. ''. . . ''for the first time since the dawn of the nuclear age there are now no foreign missiles pointed at the people of the United States of America.''—President Clinton, Remarks to the Hispanic Caucus Institute Board and Members, Washington, D.C., September 27, 1995.

70. ''Russian nuclear missiles are no longer pointed at our citizens and there are no longer American missiles pointed at their citizens.''—President Clinton, Speech to Freedom House, Washington, D.C., October 6, 1995.

71. ''And America has been gratified to be a part of making peace in the Middle East, progress in Northern Ireland, the cease-fire in Bosnia, making sure that for the first

time since the dawn of the nuclear age there aren't any missiles pointed at Americans or their children tonight.''—President Clinton, Speech to the Business Council, Williamsburg Inn, Williamsburg, Virginia, October 13, 1995.

72. ''. . . and I tell you there are no Russian missiles pointed at the people of the United States for the first time since the dawn of the nuclear age because of the things that we've been doing. . . .''—President Clinton, Remarks at Presidential Gala Luncheon, Meridien Hotel, Dallas, Texas, October 16, 1995.

73. ''There are no Russian missiles pointed at anyone in America for the first time since the dawn of the nuclear age.''—President Clinton, Remarks at Presidential Gala Dinner, Westin Galleria Hotel, Houston, Texas, October 17, 1995.

74. ''. . . America is safer tonight because we didn't give up our leadership, because we are in a situation where we're destroying nuclear missiles more rapidly. And for the first time since the dawn of the nuclear age, there is not a single, solitary nuclear missile pointed at an American child tonight. Not one. Not one. Not a single one.''—President Clinton, Remarks at Iowa Jefferson-Jackson Dinner, Des Moines, October 20, 1995.

75. ''The United States has made a real contribution to the march of freedom, democracy and peace, in accelerating the dismantling of our nuclear weapons so that now, for the first time since the dawn of the nuclear age, there's not a single nuclear missile pointed at a single American citizen.''—President Clinton, Remarks at Dedication of the National Czech and Slovak Museum, Cedar Rapids, Iowa, October 21, 1995.

76. ''For the first time since the dawn of the nuclear age, there's not a single solitary nuclear missile pointed at the people of the United States of America. And I'm proud of that.''—President Clinton, Remarks to the AFL–CIO Convention, New York, October 23, 1995.

77. ''We can be very thankful that on this Veterans Day, for their first time since the dawn of the nuclear era, there are no Russian missiles pointed at the children of America.''—President Clinton, Remarks at Wreath-Laying Ceremony, Tomb of the Unknown Soldier, November 11, 1995.

78. ''For the first time since the dawn of the Nuclear Age, there is not a single nuclear missile pointed at an American child.''—Remarks to the Democratic Leadership Council, Washington, D.C., November 13, 1995.

79. ''For the very first time since the dawn of the Nuclear Age, there is not a single Russian missile pointed at an American child.''—President Clinton, Remarks in satellite feed to Florida Democratic Party Convention, Little Rock, Arkansas, December 10, 1995.

80. ''I am proud of the fact there are no Russian missiles pointed at any Americans during this administration for the first time since the end of the Cold War.''—President Clinton, Dinner for the National Democratic Club, Capital Hilton Hotel, Washington, January 9, 1996.

81. ''For the first time since the dawn of the nuclear age, there is not a single, solitary nuclear missile pointed at an American child, and I am proud of that.''—President Clinton, Remarks at Clinton-Gore Luncheon, Opryland Hotel, Nashville, Tennessee, January 12, 1996.

82. ''I am proud of the fact that, with the leadership of the Vice President, for the first time since the dawn of the nuclear age, there is not a single nuclear missile pointed at an American child today.''—President Clinton, To Workers of the Peterbilt Truck Plant, Nashville, January 12, 1996.

83. ''For the first time since the dawn of the nuclear age—for the first time since the dawn of the nuclear age—there is not a single Russian missile pointed at America's children.''—President Clinton, State of the Union address, January 23, 1996.

84. ''. . . for the first time since the dawn of the nuclear age, there are no Russian missiles pointed at our people.''—President Clinton, Statement on Senate Ratification of the START II Treaty, January 26, 1996.

85. ''You look at the fact that we now have almost 180 nations committed not to get involved in the nuclear arms race, and the fact that the Russians and others have detargeted their nuclear missiles so that now there are no more nuclear missiles pointed at any American homes for the first time since the dawn of the nuclear age.''—President Clinton, Remarks to the People of the Salem Area, Salem, New Hampshire, February 2, 1996.

86. ''. . . for the first time in the last two-and-a-half years, for the first time since the dawn of the Nuclear Age, there is not a single nuclear missile pointed at an American city, an American family, an American child. That is not being done any more.''—President Clinton, Remarks to Students, Parents and Teachers of the Concord Schools Community, Concord, New Hampshire, February 2, 1996.

87. ''. . . people see that there are no Russian missiles pointed at our children for the first time since the dawn of the nuclear age. . . .''—President Clinton, Remarks at Louisiana Economic Development Brunch, Washington, D.C., February 9, 1996.

88. ''I'm grateful that there are no nuclear missiles pointed at the United States any more.''—President Clinton, Remarks to the Iowa City Community, Iowa, February 10, 1996.

89. ''. . . let's look at the march of the world toward peace after the Cold War. There are no nuclear missiles pointed at the people of the United States.''—President Clinton, Remarks to the People of Des Moines, February 11, 1996.

90. ''There are no more nuclear missiles pointed at any children in the United States. I'm proud of that.''—President Clinton, Remarks at Presidential Gala, Sheraton New York, New York City, February 15, 1996.

91. ''I asked you to give me a chance to try to give America a more secure future and a more peaceful, more democratic world. And the fact that there are not nuclear missiles pointed at any American children for the first time since the dawn of the nuclear age is evidence of that commitment.''—President Clinton, Remarks to the People of Southeast New Hampshire, Rochester, New Hampshire, February 17, 1996.

92. ''We won the Cold War, and there are no missiles pointed at the United States or any of its people tonight.''—President Clinton, Speech to the people of Manchester, New Hampshire, February 17, 1996.

93. ''More than anything else I am grateful that now there is not a single nuclear weapon pointed at any American citizen.''—President Clinton, Remarks to the Community in Keene, New Hampshire, February 17, 1996.

94. ''We won the Cold War. There are no missiles pointed at America's children.''—President Clinton, Telephone speech to the National Emergency Management Association, February 26, 1996.

95. ''. . . I am proud of the fact that there are no Russian missiles pointed at the United States.''—President Clinton, Speech at Democratic Congressional Campaign Committee Dinner, St. Regis Hotel, New York City, March 11, 1996.

96. ''There's not a single nuclear warhead pointed at an American citizen today, for the first time since the dawn of the nuclear age, and I am proud of that.''—President Clinton, Remarks at Dedication Ceremony of the New Nashville Wharf, Port of New Orleans, March 18, 1996.

97. ''Today, there are no Russian missiles pointed at our cities and citizens.''—President Clinton, Address to Members of the University of Central Oklahoma Community, April 5, 1996.

98. ''Because of my agreement with President Yeltsin, for the first time since the dawn of the nuclear age, no Russian missiles are targeted at United States cities.''—President Clinton, News Conference in Moscow, Russia, April 20, 1996.

99. ''. . . Russian and American missiles are not pointed at each other's cities or citizens.''—President Clinton, News Conference with Russian President Boris Yeltsin, Moscow, Russia, April 21, 1996.

100. ''. . . for the first time since the dawn of the nuclear age there is not a single, solitary nuclear missile pointed at an American child tonight. And I am proud of that and you should be proud of that.''—President Clinton, Remarks to a Democratic Reception at the Franklin Institute, Philadelphia, Pennsylvania, April 26, 1996.

101. ''There are no nuclear missiles pointed at America's children for the first time since the dawn of the nuclear age.''—President Clinton, Speech to the Democratic National Dinner, Coral Gables, Florida, April 29, 1996.

102. ''. . . there are no Russian missiles pointed at our cities or our citizens.''—President Clinton, Commencement address to the U.S. Coast Guard Academy, May 22, 1996.

103. ''I have made reducing the nuclear threat one of my highest priorities. As a result, for the first time since the dawn of the nuclear age, there are no Russian missiles pointed at our people.''—President Clinton, Statement on the Comprehensive Test Ban Treaty, June 28, 1996.

104. ''I'm proud of the fact that there are no nuclear missiles pointed at the United States for the first time since the dawn of the nuclear age.''—President Clinton, Speech to the Northern California Democratic National Committee Gala, San Francisco, July 23, 1996.

105. ''Today not a single Russian missile is pointed at our citizens or cities.''—President Clinton, Speech at the George Washington University, Washington, D.C., August 5, 1996.

106. ''If the test is, no nuclear missiles pointed at the American people for the first time since the dawn of the nuclear age, we're better off.''—President Clinton, Speech to the Saxophone Club, Armand Hammer Museum of Art, Santa Monica, California, August 9, 1996.

107. ''We've got a more peaceful world where there are no nuclear missiles pointed at the people of the United States since the dawn of the nuclear age.''—President Clinton, Remarks to the Citizens of Ashland, Kentucky, August 25, 1996.

108. ''. . . for the first time since the dawn of the nuclear age, on this night, this beautiful night, there is not a single nuclear missile pointed at a child in the United States of America.''—President Clinton, Remarks to the Citizens of Toledo, Ohio, August 26, 1996.

109. ''I am proud to say that tonight there is not a single Russian nuclear missile pointed at an American child.''—President Clinton, Speech accepting his nomination to run for a second term, Democratic National Committee Convention, Chicago, August 29, 1996.

110. ''We finally succeed in removing most of the nuclear weapons from any place within the old Soviet Union. There are no nuclear missiles pointed at the children of the United States tonight for the first time since the dawn of the nuclear age.''—President Clinton, Remarks to the Citizens of St. Louis, Missouri, September 10, 1996.

111. ''. . . today no Russian missiles are pointed at our cities or our citizens.''—President Clinton, Remarks to reporters upon departure from Kansas City International Airport, September 10, 1996.

112. ''. . . for the first time since the dawn of the nuclear age in the last four years, there's not a single nuclear missile pointed at the children of America.''—President Clinton, Speech to the Community of the Sun City Area, Sun City, Arizona, September 11, 1996.

113. ''I'm proud of the fact that there are no nuclear missiles pointed at America's children since the dawn of the nuclear age. . . .''—President Clinton, Speech to the Rancho Cucamonga Community, Rancho Cucamonga, California, September 12, 1996.

114. ''Today, there are no Russian missiles pointed at America, and no American missiles pointed at Russia.''—President Clinton, Speech to the 51st General Assembly of the United Nations, New York, September 24, 1996.

115. ''There are no Russian missiles pointed at the children of the United States.''—President Clinton, Remarks to the Citizens of Freehold, New Jersey, September 24, 1996.

116. ''There are no Russian missiles pointed at America for the first time since the dawn of the nuclear age.''—President Clinton, Speech to the Citizens of Fort Worth, Texas, September 27, 1996.

117. ''There are no nuclear missiles pointed at the children of the United States tonight and have not been in our administration for the first time since the dawn of the nuclear age.''—President Clinton, Debate with Senator Bob Dole, Hartford Connecticut, October 6, 1996.

118. ''. . . we have reduced the nuclear danger to Americans, and today there are no Russian nuclear missiles targeted at our children.''—President Clinton, Response to Readers' Questions, USA Today, October 8, 1996.

119. ''Today, no Russian missiles are pointed at America's children.''—President Clinton, Remarks on Fox Network's Free Campaign Air Time, October 12, 1996.

120. ''. . . today not a single Russian missile targets America. We are cutting our nuclear arsenals by two-thirds.''—President Clinton, Speech to the People of the Detroit Area, Detroit, Michigan, October 22, 1996.

121. ''. . . today, as we stand here in Macon, Georgia, there are no Russian missiles targeted at the United States of America.''—President Clinton, Speech to the People of the Macon Area, Macon, Georgia, October 25, 1996.

122. ''. . . there are no Russian missiles targeted at the young people of the United States of America.''—President Clinton, Speech to the People of the Atlanta Area, Atlanta, Georgia, October 25, 1996.

123. ''You just think—just think about this world we're moving into—the Cold War in the background, no Russian missiles pointed at the children of the United States for the first time since the dawn of the nuclear age.''—President Clinton, Speech to the People of the Chicago Area, Chicago, Illinois, October 28, 1996.

124. ''But we are standing up for peace and freedom and there's not a single Russian missile pointed at an American child tonight in part because of what we're doing.''—President Clinton, Speech to the People of the Denver Area, Denver, Colorado, October 30, 1996.

125. ''America is stronger today than it was four years ago. No Russian missiles are pointed at our children today, for the first time since the dawn of the nuclear age, and we're moving in the right direction there.''—President Clinton, Speech to the People of the Las Vegas Area, Las Vegas, Nevada, October 31, 1996.

126. ''I know that I've been criticized for some of the things that I've tried to do, but I know that there are no Russian missiles pointed at the children of America for the first time since the dawn of the cold war.''—President Clinton, Remarks at Santa Barbara City College, Santa Barbara, California, November 1, 1996.

127. ''Today there's not a single Russian nuclear missile pointed at an American child.''—President Clinton, Remarks on Dateline NBC's ''Presidential Face-Off,'' November 1, 1996.

128. ''If I were a Republican president—after all the rhetoric they've used—with . . . no Russian missiles pointed at our kids, by the way; and a stronger America with a stronger military, they'd be saying it's morning in America.''—President Clinton, Remarks to the Citizens of San Antonio, Texas, November 2, 1996.

129. ''. . . there are no Russian missiles pointed at any American children tonight for the first time since the dawn of the nuclear age.''—President Clinton, Speech to the People of the Springfield Area, Springfield, Massachusetts, November 3, 1996.

130. ''. . . we must move strongly against new threats to our security. . . . With Russia, we dramatically cut nuclear arsenals and we stopped targeting each other's citizens.''—President Clinton, State of the Union Address, February 4, 1997.

Compiled by the American Foreign Policy Council, 1521 16th Street NW, Washington, DC 20036 USA.

''Today there's not a single Russian nuclear missile pointed at an American child.''—President Clinton, Remarks by President Clinton on Dateline NBC's ''Presidential Face-Off'', November 1, 1996

''If I were a Republican President—after all the rhetoric they've used—with . . . no Russian missiles pointed at our kids, by the way; and a stronger America with a stronger military, they'd be saying it's morning in America.''—President Clinton, Remarks to the Citizens of San Antonio, Texas, November 2, 1996

VICE PRESIDENT AL GORE

''Less than three weeks ago, for the first time in almost fifty years, nuclear missiles were no longer targeted on American cities.''—Vice President Gore, Commencement Speech at Harvard University, June 9, 1994

''We've seen . . . the taking of Russian missiles off alert so that for the first time in my lifetime no Russian missiles are targeted on American soil.''—Vice President Gore, Interview with Tim Russert on ''Meet the Press'', September 4, 1994

''Today, Russian missiles are no longer targeted at America's cities or homes.''—Vice President Gore, Remarks at U.S. Military Academy at West Point, October 17, 1995

''And our strength at home has led to renewed respect abroad: nuclear missiles no longer pointed at our cities . . .''—Vice President Gore, Speech to the Democratic National Convention, Chicago, Illinois, August 28, 1996

(FORMER) NATIONAL SECURITY ADVISOR ANTHONY LAKE

''Our rhetoric must not outpace reality. When it does, we risk creating a climate of disillusion like the one that descended upon us in the 1920s . . . As a result of our engagement Russian missiles no longer target American cities or citizens.''—Anthony Lake, Remarks in ''Woodrow Wilson Speech'', as quoted in Department of State Dispatch, December 5, 1994

''. . . without that relationship, the Presidents, Clinton and Yeltsin, would not have been able to negotiate the agreement which now results in there not being American and Russian missiles targeted at each other.''—Anthony Lake, Statements at White House Press Briefing, May 11, 1995

''Today, American cities and American citizens no longer live under direct targeting of Russian missiles.''—Anthony Lake, Speech at George Washington University, March 8, 1996

''Today, because of our steady engagement America's cities and America's families are no longer targeted by Russian missiles.''—Anthony Lake, Speech to the U.S./Russia Business Council, Washington, DC, April 1, 1996

''Today, because of our engagement with Russia and the new independent states, America's cities and families are no longer targeted by Russia's missiles.''—Anthony Lake, Remarks at Fletcher School of Law and Diplomacy, April 25, 1996

''Because of our steady engagement with Russia and the new independent states, no Russian missiles are targeted at America's cities or citizens.''—Anthony Lake, Speech to the Chicago Council on Foreign Relations, May 24, 1996

''Then: Russia's missiles were targeted at American cities and citizens; now: their detargeting has eliminated the risk to us of an accidental launch.''—Anthony Lake, Speech at the Institute for the Study of Diplomacy, Georgetown University, Washington, DC, October 7, 1996

(FORMER) SECRETARY OF STATE WARREN CHRISTOPHER

''Russian missiles are no longer targeted on us.''—Warren Christopher, Speech on Year End Review of U.S. Foreign Policy as quoted in Department of State Dispatch, January 2, 1995

''. . . we need to remember the tremendous advantage there is in no longer having Russian or Soviet missiles targeted on the United States.''—Warren Christopher, Interview with Associated Press, May 5, 1995

''Our cooperation has produced a number of things for the american people—most dramatically, the reduction in our nuclear arsenals and the absence of any nuclear missiles being targeted at the United States.''—Warren Christopher, Remarks with Russian Foreign Minister Primakov, Helsinki, Finland, February 10, 1996

''Today, Russian missiles are no longer targeted on our cities.''—Warren Christopher, Statement to the House International Relations Committee, July 31, 1996

(FORMER) SECRETARY OF DEFENSE WILLIAM PERRY

''Russia's nuclear missiles are no longer aimed at us, nor are our missiles targeted on them''—William Perry, Commentary Piece in Los Angeles Times, May 10, 1995

DEPUTY NATIONAL SECURITY ADVISOR SAMUEL BERGER

''Because of President Clinton's agreement with President Yeltsin, Russian missiles no longer target American cities.''—Samuel Berger, Remarks at the Wilson Center, June 18, 1996

PRESS SECRETARY MICHAEL MCCURRY

''. . . we don't have Russian strategic intercontinental missiles aimed at the United States any more.''—Michael McCurry, Remarks at Press Briefing, March 10, 1995

Secretary of State Madeline Albright—Madeline Albright, Statements Before House International Relations Committee, ??? February 12, 1996

ED BRADLEY: Is there verification on both sides?

GENERAL SERGEYEV: No, we don't have these kind of systems of verification or control. For the first time, we do it on total confidence to one another.

ED BRADLEY: So, we take your word, you take our word?

GENERAL SERGEYEV: Yes.

ED BRADLEY: This is a Russian topal being test fired, able to reach its old U.S. targets in just 30 minutes. We're told that they're no longer aimed at America, but how much comfort can we take from that?

How long will it take to re-target?

GENERAL SERGEYEV: The same period of time it will take the Americans to do it. Same time.

ED BRADLEY: Minutes? Hours?

''It depends on the missile,'' he told us, but for most, only a matter of minutes.

GENERAL SERGEYEV: Yes, we can return it all back to the way it was.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WELDON].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WELDON of Pennsylvania. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 169, further proceedings on the amendment offered by the gentleman from Pennsylvania [Mr. WELDON] will be postponed.

The point of no quorum is considered withdrawn.

Pursuant to section 5 of House Resolution 169, it is now in order to consider the amendment printed in section 8(e) of House Resolution 169.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TRAFICANT:

At the end of subtitle C of title X (page 326, after line 6), insert the following new section:

SEC. 1032. ASSIGNMENT OF DEPARTMENT OF DEFENSE PERSONNEL TO ASSIST IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

(a) ASSIGNMENT AUTHORITY OF SECRETARY OF DEFENSE.—Chapter 18 of title 10, United States Code, is amended by inserting after section 374 the following new section:

§ 374a. Assignment of personnel to assist border patrol and control

''(a) ASSIGNMENT AUTHORIZED.—The Secretary of Defense may assign up to 10,000 Department of Defense personnel at any one time to assist—

''(1) the Immigration and Naturalization Service in preventing the entry of terrorists, drug traffickers, and illegal aliens into the United States; and

''(2) the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States.

''(b) REQUEST FOR ASSIGNMENT.—The assignment of Department of Defense personnel under subsection (a) may only occur—

''(1) at the request of the Attorney General, in the case of an assignment to the Immigration and Naturalization Service; and

''(2) at the request of the Secretary of the Treasury, in the case of an assignment to the United States Customs Service.''.

''(c) REIMBURSEMENT REQUIREMENT.—Section 377 of this title shall apply in the case of Department of Defense personnel assigned under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 374 the following new item:

''374a. Assignment of personnel to assist border patrol and control.''.

SEC. 9. Notwithstanding section 2(e) of this resolution, the additional period of general debate on the subject of United States forces in Bosnia shall precede the offering of amendments numbered 8 and 9 in part 1 of the report of the Committee on Rules rather than the amendments numbered 1 and 2 in part 1 of the report.

The Chairman. Pursuant to the rule, the gentleman from Ohio [Mr. TRAFICANT] and a Member opposed each will control 5 minutes.

Does the gentleman from California [Mr. DELLUMS] seek the 5 minutes in opposition?

Mr. DELLUMS. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from California [Mr. DELLUMS] will be recognized for 5 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California, [Mr. DUNCAN HUNTER].

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

Mr. Chairman, I support the amendment offered by the gentleman from Ohio [Mr. TRAFICANT]. We have had more shootings on the southwest border in the last several weeks. In fact, we had two attempted shootings yesterday from across the border. One border patrolman has been hit so far. We have had more violence there and more gunfire exchanged than we have had in Bosnia in the same period of time.

What this allows us to do is, on request of the Attorney General, in the case where you have a national security problem for the Attorney General to request up to 10,000 military personnel at the southwest border. I think it is prudent. It requires a request of the Attorney General. Obviously, it is at the discretion of the Commander in Chief.

I strongly support the Traficant amendment.

Mr. DELLUMS. Mr. Chairman, I yield the balance of my time to my distinguished colleague, the gentleman from Texas [Mr. REYES].

The CHAIRMAN. The gentleman from Texas [Mr. REYES] is recognized for 5 minutes.

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

Mr. REYES. Mr. Chairman, I thank my esteemed colleague, the gentleman from California, for yielding time to me.

Mr. Chairman, I rise in strong opposition to the Traficant amendment this morning. Mr. Chairman, if the amendment of the gentleman from Ohio is adopted, the Department of Defense will be allowed to send 10,000 troops to our southern border. With more than 26 years of experience in the U.S. Border Patrol, I can tell the Members that this is a very, very bad idea.

Exactly 1 month ago today a young 18-year-old boy was shot and killed by a Marine assisting the Border Patrol in Redford, TX. Ezequiel Hernandez is the first American killed by troops on U.S. soil since 1970, in the Kent State incident. Unfortunately, we cannot do anything to bring him back, but we can and we should do everything we can to keep this from happening again.

We already have almost 7,000 Border Patrol agents patrolling our Nation's border. Congress, this Congress, has authorized an additional 1,000 agents every year until the year 2001. What we need to do is make sure that these men and women are professional, bilingual, well-trained law enforcement officers, properly trained to deal with situations and problems along our border.

Their mission is dramatically different from the mission of the U.S. military. It does not make any sense to me or any of my former colleagues in the U.S. Border Patrol to put 10,000 troops on the southern border. By putting armed troops on our border, we will be forced to deal with a new set of problems: Problems of jurisdiction, problems of authority, and problems of responsibility and personal liability for those troops.

Mr. Chairman, this body should focus its time and energy on giving the Border Patrol the resources they need, instead of jeopardizing our troops and civilians alike. The cost of doing this is, furthermore, outrageous. According to our own Department of Defense, if this amendment is adopted, it will cost the U.S. taxpayers $650 million a year to deploy 10,000 troops to our southern border. The military already spends more than $800 million per year assisting law enforcement with drug interdiction and border security, mostly through support and high-tech equipment.

For example, the U.S. Air Force provides AWACs aircraft to monitor the southwest border. Some of these missions are dedicated solely to detecting drug traffickers. Last year, the AWACs provided information that led up to a seizure of 945 million dollars worth of cocaine. That is about 35 percent of the cocaine intercepted into the United States.

This issue that we are talking about here with the Traficant amendment is dramatically different. We are talking about putting troops to patrol our border, and jeopardizing citizens in the districts such as mine that I represent along the border with Mexico.

Mr. Chairman, I think, finally, that since the end of the cold war the military's mission deployments have increased by about 300 percent. We are doing this with a substantially reduced number of soldiers. We cannot and should not be able to afford to pull 10,000 men and women away from other

missions, and further adding to the aggravation and pain of family separation, to help the efforts of the U.S. Border Patrol that is already provided for by this Congress.

□ 1300

I strongly urge my colleagues to remember that I have 26½ years of experience along our border fighting drug trafficking and illegal immigration. I think this is the wrong thing to do at the wrong time.

The Attorney General does not support this amendment. The Secretary of the Treasury does not support this amendment. The Commissioner of INS does not support this amendment, and neither do the colleagues that I worked with for 26½ years.

I would ask, Mr. Chairman, if you have any influence, please beam this gentleman up.

Mr. TRAFICANT. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I would like to speak directly to the gentleman from Texas, because I support 99.9 percent of his position.

I have fought against military on the border. If they get to anywhere close to what your fears are, the perception, which I do not think is a reality, of this amendment, I will stand there toe to toe with you in my word to fight against exactly your fears.

This amendment does not do that, in my opinion. The gentleman is one of, if not one of, I think the most respected expert on border patrol issues. I would say that up front. But we do have a lot of different agencies working with us. I would oppose a marine with a rifle that does not know the difference between alto and stop. My whole opinion is, we need more border patrol that are trained to help civil rights and do those kinds of things. But I do believe in the secondary missions and in the cases where not that we are saying put 10,000, I would oppose that now today, but where we need to protect our people from being fired at, at the Government, the people that are opposing, they have the right to say that, that to protect our border patrol, I would support it.

Mr. TRAFICANT. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BILBRAY].

Mr. BILBRAY. Mr. Chairman, I rise in support of the amendment.

Let me point out again, Mr. Chairman, this does not mandate that these resources be put at the border. It only allows them to be put at the border if the administration determines it needs to be done.

Let me tell my colleagues, as someone who lives within a quarter mile of the border, my children and my wife are in that neighborhood today. It is quite unfair and quite inappropriate for us to say that our U.S. capabilities will defend the neighborhoods of every nation in the world, but we will not defend the neighborhoods of south San Diego.

Mr. Chairman, I have here the record of 251 Members of Congress who voted that Mexico is not doing enough on drug interdiction; 250 Members of Congress who pointed fingers at Mexico and said they need to do more.

Mr. Chairman, Mexico has put troops at the border because that is what it takes to stop the drug traffic. All this amendment says, if the President feels that it needs to be done, he is authorized to do that. As somebody who is at the border every weekend, let me point out it is getting more violent. American agents are being shot from a foreign country. We are getting people killed along the border today. All this does is prepare the way that, if the administration sees a crisis, that crisis can be addressed with American resources.

Mr. TRAFICANT. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Ohio [Mr. TRAFICANT] is recognized for 2 minutes.

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

Mr. TRAFICANT. Mr. Chairman, the amendment does not mandate troops on the border. It is only an option. Those troops, if they go to the border, cannot make an arrest. They must only detain.

I appreciate the fine gentleman who was in the border patrol. But poor illegal immigrants coming from Central America are not bribing Customs, and they are not bribing the border patrol. I am talking about narcoterrorists, Congress. You talk about a drug war. We have got kids overdosing on the nod in Chicago, Los Angeles, New York, Youngstown. When are we going to fight? Enough is enough. They do not go to the border unless there is an emergency. And our President said, we need 25,000 more border patrol agents to secure our border. We are paying money to secure the borders in Bosnia. We are paying money to secure the borders all around the world, and we are going to hell literally.

I am tired of all the ethnic comments being made here. I want to help every one of those people in Central America. Those who can come here legally, come in. But do not come in illegally. But that is not my focus.

We are not going to stop these big narcotic kingpins with the program we have been operating. My colleagues know it and I know it. Now we have a chance for the debate. This amendment came up rather quickly, before Members could have a chance to really study this baby. I want their vote.

If they stand for stomping out narcotics, cocaine, heroin in this country, then stand up today. I hear all this big mouth rhetoric. Stand up today. This is not about the border patrol; it is not about Central Americans. This is about our national security. And dammit, if we are not going to act here today, there will be no opportunity to act.

I would say one last thing about cost: What do Members think 25,000 border patrol are going to cost? We have got our troops cashing checks in Tokyo, going to dinner in Frankfurt. We are overrun with narcotics here. Enough is enough.

I am asking for an aye vote, and I am asking for those leaders who may feel disposed, because of the White House's position, to stand tall today. If it was up to the White House, who the hell knows what would be going on.

Mr. REYES. Mr. Chairman, I would just like to say, in the brief time that I have got left, that this is not an emotional argument. This is an argument that needs rationality.

This is an argument where we need to vote against this amendment because those very people that are enforcing our laws on our southern border are not in favor of this amendment. We do not need it. We do not want it. We should not tolerate this kind of rhetoric on the floor of Congress.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. REYES. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 169, further proceedings on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT] will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 169, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Part 1 amendment No. 6 offered by the gentleman from Minnesota [Mr. LUTHER]; part 2 amendment No. 22 offered by the gentleman from Colorado [Mr. HEFLEY]; part 2 amendment No. 41 offered by the gentleman from Pennsylvania [Mr. WELDON]; and the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 6 OFFERED BY MR. LUTHER.

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota [Mr. LUTHER] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 145, noes 253, not voting 36, as follows:

[Roll No. 221]

AYES—145

Abercrombie
Allen
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Bonior
Brown (OH)
Camp
Campbell
Capps
Cardin
Carson
Coble
Collins
Conyers
Costello
Coyne
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
Delahunt
Dellums
Dingell
Doggett
Dooley
Doyle
Duncan
Ehrlich
English
Eshoo
Evans
Farr
Fattah
Filner
Foglietta
Foley
Ford
Frank (MA)
Franks (NJ)
Goodlatte
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hilliard
Hinchey
Hobson
Hoekstra
Hooley
Jackson (IL)
Jackson-Lee (TX)
Johnson (WI)
Kanjorski
Kelly
Kennedy (MA)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Klug
Kucinich
LaFalce
Lampson
Lantos
Latham
Leach
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Markey
Mascara
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
Meehan
Menendez
Minge
Mink
Moakley
Moran (VA)
Morella
Nadler
Neumann
Norwood
Nussle
Obey
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Porter
Poshard
Price (NC)
Ramstad
Rangel
Rivers
Roemer
Rohrabacher
Rothman
Roukema
Rush
Sabo
Sanchez
Sanders
Sensenbrenner
Serrano
Shays
Skaggs
Slaughter
Stabenow
Stokes
Strickland
Stupak
Tauscher
Tierney
Towns
Upton
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Woolsey
Wynn

NOES—253

Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Barcia
Barr
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Canady
Cannon
Castle
Chabot
Chambliss
Christensen
Clement
Clyburn
Combest
Condit
Cook
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dreier
Dunn
Edwards
Emerson
Engel
Ensign
Etheridge
Everett
Ewing
Fawell
Fazio
Flake
Forbes
Fowler
Fox
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodling
Gordon
Graham
Granger
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinojosa
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Jones
Kaptur
Kasich
Kennedy (RI)
Kennelly
Kim
King (NY)
Kingston
Knollenberg
Kolbe
LaHood
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
Livingston
Lucas
Maloney (CT)
Manzullo
Martinez
Matsui
McCollum
McDade
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek
Metcalf
Mica
Millender-McDonald
Miller (FL)
Molinari
Mollohan
Moran (KS)
Murtha
Myrick
Neal
Ney
Northup
Olver
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paxon
Pease
Peterson (PA)
Pickering
Pickett
Pitts
Portman
Pryce (OH)
Quinn
Radanovich
Redmond
Regula
Reyes
Riggs
Riley
Rodriguez
Rogan
Rogers
Ros-Lehtinen
Roybal-Allard
Royce
Ryun
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Taylor (MS)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—36

Ackerman
Ballenger
Barrett (NE)
Bliley
Brown (CA)
Buyer
Chenoweth
Clay
Clayton
Coburn
Cooksey
DeGette
Deutsch
Doolittle
Ehlers
Furse
Gephardt
Goss
Johnson, Sam
Largent
Lipinski
McCrery
McIntosh
Miller (CA)
Nethercutt
Oberstar
Pombo
Pomeroy
Rahall
Schiff
Stark
Tauzin
Taylor (NC)
Torres
Wise
Yates

□ 1327

The Clerk announced the following pairs:

On this vote:

Mr. Rahall for, with Mr. Deutsch against.

Mr. Stark for, with Mr. McIntosh against.

Messrs. CRANE, METCALF, MILLER of Florida, and NEAL of Massachusetts changed their vote from ''aye'' to ''no.''

Ms. CARSON, Messrs. PAYNE, RUSH and HILLIARD, and Mrs. KELLY, changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to the rule, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 22 OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado [Mr. HEFLEY] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 248, noes 146, not voting 40, as follows:

[Roll No. 222]

AYES—248

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Baldacci
Barr
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bishop
Blunt
Boehlert
Bonilla
Bono
Boswell
Boucher
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Christensen
Clement
Clyburn
Coble
Combest
Condit
Cook
Costello
Cox
Cramer
Crane
Cubin
Cummings
Cunningham
Danner
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ensign
Eshoo
Ewing
Farr
Fawell
Fazio
Flake
Foley
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Gekas
Gibbons
Gilchrest
Goodling
Gordon
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jefferson
Jenkins
John
Johnson, E. B.
Jones
Kasich
Kelly
Kennedy (RI)
Kim
Kingston
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Latham
LaTourette
Lazio
Levin
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Maloney (NY)
Manzullo
Martinez
Matsui
McCollum
McDade
McHale
McHugh
McInnis
McIntyre
McKeon
Metcalf
Mica
Millender-McDonald
Miller (FL)
Molinari
Moran (KS)
Morella
Myrick
Neumann
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Paul
Paxon
Payne
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Towns
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)

NOES—146

Allen
Andrews
Baesler
Barcia
Barrett (WI)
Bateman

Becerra
Bentsen
Berman
Berry
Blagojevich
Blumenauer
Bonior
Borski
Bunning
Callahan
Collins
Conyers
Coyne
Crapo
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
Delahunt
DeLauro
Dellums
Dingell
Doggett
Doyle
Edwards
Engel
Etheridge
Evans
Everett
Fattah
Filner
Foglietta
Forbes
Ford
Frost
Furse
Ganske
Gejdenson
Gilman
Gonzalez
Goode
Goodlatte
Gutierrez
Hall (TX)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoekstra
Holden
Hyde
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson (WI)
Kanjorski
Kaptur
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Lantos
Leach
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Manton
Markey
Mascara
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek
Menendez
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Ney
Obey
Olver
Owens
Pallone
Parker
Pascrell
Pastor
Pelosi
Peterson (MN)
Porter
Poshard
Price (NC)
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Slaughter
Spence
Spratt
Stabenow
Strickland
Taylor (MS)
Tierney
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weygand
Woolsey
Wynn
Young (FL)

NOT VOTING—40

Ackerman
Ballenger
Barrett (NE)
Bliley
Boehner
Brown (CA)
Buyer
Chenoweth
Clay
Clayton
Coburn
Cooksey
DeGette
Deutsch
Doolittle
Ehlers
Gephardt
Gillmor
Goss
Johnson, Sam
Largent
Lipinski
McCrery
McIntosh
Miller (CA)
Nethercutt
Oberstar
Pombo
Pomeroy
Rahall
Schiff
Stark
Stokes
Tauzin
Taylor (NC)
Torres
Weldon (FL)
Wexler
Wise
Yates

□ 1335

The Clerk announced the following pairs:

On this vote:

Mr. McIntosh for, with Mr. Stark against.
Ms. DeGette for, Mr. Deutsch against.

Mr. PALLONE and Mrs. LOWEY changed their vote from ''aye'' to ''no.''

Mr. SHAYS and Ms. HARMAN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 41 OFFERED BY MR. WELDON OF PENNSYLVANIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania [Mr. WELDON] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 290, noes 100, not voting 44, as follows:

[Roll No. 223]

AYES—290

Abercrombie
Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Barr
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Blagojevich
Blunt
Boehlert
Bonilla
Bono
Boswell
Boucher
Boyd
Brady
Bryant
Bunning
Burr
Burton
Calvert
Camp
Campbell
Canady
Cannon
Carson
Castle
Chabot
Chambliss
Christensen
Clement
Coble
Collins
Combest
Condit
Cook
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dicks
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Farr
Fawell
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinchey
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Jenkins
John
Johnson (CT)
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lantos
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
McCarthy (NY)
McCollum
McDade
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Mica
Miller (FL)
Minge
Molinari
Moran (KS)
Morella
Murtha
Myrick
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Porter
Portman
Poshard
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Salmon
Sanchez
Sanders
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Taylor (MS)
Thomas
Thornberry
Thune
Thurman
Traficant
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Wynn
Young (AK)
Young (FL)

NOES—100

Allen
Baldacci
Barcia
Barrett (WI)
Becerra
Berman
Bishop
Blumenauer
Bonior
Borski
Brown (FL)
Capps
Cardin
Clyburn
Conyers
Coyne
Cummings
Davis (IL)
Delahunt
DeLauro
Dellums
Dingell
Dixon
Doggett
Dooley
Engel
Etheridge
Evans
Fattah
Fazio
Filner
Flake
Foglietta
Frank (MA)
Furse
Gonzalez
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinojosa
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kennedy (MA)
Kilpatrick
Kind (WI)
Kleczka
Lampson
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Manton
Markey
Matsui
McCarthy (MO)
McDermott
McGovern
Meek
Millender-McDonald
Mink
Moakley
Mollohan
Moran (VA)
Nadler
Neal
Obey
Olver
Owens
Pastor
Payne
Pelosi
Price (NC)
Rangel
Rodriguez
Roemer
Roybal-Allard
Rush
Sabo
Sawyer
Serrano
Skaggs
Snyder
Stupak
Thompson
Tierney
Towns
Turner
Velazquez
Vento
Waters
Watt (NC)
Waxman
Weygand
Woolsey

NOT VOTING—44

Ackerman
Ballenger
Barrett (NE)
Bliley
Boehner
Brown (CA)
Brown (OH)
Buyer
Callahan
Chenoweth
Clay
Clayton
Coburn
Cooksey
DeGette
Deutsch
Doolittle
Ehlers
Gephardt
Gillmor
Goss
Johnson, Sam
Largent
Lipinski
McCrery
McIntosh
Miller (CA)
Nethercutt
Oberstar
Pombo
Pomeroy
Rahall
Sandlin
Schiff
Stark
Stokes
Tauzin
Taylor (NC)
Tiahrt
Torres
Weldon (FL)
Wexler
Wise
Yates

□ 1342

The Clerk announced the following pair:

On this vote:

Mr. McIntosh for, with Mr. Stark against.

Mr. FORD changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. TIAHRT. Mr. Chairman, on rollcall No. 223, I was unavoidably detained. Had I been present, I would have voted ''aye.''

PERSONAL EXPLANATION

Mr. SANDLIN. Mr. Chairman, on rollcall vote No. 223, the Weldon amendment, I would like for the RECORD to reflect that I was in the House, in the Chamber available to vote; I signaled the Chair to vote. As I approached, the vote was closed despite my signaling.

I want the RECORD to reflect that I would have voted ''aye.'' I was available to vote, in the Chamber.

AMENDMENT OFFERED BY MR. TRAFICANT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 269, noes 119, answered ''present'' 1, not voting 45, as follows:

[Roll No. 224]

AYES—269

Abercrombie
Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Barcia
Barr
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bishop
Blunt
Boehlert
Bono
Boswell
Boucher
Boyd
Brady
Bryant
Bunning
Burr
Burton
Calvert
Camp
Campbell
Cannon
Castle
Chabot
Chambliss
Christensen
Clement
Clyburn
Coble
Collins
Combest
Condit
Cook
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Doyle
Dreier
Duncan
Dunn
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Everett
Fattah
Fawell
Flake
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gekas
Gibbons
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hefley
Hefner
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Jenkins
John
Johnson (CT)
Jones
Kaptur
Kasich
Kelly
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kucinich
LaFalce
LaHood
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McDade
McHugh
McInnis
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Minge
Moakley
Molinari
Moran (KS)
Morella
Myrick
Neumann
Ney
Northup
Norwood
Nussle
Obey
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanchez
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Strickland
Sununu
Talent
Tanner
Tauscher
Taylor (MS)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (PA)
Weller
White
Wicker
Wolf
Young (AK)
Young (FL)

NOES—119

Allen
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Blagojevich
Blumenauer
Bonior
Borski
Brown (FL)
Capps
Cardin
Carson
Conyers
Coyne
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Dellums
Dingell
Dixon
Doggett
Dooley
Edwards
Ehrlich
Evans
Farr
Fazio
Filner
Foglietta
Ford
Frank (MA)
Furse
Gejdenson
Gonzalez
Green
Gutierrez
Hamilton
Hastings (FL)
Hayworth
Hilliard
Hinchey
Hinojosa
Hooley
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kleczka
Kolbe
Lampson
Lewis (GA)
Linder
Lofgren
Markey
Martinez
Matsui
McDermott
McGovern
McHale
McKinney
Meehan
Meek
Menendez
Millender-McDonald
Mink
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Olver
Ortiz
Pastor
Paul
Payne
Pelosi
Reyes
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Scott
Serrano
Skaggs
Slaughter
Snyder
Spratt
Stabenow
Stump
Stupak
Thompson
Tierney
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weygand
Whitfield
Woolsey
Wynn

NOT VOTING—45

Ackerman
Ballenger
Barrett (NE)
Bliley
Boehner
Brown (CA)
Brown (OH)
Buyer
Callahan
Canady
Chenoweth
Clay
Clayton
Coburn
Cooksey
DeGette
Deutsch
Doolittle
Ehlers
Ewing
Ganske
Gephardt
Gillmor
Goss
Johnson, Sam
Largent
Lipinski
McCrery
McIntosh
Miller (CA)
Nethercutt
Oberstar
Pombo
Pomeroy
Rahall
Schiff
Stark
Stokes
Tauzin
Taylor (NC)
Torres
Weldon (FL)
Wexler
Wise
Yates

□ 1351

The Clerk announced the following pair:

On this vote:

Mr. McIntosh for, with Mr. Stark against.

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BOEHNER. Mr. Chairman, unfortunately, I was not present to record votes on rollcalls No. 222, 223, and 224. Had I been present, I would have voted ''aye'' on rollcall 222, the Hefley amendment, ''aye'' on rollcall 223, the Weldon amendment, and ''aye'' on rollcall 224, the Traficant amendment.

PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Chairman, I was unavoidably detained today during rollcall vote Nos. 220, 223, and 224. Had I been present I would have voted ''nay'' on each of these votes.

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

LEGISLATIVE PROGRAM

Mr. HUNTER. Mr. Chairman, let me just announce on behalf of the gentleman from South Carolina [Mr. SPENCE] what his intent is for the schedule for debate of amendments next week with respect to the rest of the National Security bill.

On Monday afternoon, after doing suspensions and any other necessary business, it is his desire to continue with the consideration of amendments to H.R. 1119; and it is further his intent to have the following amendments debated during Monday afternoon with the votes rolled until after 5 p.m. Monday afternoon.

That is the Frank amendment on NATO expansion, amendment No. 10 offered by Mr. GILMAN on POW-MIA issues, amendment No. 11 offered by Mr. BUYER and Mr. KENNEDY of Rhode Island on Persian Gulf illness, and possibly an en bloc package of amendments from part 2 of the rule that have been worked out and are acceptable to the committee.

Then, after voting, around the 5 p.m. time frame, it is further his intent to resume the consideration of amendments from part 1 of the rule as late into Monday evening as the schedule will permit; and it is his hope to finish consideration of amendments on Monday evening, and that would mean considering the following amendments on Monday evening after the 5 p.m. votes. That is amendment No. 7, offered by the gentleman from California, the ranking member, Mr. DELLUMS, on the B–2 bomber; amendment No. 8, offered by Mr. BUYER; and No. 9, offered by Mr. HILLEARY, on Bosnia. And under the rule these 20-minute amendments would be preceded by 1 hour of general debate, and the amendment made in order yesterday in the amended rule offered by Mr. EVERETT on depot policy and any remaining part 2 amendments, either in an en bloc package or consideration individually, as 10-minute amendments under the rule.

So it is his desire to dispose of all amendments on Monday evening so that we can finish consideration of the bill sometime in the Tuesday morning timeframe.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding to me, and I am very sorry that most of our colleagues have probably left for

their weekend schedules in their various districts, but I must make this observation, that I cannot remember a Monday night in this session that we have worked, and if we have, not a bill of this extraordinary magnitude.

The gentleman has laid out a number of significant and important, often contentious, difficult issues that we must deal with. This gentleman will be here prepared to do a job; that is what I have to do. But I want to say on behalf of myself and other Members that the fact that we are now suddenly finding ourselves in such a constrained schedule, that we have to push all of these issues into a Monday night I think flies in the face of what I think is reasonableness.

Now, I understand that there may be some time left over on Tuesday, but we now rush to judgment on a whole range of issues. I just want to make the observation, Mr. Chairman, and to my colleague, that I am not comfortable with the way this is proceeding. I have said at the outset, I do not like the rush to judgment on a $263 billion budget, and now we are constrained into one day. When we went before the Committee on Rules, they said Thursday, Friday, Monday and Tuesday, try to finish this bill up on Tuesday. Now maybe there is an hour or two on Tuesday. We are forced to deal with a myriad of incredible issues.

Now, the reality is that 300 or 400 of our colleagues are already gone, heading home; many of them are going to fly back in here to be back on the floor at 5 o'clock. They are not going to know what we are debating. Many of them will be tired from the weekend and tired from their flights, and we are going to get into issues like the B–2 bomber, like Bosnia, like the whole range of critical questions that are very contentious and important here.

I think we ought to be at our best when we are dealing with these issues, not when we are tired and not when we are making votes based on our ignorance by not being here. I just want to make that statement. I am not running the show here, those folks are, but I just want my colleagues to know from this side of the aisle that I am very uncomfortable with the way this process is going. It is the first Monday that we are dealing with this level of significance, and I would like for my colleague to at least respond in some manner to that concern.

Mr. HUNTER. Mr. Chairman, I thank the gentleman from California [Mr. DELLUMS]. Let me just say personally, as the gentleman who has engaged the gentleman in these major arms control issues and the B–2 bomber issue for a number of years, I too look forward to a robust debate on the B–2 bomber, and I think it is our duty to force as many colleagues as we can to listen to us one more time on that issue, and I think we will be able to do that.

I understand that the reason that we are trying to keep this thing out of Tuesday's schedule as much as possible, that the chairman has that desire; it is because we have got another issue coming up that is supposed to be engaged on Tuesday. So we may be bumping up against the schedule.

I want to assure my colleague that it is my desire to have a robust debate, especially on the B–2 issue, and I know the depot issue is one that has a lot of claimants and will have a great deal of debate offered, and the chairman of the full committee is a very gracious individual, and I am sure if the gentleman talks to him, if we can get an extra hour or two on Tuesday morning from the leadership and maybe push that other issue up a little bit, we can have a more robust debate on B–2, Bosnia and the depot issue.

So the gentleman has got my assurance that I will sit with him and the chairman, and my desire is to have as big a debate and as full a debate as possible.

So that is what I would offer to the gentleman, but I understand that the chairman of the full committee had the problem of bumping up against the next bill, and that is why he is trying to get our amendments finished and get the bill finished by Tuesday morning.

Mr. DELLUMS. If the gentleman will yield, I appreciate his response. I understand that this committee is operating within the framework of a much larger structure. I just felt compelled to make that observation. I think that disadvantages a number of Members on both sides of the aisle, but that is just my observation, and leadership going to have to make the judgment that they choose to make. Unfortunately, we will of to live with them, but I do not think that they are good judgments.

Mr. HUNTER. Mr. Chairman, I thank the gentleman from California [Mr. DELLUMS].

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

☐ 1400

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. CALVERT] having assumed the chair, Mr. YOUNG of Florida, 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. 1119) to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material in the RECORD on H.R. 1119.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. FAZIO of California. Mr. Speaker, I yield to the gentleman from Texas (Mr. Armey), the majority leader, for the purpose of inquiring about the schedule for next week.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, before proceeding to the House schedule, I would like to have everyone's attention for a very important announcement.

My son and my lovely daughter-in-law last night graced me with a new little fishing buddy. David and Laurie Armey became the proud parents of a beautiful baby boy, as yet without a name, my first grandson, my first grandchild. And even though I am not a registered lobbyist, I would like to make a pitch to the new parents. Richard, a great name, a name of kings, presidents, race car drivers and country music singers. I would hope that the distinguished gentleman from Missouri (Mr. GEPHARDT), the distinguished minority leader, would join me in this lobbying effort to add one more Richard to this world.

Mr. FAZIO of California. Reclaiming my time, I would certainly like to indicate I will intercede with him, and the gentleman from Texas has my commitment to help him in the lobbying for another little Richard.

Mr. ARMEY. I thank the gentleman, and I thank him for his timely reminder of even one more classification, pop singers named Richard as well as country singers.

Now, Mr. Speaker, if I can return to less important matters, the business of this House, we have finished the last vote for the week. We will meet for legislative business on Monday, June 23; let me reiterate, we will meet for legislative business on Monday, June 23. We will start morning hour at 10:30 a.m. and consideration of legislation will commence at 12 noon.

Members should note that we will not hold any recorded votes before 5 p.m. on Monday. On Monday, June 23, we plan to take up a number of bills under suspension of the rules, a list of which will be distributed to Members' offices this afternoon. The House will then resume consideration of H.R. 1119, the National Defense Authorization Act, for fiscal years 1998 and 1999. We expect to work well into the evening on Monday, probably until 10 or 11 p.m., on DOD amendments.

On Tuesday, June 24, the House will meet at 9 a.m. for morning hour and 10 a.m. for legislative business. We will take up the following bills: H.R. 1316, the Federal Fishery Clarification Act on the Corrections Day Calendar;

House Joint Resolution 79, to Disapprove Most-Favored-Nation Treatment to the Products of the People's Republic of China, which will be subject to a rule; and the House will then continue consideration of H.R. 1119, the National Defense Authorization Act. We hope to finish DOD on Tuesday evening.

On Wednesday, June 25, and Thursday, June 26, the House will meet at 10 a.m. to consider the fiscal year 1998 budget reconciliation. We expect to take up the spending component of reconciliation on Wednesday and the tax cut component on Thursday. We should finish the week's business by 6 p.m. on Thursday and have Members on their way back to their districts for the July Fourth district work period.

Mr. FAZIO of California. Mr. Speaker, reclaiming my time, if I could ask the distinguished majority leader, we have just been informed by the colloquy between the gentleman from California [Mr. HUNTER] and the gentleman from California [Mr. DELLUMS] about the concern that a number have, I am sure on both sides of the aisle, about extremely important amendments being voted on on the defense authorization bill late Monday night.

Is it possible that since we have some time on Tuesday dedicated for the defense bill, we could take the 3 items that the gentleman from California [Mr. HUNTER] mentioned: Bosnia, the depot issue, and the B–2, and designate them on Tuesday, so that the majority of the Members who might not make it on Monday, certainly maybe the overwhelming share of them, would be here for those three very important debates.

Mr. ARMEY. Mr. Speaker, again, if the gentleman would yield, obviously the management of the bill within the time slots granted to it is at the direction, and should be, of the committee floor managers. This office is always ready to stand willing to work with the floor managers of a bill to assist in any way to help them achieve the flexibility that will give them the greatest opportunity to manage their bill in the most effective and responsive way possible, and we will do that in this case on this subject as well.

Mr. FAZIO of California. Mr. Speaker, I appreciate that. Since the gentleman from California [Mr. HUNTER] believes that the gentleman from South Carolina [Mr. SPENCE] may be able to accommodate the concerns expressed about so many important votes so late Monday night, I would hope that the gentleman from Texas [Mr. ARMEY] would intercede with the chairman and we could assure the Members, who may not have been prepared to come back on Monday, that they will have an opportunity on the key issues and final passage perhaps on Tuesday.

Mr. ARMEY. Mr. Speaker, if the gentleman will yield further, I will encourage the gentleman from South Carolina [Mr. SPENCE] in every way possible and assist him in any way that I may.

If I might just add, I certainly would like to do everything I can on behalf of my good friend, the gentleman from California [Mr. DELLUMS], to have the body fully informed about his amendments that it might make the most judicious vote possible, and I am sure he appreciates my interest in the matter.

Mr. FAZIO of California. Mr. Speaker, the gentleman from California [Mr. DELLUMS] says he understands, Mr. Leader, and I appreciate the fact that you did not further reference the depot issue.

I would like to inquire a bit about reconciliation and the tax bill. It has been my understanding and I think the understanding of many Members that we were going to have separate votes on the reconciliation package and the tax package.

Just to clarify, is there a continuation of that commitment, or is there some move afoot to perhaps combine two separate bills into one and have one vote on the package?

Mr. ARMEY. Mr. Chairman, if the gentleman would continue to yield, our current plan is to take the two components, reduction in spending and reduction in taxes of reconciliation as two separate bills. The House has retained the option to treat that as a single reconciliation bill and we do that, although I must say I have no indication now that there would be a movement in that direction.

I do think it is only fair, though, to recognize that while we currently plan to have them in two bills, that that option still remains and should there be a decision to make a change, obviously we would notify the minority as quickly as possible.

Mr. FAZIO of California. Mr. Speaker, so it is fair to say at the moment there is no intention of doing so, but the gentleman from Texas [Mr. ARMEY] retains, he believes, the option of doing so?

Mr. ARMEY. Mr. Speaker, the gentleman is absolutely correct.

Mr. FAZIO of California. Mr. Speaker, I know the gentleman understands that Members on this side of the aisle feel very strongly about the commitment that they believe has been made that we deal with them on a separate level, and I think that is a broadly-believed feeling on this side from one end of the political spectrum on the other.

The gentleman has indicated that we are going to be having very late nights next week. What nights would we be expected to be here and how late would we be?

Mr. ARMEY. Mr. Speaker, if the gentleman will continue to yield, I believe Monday night would probably, as I anticipate, be the only night where we would expect to stay late. Of course partially because in order to accommodate the people's travel requirements, we really effectively begin the day late, but the other evenings of next week I do not believe our work requirements would require us to go late, and I do not anticipate that there would be anything that would cause that to happen.

So I would think that generally 6, 7 p.m. on the other evenings would be approximately, until Thursday, of course, where it is our hard and fast hope to complete our work by 6 p.m. in order to accommodate the travel arrangements that Members like to make.

Mr. FAZIO of California. Mr. Speaker, I thank the leader. I believe Members appreciate the firm commitment for departure time, and I appreciate the degree to which the gentleman has been sticking to that. On behalf of the minority we appreciate very much that commitment consistently being made and kept.

Mr. ARMEY. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I want to thank my colleague, the gentleman from California [Mr. FAZIO], who helped all of us Richards get it right, and I encourage people to understand the importance of the name Richard in the lives of little children.

Mr. FAZIO of California. Mr. Speaker, I am very happy to have had this colloquy.

ADJOURNMENT FROM SATURDAY, JUNE 21, 1997, TO MONDAY, JUNE 23, 1997

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent that when the House adjourns on Saturday, June 21, 1997, it adjourn to meet at 10:30 a.m. on Monday, June 23, 1997, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

MOST FAVORED NATION STATUS FOR CHINA

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

Mr. DREIER. Mr. Speaker, I wish to share with my colleagues an extraordinary letter that I received last night. Over the past several weeks there has been a perception that virtually all Christian leaders in this country support revocation of Most Favored Nation trading status for the People's Republic of China.

Just yesterday we heard here in the Capitol from many Christian missionaries who have been on the ground in

China working to spread the gospel, and then last night I received what I believe to be an unprecedented letter from the Reverend Billy Graham, and I am going to ask unanimous consent to have it included in the RECORD and I will have copies of it here for my colleagues on the House floor.

Mr. Speaker, in this letter he says, ''I am in favor of doing all we can to strengthen our relationship with China and its people. China is rapidly becoming one of the dominant economic and political powers in the world and I believe it is far better for us to keep China as a friend than to treat it as an adversary.''

This is a very potent message. While the Reverend Graham does not want to get involved in the MFN debate, he makes his position very, very clear about the need to maintain engagement. I urge my colleagues to oppose the resolution of disapproval when it comes up next week.

Montreat, NC, June 19, 1997.

Hon. DAVID DREIER,

Congress of the United States, House of Representatives, Washington, DC.

DEAR CONGRESSMAN DREIER, Thank you for the telephone calls concerning the People's Republic of China that you have made recently to both me and my son, Ned, who heads a ministry which works closely with the churches of China. Ned and I have discussed the issue and felt that it was important enough for me to write directly to you. Like you, I have great respect for China's long and rich heritage, and I am grateful for the opportunities I have had to visit that great country. It has been a privilege to get to know many of its leaders and also to become familiar with the actual situation of religious believers in the P.R.C.

The current debate about renewing China's ''Most Favored Nation'' trading status no doubt raises many complex and difficult questions, and it is not my intention to become involved in the political aspects of this issue. However, I am in favor of doing all we can to strengthen our relationship with China and its people. China is rapidly becoming one of the dominant economic and political powers in the world, and I believe it is far better for us to keep China as a friend than to treat it as an adversary. Furthermore, in my experience, nations respond to friendship just as much as people do.

While I will not be releasing a formal public statement on the M.F.N. debate, you should feel free to share my sentiments with your colleagues. May God give you and all your colleagues His wisdom as you debate this important issue.

With every good wish,

BILLY GRAHAM.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CALVERT). 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.

INSOLVENCY IN SOCIAL SECURITY AND MEDICARE

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

Mr. SMITH of Michigan. Mr. Speaker, I would like to spend a couple of minutes talking about some of the things that were not in the budget agreement that should have been in the budget agreement. One is the problem that we are facing on the insolvency of Social Security; and another is the situation developing with an increasing insolvency problem for our Medicare Program.

What we are doing in this country now is we are asking young working families to pay in additional taxes to pay for the benefits going to senior citizens in such areas as Medicare and Social Security. I am especially concerned with Social Security because according to statistics, more and more young people are depending on that Social Security for retirement benefits as they are saving less than past generations for their own retirement.

□ 1415

Let me briefly discuss the problem that we are running into on Social Security. Since it is a pay-as-you-go program, the taxes paid in by workers are taken by the Social Security Administration. Those Social Security taxes, those FICA taxes, are then paid out to existing retirees. So despite what many Americans think, that there is some kind of savings, there is not.

Since 1983 when we substantially increased the Social Security tax on working Americans, we have had a surplus coming into that fund. For every penny of surplus that has come in, we have seen the Federal Government—the U.S. Congress and the President spend every cent of that surplus coming in from Social Security taxes for other social spending that this Government has suggested it needs.

Here is the problem. When some of us brag that we are actually balancing the budget in the year 2002, the fact is that in that year, 2002, we are actually borrowing $110 billion from the Social Security Trust Fund. So the budget is not truly in balance. Truly what we are doing is pretending that we are in balance because we are using money that is coming into the Social Security Trust Fund and spending it for other purposes.

Mr. Speaker, there are only two ways to deal with the insolvency of Social Security. We either in some fashion increase revenues or we decrease benefits.

I have introduced a Social Security bill in this last session. It is the only bill introduced in the House that deals with the problem of the insolvency of Social Security. That bill has been scored by the Social Security Administration to keep Social Security solvent for the next 75 years.

Somehow we have to get the message out to the American people, especially the younger people working, that they had better look at what their retirement benefits are. They had better look at the transfer of wealth from the working generation to the retired generation; and as we have more and more retirees in relation to the number of workers, the problem is compounding.

Here is what is happening. No. 1, people are living longer. Our medical technology has done a great job. When we started Social Security, the average age at death was 62-years-old. Today, guess what the average age at death is? The average age at death today is 75-years-old. Once you live to be 65 and start collecting Social Security, then, on the average, you are gong to live to be 84 So you have, No. 1, people who are living longer, and then, No. 2, we had the biggest increase in the birth rate ever before in our history with the baby boomers, the children of the veterans of World War II.

Those baby boomers are now in their maximum earnings years. They are going to start retiring around 2008, and when they start retiring, of course, two things happen. Many more people will collect benefits and the maximum earnings of those people are not going to be taxed anymore for Social Security to pay out benefits.

So the experts are suggesting we are going to run short of money as early as 2005. Maybe it is going to be 2011 or 2012, but it could be as early as 2005. Then what do we do? How does this Federal Government, how does this Congress, Democrats and Republicans, start paying back what they have borrowed from the Social Security Trust Fund? How do we come up with the additional money necessary to pay existing benefits?

Look, politicians are going to have to take their heads out of the sand and start dealing with these tough, real problems that are facing us in the future. It is not politically popular, so many Members think they are going to be beat up back home, and I suggest that they may be right. But we have to take our heads out of the sand. Let us start dealing with these problems.

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

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

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

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

THE ECONOMY: PAST, PRESENT AND FUTURE

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

Mr. NEUMANN. Mr. Speaker, in the interests of true bipartisan cooperation, I yield 10 minutes to my good friend, the gentleman from Minnesota [Mr. MINGE].

THE FEDERAL GOVERNMENT POLICY TOWARD THE ETHANOL PROGRAM

Mr. MINGE. Mr. Speaker, I would like to thank the gentleman from Wisconsin for yielding to me.

Mr. Speaker, I rise this afternoon to discuss a topic which has become increasingly controversial in this country. The topic is the policy that this Government, the Federal Government, ought to have toward the ethanol program.

This policy was initiated in the 1970's. It was recognized that this country ought to be more energy self-sufficient. One way to achieve that was to produce a fuel that could be used in motor vehicles from crops that are grown in this country. That fuel is ethanol.

Over the last 25 years, hundreds of millions of dollars have been invested in the production of ethanol. At this point in time, most of the ethanol produced in this country comes from corn, the largest single crop that is grown in the United States. In 1997, there has been a considered attack against the ethanol tax credits that are part of the Internal Revenue Code.

This week the Committee on Ways and Means has passed and forwarded on to the Committee on the Budget a reconciliation bill that would eliminate the ethanol tax cut by the year 2000, but more importantly, would substantially complicate that particular tax credit. I would like to take my remaining time to briefly speak about some aspects of this legislation.

Mr. Speaker, I really think we can best characterize it by an allusion to a program that talks about stupid pet tricks. This is really stupid tricks that is being played on the American farmer and on the ethanol industry. It is strangulating ethanol. This is occurring for several reasons and in several ways.

First of all, I think it is important to note that the legislation coming out of the Committee on Ways and Means of this body is a repudiation of market principles. We may ask, why is it a repudiation of market principles? This occurs because the legislation states that any ethanol produced in the United States in excess of an artificially designated base will be subject to a 51-cent-a-gallon penalty, a penalty that is not even a business expense that can be recognized in calculating taxable income. As a result, we find that the production of ethanol would essentially be frozen at current levels.

We also find that it is a repudiation of market principles, because what is happening is that petroleum-based fuel and additives are not subject to such a penalty. So as a consequence, rather than relying on the market system, we simply have an effort by legislative fiat to destroy the industry. The market is not present at all. We have, for the last several years, attempted to steer this country's economy to market principles, the basic concepts of supply and demand. This is a repudiation of that principle.

The second point, which is closely allied, is the destructive character of this penalty itself. Ethanol simply cannot be produced if there is a 51-cent-a-gallon penalty on that production. To be sure, the base quantity of ethanol can be produced. For that base quantity, there is still for a temporary period of time a tax credit. But any additional production would be subject to this confiscatory or destructive penalty.

The third point that I would like to make is that this is a reversal of the principles of the freedom to farm legislation that passed this body in 1996. Not all of us agreed with the 1996 farm bill, but I think most of us agreed that market principles ought to be the cornerstone of the Federal farm program for the next 5 years. Let us try it, let us see if it works. Corn has probably been the crop that has received more assistance over the years than any other crop.

So what are we saying? We ought to be trying the market. As farmers, you ought to be in freedom to farm, producing for the market. The farmers have gone out, they have attempted to help establish a market. They have been innovative, they have invested in consumer-owned cooperatives. Now we are saying to those farmers: Tough; we fooled you, did we not?

Indeed, we ought to recognize the freedom to farm principles. We ought to recognize the market principles. We ought to let farmers produce ethanol from the corn they are growing and market that. Somehow the destruction of this market has to be recognized by all as a repudiation of the principles that we have told these farmers that they ought to follow in the wake of the repeal of the traditional Federal farm programs.

The fourth point that I would like to make is that this is a breach of faith with the automobile industry. The American automobile industry was not initially enthusiastic about alcohol or ethanol. Consumers were wary of the product. There were stories about what it might do to engines. It turned out most of them were not accurate, they were rumors. But nonetheless, these stories persisted.

Over the last few years ethanol has gained a foothold. Now we find the Ford Motor Co. has announced that it is producing Taurus cars and pickups that will operate on 85 percent ethanol. Chrysler Corp. has announced it is moving in that direction. In Brazil, much of the country's vehicle fleet operates on ethanol or alcohol fuels.

Now that the automobile industry is making that commitment, we are pulling the rug out from underneath the automobile industry. Instead of being able to expand production, we are forcing the curtailment of production.

The fifth point that I would like to make is that this is death by ambiguity. There are ambiguous provisions in the law as it comes out of the Committee on Ways and Means that make it very difficult for the farmer-owned cooperatives to know whether or not they will be able to continue production, for the farmers who are interested in investing in cooperatives to manufacture ethanol to know whether or not that investment is worth making, and for cooperatives and investor-owned facilities that are already in place to know whether or not they can continue to produce at their capacity, as opposed to some previous level that was not the capacity of that plant.

This, in turn, is going to undermine the ability of the American economy, the agricultural economy particularly, to make the investment that is so important to ensure that this fuel is available to the American consumer, and that rural America can continue to participate in the prosperity of this Nation.

Finally, I would like to say that this proposal as it comes out of the Committee on Ways and Means is an example of creative accounting. Why so? It is creative accounting because the committee decided that by extending the ethanol tax credit until the year 2007 and then simultaneously repealing that tax credit back to the year 2000, they can realize approximately $3 billion of savings that can be used to finance or offset tax cuts.

What they are doing is artificially extending a credit that is sunsetting in the year 2000, and then claiming that due to the termination of this artificial extension, they have generated $3 billion of savings to the U.S. Treasury. This is fictitious. This is smoke-and-mirrors accounting. This is the type of thing we have been decrying as undermining our ability to balance the budget.

Mr. Speaker, I submit that what the Committee on Ways and Means proposal has done to the American farmer, the American consumer, American industry and candor in budgeting is tragic.

□ 1430

What we must do in Congress, Mr. Speaker, is forthrightly address this problem and make sure that this proposal from the House Committee on Ways and Means moves no further and that instead we embrace the proposal that has come from the U.S. Senate which recognizes the importance of the ethanol program.

I thank my colleague from Wisconsin for yielding this time to me.

Mr. NEUMANN. Mr. Speaker, I yield to the other gentleman from Minnesota [Mr. GUTKNECHT] who has an announcement on this very topic.

Mr. GUTKNECHT. Mr. Speaker, I would echo virtually everything that my colleague from Minnesota has just said. I would add that we have had meetings this morning both with the

Speaker of the House as well as the chairman of the Committee on Ways and Means, and we have had assurances from both that the ethanol program, as we have known it, will survive, at least through the end of the century.

Obviously, we still have our work cut out for us, to continue to resell the benefits of the program, but I think by the time this bill ultimately is settled on in the House, the ethanol program will be saved.

I happen to agree. I think ethanol is a great product. I think it is good for the farmer. But more importantly, it is good for our economy, good for our balance of trade and, more importantly, I think, perhaps than anything else, it is good for the environment.

I have had assurances from both the Speaker and the gentleman from Texas [Mr. ARCHER]. I met with him personally not more than an hour and a half ago. He assured me that by the time this bill ultimately is finalized, that the ethanol program will be protected as it is today, at least through the end of the century. We are making progress and our voices are being heard.

Mr. NEUMANN. That is certainly good news for the farmers in the Midwest, which all of us represent.

With that, we will turn our attention to the reason that we are here today, that is to talk about the budget process, the debt, the deficit, where we have been, where we are today, and where we are going to, and we are going to divide this into three separate parts today as we talk about first the past, where we have come before, before any of us who are here on the floor right now were here in Congress. But I think it is important that we talk about the past and that we take note of how fast and how much of this debt has accumulated.

I start with the chart that I have here. This chart shows the growth in Federal debt. It can be readily seen that from 1960 to 1980, there was very little growth in Federal debt. As a matter of fact, it is almost a flat line. But from 1980 forward, this thing has grown right off the charts. Before my colleagues react to this, I know 1980 is the year Ronald Reagan became President and all the Democrats will blame him. I know 1980 is the year that all the Republicans say the Democrats ran spending out of control and ran the deficit up.

The bottom line is today we as a Nation stand way up here on this deficit chart. And the facts are that whether you are Republican or Democrat, this is a problem that we as a nation must now address. That is the reason that many of us, the three of us here on the floor and many of the rest of us, came to Congress in the first place. The size of this debt is somewhat staggering. We currently stand about $5.3 trillion in debt. That is a number too big almost for anyone to comprehend. I used to teach math. Let me put this in perspective the way we used to in the math classroom.

If we divide the debt by the number of people in this country, we would find that every single man, woman, and child in the United States of America is responsible for $20,000 of debt. Let me put that another way. The Federal Government has primarily over the last 15 years spent $20,000 for every man, woman, and child more than what it has collected in taxes. They have run up $100,000 of debt for a family of five like mine. The real kicker in this thing is the real impact it has on the family. A family of five like mine sends $580 a month to Washington, DC to do nothing but pay the interest on the Federal debt. A lot of folks out there are going: I do not pay that much in taxes, and they feel pretty good. That is not entirely true. The fact of the matter is, when you walk into a grocery store and you buy a loaf of bread, the store owner makes a small profit on that loaf of bread. And part of that money that you paid to the store owner gets sent down here to Washington in the form of taxes because that is part of his profit margin. The bottom line is when people add up all of the money that they are paying in taxes to the Federal Government to Washington, a family of five like mine is in fact paying $580 every month to do nothing but pay the interest on the Federal debt.

It is somewhat a staggering number, and in the past Members of this body have talked about fixing this problem. They have had all kinds of different proposals. The most remembered perhaps is what is called the Gramm–Rudman-Hollings. In 1985, we passed a bill through this body called the Gramm–Rudman-Hollings Act and it promised the American people that we would have a deficit stream that goes along this blue line and reach a balanced budget in the year 1991. But in fact what happened is they did not meet the deficit stream and in fact what happened is the deficit ballooned.

So they passed a new bill. They called it Gramm–Rudman-Hollings 1987. And they again promised the American people a balanced budget that a deficit stream that would follow this blue line reaching zero this time in 1993. Again, the red line shows the actual deficit and they did not meet the targets.

This city is the most amazing place in the world. We look back on this track record where promises were made and promises were not kept to the American people. And for some reason the American people seem a little cynical right now about whether or not they should believe what they are being told here in Washington.

It does not take me long to figure out exactly why the American people are as cynical as they are. Frankly, it is this chart that caused me to leave a very good business in the private sector and run for Congress in the first place with no prior involvement in politics in any way, shape or form.

I am a homebuilder by trade. But when I heard these promises out here and realized how important it was we get to a balanced budget and after hearing these promises the first time and seeing the deficit balloon and then hearing the promises the second time and seeing the deficit balloon again, I realized that we as a nation had to do something about this. That is what caused me to leave the private sector and to run for this office.

I yield to the gentleman from Minnesota.

Mr. GUTKNECHT. Mr. Speaker, I think there is another point that needs to be made. We are working on a chart in my office that demonstrates what a big part of the problem has been. The history has been for about a 20-year period for every dollar that Congress would take in, it would spend about $1.22. In fact many people made the point, I think it is a good one, that the problem was not that the Government was not taking in enough money. In fact one farmer in my district said it so well. He said the problem is not that we are not sending enough money into Washington. The problem is that Washington spends it faster than we can send it in.

And that has been the problem, the problem has always been on the spending side because many of those fixed programs involve some kind of, quote, revenue enhancement or tax increase; and for every dollar that tax revenues were supposed to go up, Congress just spent another $1.22, $1.23 of that. And that is the history of this place. I think we want to talk about what is happening now.

Mr. NEUMANN. Before we get there, I think my colleague has made another very important point that needs to be brought out here. In both 1990 and especially in 1993, we saw the biggest tax increase in American history. In 1993, people started looking at these deficit lines and realized we had to do something about the deficit and in clear Washington-style thinking, they concluded what we ought to do is raise taxes on the American people. They said: We have an idea here. To balance the budget we will reach into the back pockets of the American people, take more money out and maybe that somehow will help us to balance the budget.

This is the past we are talking about. In the past the way to move to a balanced budget was to raise taxes. In fact, that bill passed this body, the House of Representatives, in 1993, the biggest tax increase in history; that bill passed this body by one single solitary vote. I think it is important to note it went over to the Senate. Not many Members agreed with it over there either. It passed the Senate by one single solitary vote also. So that past kind of Washington thinking that the right way to go to a balanced budget is to raise taxes, to reach into the back pockets of the American people. That thinking is not here anymore but it was sure prevalent in 1993 before we got here.

In 1994, pretty amazing thing happened. For the first time in 40 years,

the Republicans were elected to control the House of Representatives. First time in 40 years. And I do not like this to be partisan at all but it was a very significant change in control of what was going on out here. A whole new philosophy came in with the Republicans. We brought with us a theoretical model. I want to lay that model out as we talk about the present, as we talk about where we are at today and what is happening in 1995, 1996, 1997. We brought with us this theoretical model and it worked like this. We do not want to raise taxes on the American people. Instead what we are going to do is curtail the growth of spending in Washington, DC. We are going to keep this Government from growing rapidly, instead we are going to curtail that growth.

And if we could curtail the growth of spending in Washington, that would mean the deficits would be lower and the Government would borrow less money out of the private sector. When the Government borrowed less money out of the private sector, that of course left more money out there in the private sector. More money available led to lower interest rates. Lower interest rates of course meant people could afford to buy houses and cars, the American dream. They could afford to do these things and, very important, when people bought more houses and cars, somebody had to go to work building those houses and cars.

And the theory went like this. When they went to work they would leave the welfare role, reducing the cost to the Federal Government for welfare and they would get into a job paying taxes. So the theory was curtail the growth of Government spending, Washington would spend less and therefore borrow less out of the private sector. Borrowing less out of the private sector would leave more money available there. More money available would keep the interest rates down. Lower interests rates meant people would buy more houses and cars, and when they bought more houses and cars that meant people would have to go to work building them. More jobs meant people left the welfare roll and went into the work force and this whole picture should work without raising taxes on the American people. That brings us to the present. What has happened?

Mr. Speaker, I yield to the gentleman from Kansas [Mr. TIAHRT].

Mr. TIAHRT. Mr. Speaker, in the present we are enjoying one of the strongest economies we have had for a long time. Our gross domestic product is up. Unemployment is at an all-time low in Wichita, KS, it is approximately 3 percent. We have the stock market setting new goals every week. And a lot of our economy is based on a perception. Right now the perception is that we are going to do something about the Federal debt.

We are going to do something about the $355 billion that we will spend this year just to pay the interest on the Federal debt. By stopping the growth in our Federal debt, we will eventually get a lower interest level and that will mean more money available to build highways or provide for national defense or provide health care dollars or nutrition programs, the things that traditional people think that ought to be done by our Federal Government.

So we have this very strong economy, and it is based on the perception that we will get to a balanced budget. There is finally hope out there that we are going to control the spending at the Federal level and that we are going to allow people to have more control of their own money. People do two things when they are more in control of their own money. They either spend it or save it, and both things are good for the company. If they save it, that makes more capital available. That capital is then invested in innovative ideas which become in reality new jobs, and they provide more goods, or people spend the money.

If they spend the money, then that is also good because they create jobs to make the goods. And my colleague pointed out earlier that they want to buy for themselves or their children or their home or an automobile. So in today's economy, we have a very strong sense of hope, and people are having faith that we are going to continue to have a strong growth in our economy; and it is, I believe, based on the perception that we will control Federal spending and balance our budget and eliminate the Federal debt.

Mr. NEUMANN. I think it is important again, we have moved into the present and what is happening and how is it different than the past. The Gramm–Rudman-Hollings chart shows when the targets were not met. We have moved into the new theoretical model that we need to control the growth of Government spending. Have either one of my colleagues heard about cuts in Government spending?

Mr. GUTKNECHT. Mr. Speaker, we heard a lot about it in the last campaign about these draconian cuts. The truth of matter is, we have made some reductions. We eliminated 279 programs here. We replaced the welfare state with the opportunity society. We have had serious, real welfare reform. There have been some serious changes but there have not been the draconian cuts that some of our colleagues on the left have said.

Some of the Members who ultimately believe that Washington knows best, their end of that debate is losing. The American people no longer believe that. They believe that the decisions are best left to families and to communities and to States, and that is what we are trying to do, is to send more of the authority, the responsibility and the resources back so they will have more accountability for that money. And as a result we have a stronger economy. There is more consumer confidence. They understand that Washington is limiting the growth of entitlements, that we are cutting some of those duplicative programs, that we are trying to streamline Government and as a result there is more confidence.

They see the deficit coming down because revenues to the Federal Government are going up. I hate to steal your numbers here but I love this number so much. If we compare what happened in the past when Congress would take in a dollar, it would spend $1.22. But I think the numbers that we have come up with about what has happened over the last 2 years when we passed our budget resolution in 1995, this Congress, this House said that in fiscal year 1997, we were going to spend $1,624 billion on Government programs. That is still a lot of money. But what has really happened is because of the fiscal discipline, because the demands for welfare and so forth are less, we are actually only going to spend in fiscal year 1997, $1,622 billion.

This Congress is actually going to spend less money in this fiscal year than we said we were going to spend just 2 years ago. That is good news. But the news gets even better when we apply what is happening on the revenue side. Because of the growing economy, because we have offered more opportunity to more people, we have actually taken in over $100 billion more than we expected.

□ 1445

That is incredibly good news. I guess good news does not always make the national news, but hopefully the American people, without this being a major headline story, are beginning to figure out that this Congress is actually doing what it said it was going to do: It is limiting the growth of Federal spending, it is allowing taxpayers to keep more of their own money. We have a stronger economy, and we are going to apply these additional revenues, rather than to new Federal programs that waste so much, we are going to give a big chunk of that back to the American people and apply some of it to the debt.

Mr. NEUMANN. If the gentleman will allow me to reclaim my time, I cannot help but think that, first off, we are all here yet because we are waiting for a Committee on the Budget meeting to actually carry this to the next step, and I will not see my wife Sue until later.

The first time I called my wife and said I just looked at the 1995 projections, and for 1997 they said we should spend $1,624 billion and we actually spent $2 billion less than that. Then I looked at the other side and we had received $100 billion more in revenue, and this means we received this extra revenue and did not spend it, we applied it to the deficit. She said I should check the numbers, that somebody was lying to me out here.

I have to accept that as kind of the reaction of the American people. The American people do not understand

that we did lay out this track record in 1995 when we came here. They are so used to the Gramm–Rudman-Hollings thing, where they never met their targets and never did what they said, that they failed to recognize that we have in fact curtailed the growth of government spending.

I have a chart that shows what is actually happening, and all of this talk about the cuts and the government spending as being draconian cuts, the reality of the picture is this. Before we came here government spending was growing each year by 5.2 percent. That is this red column. That is the last 7 years before we got here. In the first 7 years after we got here, it has only grown by 3.2 percent.

Is it still growing? Yes. Would some of us like to see a zero in this column? Yes. But the reality is, what we have done has slowed the growth of government by about 40 percent. Folks, that is our first 2 years here. We have slowed the growth of government spending by about 40 percent.

If anyone is interested in inflation-adjusted dollars, it was going up by about 1.8 percent before we got here. It has now gone up by about .6 percent.

Again, would I prefer to see that as zero out there, that there is no real growth in government spending? Yes. But do I think we should recognize the very significant progress that has been made, the fact we have reduced the real growth of government spending by two-thirds in 2 short years? I think that should be recognized.

I think the American people should be cheering, because here is what that has led to. Again, I cannot emphasize enough, as I show this next chart, keep in mind the Gramm–Rudman-Hollings promises that were never met. This chart shows what we promised in 1995 for a deficit stream. In 1995 we made a projection for 1996. We made a promise, just like they did in Gramm–Rudman-Hollings. This red column shows what we promised. The blue column shows the actual deficit. Again, I emphasize, we not only met our target but we were ahead of schedule by almost $50 billion.

So we go into year 2 of our plan, and year 2 of our plan is 1997. Fiscal year 1997 is virtually over. We said that the deficit stream, in order to reach a balanced budget by 2002, had to be less than 174, again, this red column. The blue column shows actual. We are not only on track in year 2, but we are ahead of schedule.

This is why we are still out here on Friday afternoon. We are about to put this plan into place. The third year of our 7-year plan to balance the budget, the red column again shows what was promised to the American people. I would emphasize that we are once again on schedule, not only on track but ahead of schedule with this deficit stream.

I will make a projection right here and now today. This theoretical model of curtailing the growth of government spending, to leave more capital available in the private sector, leading to lower interest rates, so people buy more houses, and cars and other people go to work building them and start paying taxes instead of drawing welfare, that is reflected in this chart. The fact they have left the welfare rolls means lower costs, and the fact they are in a job paying taxes means more revenue. That is why we are not only on track but ahead of schedule.

We are in the third year of our 7-year promise to the American people. We are on track and ahead of schedule in each of those 3 years. My prediction is this: We will not only reach our 7-year goal of balancing the budget, but the budget will, in fact, be balanced by the year 2000. We will run our first surplus since 1969 in the year 2000.

I just want to add one more thing to this that I think is real important. We are doing this, we are laying down this track record of staying ahead of schedule, and at the same time turning to the American people and saying that they are sending too much of their hard-earned money to Washington, to keep some more of it themselves.

The tax cuts we are implementing, the reason we are still here is to get these to the next level so they are actually implemented into law. A family with children gets to keep $500 more a year of their own money. It is not a gift from Washington. This is the taxpayers' hard-earned dollars that stay in their house, to maybe buy a nicer house or maybe use it for education for their children. It is their money. They should spend it.

So tax cuts are being implemented at the same time we move along this track to a balanced budget, and in fact we are going to balance the budget by the year 2000 and provide additional tax cuts to the American people, $500 per child. If someone plans to die and pass their estate on to their children or the next generation, that is a tax that will be lowered. Capital gains is lowered. If folks have college students out there, they are going to get to keep an extra $1,500 of their own money if they are paying college tuition for one of their children.

That is not a bad tax cut package. I assure my colleagues of this. In this town they are having all kinds of fights about this, saying the American people really do not want tax cuts. When I go to church on Sunday and I see my friends with kids and they are sitting there in the pews, I know good and well these families that are earning between 30, 40 and $50,000 a year, that they are going to get to keep an extra $500 per child. In a family with three kids, they keep $1,500 a year.

If someone is earning $40,000 a year, getting up, going to work everyday, and maybe both spouses are working in the house, $1,500 a year cash in their pocket is a lot of money, and the people in this country understand what we are doing here.

We are on track, we are ahead of schedule, we are going to balance the budget. We are in the third year of this plan to balance the budget. We are ahead of schedule, and we are doing it while we are fulfilling the rest of our promises to the American people, and that is the tax reductions as promised.

I would be happy to yield to my good friend from Kansas.

Mr. TIAHRT. In January of 1995, when the three of us were sworn in in the 104th Congress, the projected budget that we were looking at from the administration said we would have a $200 billion deficit in fiscal year 1996. And it pretty much continued all the way out to 2002 as a deficit of $200 billion per year every year.

We then came forward, and all of us supported this plan, which is indicated by the red columns in the chart the gentleman has shown us, and said that we would get to a balanced budget by 2002. I think that was made with a reasonable set of judgments that could be called conservative, and, apparently, we have gone even beyond those expectations.

The very first year of the plan we were ahead of schedule by $50 billion, I believe the gentleman told us; by the second year of the plan, we were ahead by over $100 billion of what we had projected; and now, as we approach the next 5 years of the plan, starting with fiscal year 1998, the gentleman is making the prediction that we will be ahead of schedule, of our new updated projections, and even get to a balanced budget by the year 2000. So we have 3 more years.

Based on the judgment or the past experience in fiscal year 1996 and 1997, where we were $50 billion ahead of schedule and then $100 billion ahead of schedule, it looks very likely that we will get to a balanced budget by the year 2000 instead of waiting until 2002.

Mr. GUTKNECHT. If the gentleman will yield, I think it is interesting to see how much the rhetoric around this building has changed since we first came here. If my colleagues will recall, when we first started talking about balancing the budget in 7 years, there were a lot of people that said we could not balance the budget in 7 years; that it will take at least 8 years, maybe 9, maybe 10.

In fact some of us recall seeing the President on several different occasions say, well, maybe we could do it in 9, maybe we could do it in 10. And then there were an awful lot of people here in the body who said, well, maybe we can balance the budget, we might be able to do it in 7 years, but we cannot do it and provide tax relief for American families. That just cannot be done.

I think we are demonstrating not only can we balance the budget in less than 7 years, as we first stated, but we can do it while we provide tax relief for American families.

I want to point out one other argument we have had here in Congress over the last several years, and that is about saving and securing Medicare,

not only for our parents but hopefully into the next generation. All of us are baby boomers, and we want to make certain our fellow baby boomers are not left out completely in the cold as it relates to Medicare.

But the debate last year was that we could not offer seniors the kinds of choices that Members of Congress get as it relates to Medicare, and save the system and do all these other things. My colleagues will remember some of the ads run against people like my colleagues and I. I think all three of us were the recipients of some of the advertising and all the negative nay saying about what we were doing to Medicare.

But it is interesting that the Medicare plan that we are going to vote on in the Committee on the Budget, hopefully in a few minutes, is essentially the same in both policy and in price tag that, A, was vetoed just a year and a half ago but, more importantly, was demagogued in the last election.

So it is really interesting for me to see how much the debate has changed from, A, we cannot balance the budget; B, we cannot balance in 7 years; C, we cannot balance it and give tax relief; and, D, we certainly cannot save Medicare along the way. Well, the beauty of all of that is, as we begin to work on this reconciliation package and this budget agreement between the White House and the Congress and the Republicans and the Democrats, the interesting thing is that virtually everything we talked about 2 years ago is now coming to fruition. We are balancing the budget, we are saving Medicare and, more importantly, we are going to start to lay the groundwork of actually paying off the debt.

If I can say one more point, because I have to leave, I know there were an awful lot of children here and there were some on the floor earlier. Sometimes we forget. We start talking about numbers and balancing the budget, and 2.3 and 3.8, and $1624 billion, and all these big numbers. We lose track of what this debate really is about, and what the debate really is all about is preserving the American dream for our kids.

Because what was happening in Congress for so many years is that we were mortgaging their future so that we could have more and more Washington spending. And the American people in 1994 said enough is enough, because they understand who can spend the money better.

So we are making tremendous progress. We are keeping our promise. We are going to balance the budget no later than 2002. We will provide honest tax relief. And I think in terms of seniors and baby boomers, the other good news is, we are going to save and secure Medicare.

Mr. NEUMANN. If the gentleman will allow me to reclaim my time, I think it is real important now we move to the future and talk about the future. The past is the promises that were not kept. We had Gramm–Rudman-Hollings. They never hit their targets. We had all sorts of promises out there. The past was that we had to reach into the pockets of the American people and take more money to get to a balanced budget. That is the past.

The present is we lay down a track record of actually meeting our targets, staying ahead of schedule and keeping our commitment to lower taxes on the American people. And how do we do that? We curtail the growth of Government spending. That is the present. That is what is actually happening today, and in fact we are going to reach a balanced budget by at least the year 2002 and probably sooner.

So I think it is time to start thinking about the future, because even if we reach a balanced budget, we still have a $5.3 trillion debt hanging over our heads. It is not right that our generation has borrowed $5 trillion, has spent $5 trillion and is now willing to pass that debt on to the next generation. So I think it is time we start thinking about what we might do about that.

Shortly I will be introducing a bill called the National Debt Repayment Act, and there are two real parts to the National Debt Repayment Act. The first part does this: It says once we reach a balanced budget, we will then cap the growth of Government spending at a rate 1 percent below the rate of revenue growth. Once we reach a balanced budget, we then cap the growth of government spending 1 percent below the rate of revenue growth. That creates a surplus.

Now, in fact, and I brought this other chart with me, revenue for the last 3 years has been growing by over 7 percent. So for those afraid of this, that somehow that will curtail Government spending too much, that will not happen. For the last 5 years, the average growth has been 7 percent. For the last 10 years it has been 6.2 percent. For the last 17 years it has been 6.8.

So all we are really saying in the first part of this bill is that we are going to look at the growth of revenue and we are going to cap the growth of Government spending at least 1 percent below that number.

Here is what happens: If we cap the growth of Government spending 1 percent below the rate of revenue growth, we create a surplus. That brings us to the second part of the National Debt Repayment Act.

We take that surplus and we dedicate two-thirds to repaying the debt and one-third toward additional tax cuts for the American people. So two-thirds to debt repayment; one-third to additional tax cuts.

Now, there are some important things that start developing. The first one is obvious. When we devote part of the surplus to additional tax cuts, the American people can start thinking of keeping even more of their own money in their house and in their home, to provide a better house or maybe a better education for their kids. So the first part of this bill, what happens is they keep more of their money in their own home, to spend it as they see fit, as opposed to sending it down here to Washington.

So the bill creates a surplus. The first third of that surplus goes to additional tax relief. The other two-thirds goes to paying down that $5.3 trillion debt, so that we in our generation live up to our responsibility, so we can pass this Nation on to our children debt free.

Under this plan, by the year 2026 the debt would be repaid in its entirety. Just think about this. We, in our generation, before I leave the work force, can literally pay off the entire Federal debt and pass this Nation on to our children debt free.

What does that actually mean? A couple of things. First off, we talked before about a family of 5 sending $500, $600 a month down to Washington to do nothing but pay the interest on the Federal debt. If we had the Federal debt paid off, there would be no reason for the families to send $600 a month to Washington to pay that interest, so they could keep that money in their own home.

Just think about $600 a month. Of course, that would be adjusted for inflation, but $600 a month in the home to do what the families see fit with. Whether that is better education or a better home or a new car or whatever that is, that stays out there for them to make the decision on how they spend their money, instead of sending it here to Washington for us to make the decision of how we are going to spend it.

□ 1500

So the first ramification of paying off the debt is there is no need for families to send $600 a month to Washington to pay the interest. But there is another ramification that is very, very important for our senior citizens.

Social Security today collects more money than it pays back out to our seniors in benefits. That extra money is supposed to be sitting in a savings account out here. Well, there is no savings account. There is only IOU's in that savings account, and it is all part of that $5.3 trillion debt.

It follows that if we are going to repay the Federal debt, we will be putting the money back into the Social Security trust fund that has been confiscated by the people in this community over the last 15 to 20 years.

So think about this. By simply capping the growth of Government spending 1 percent below the rate of revenue growth, we literally pay off the entire Federal debt, our children receive this Nation debt free, they have no reason to send $500 a month down here to Washington to pay interest on the Federal debt; and the good news for seniors is that the Social Security trust fund that is supposed to have a savings account with real money in it, we will be

putting the real money back into the Social Security trust fund so Social Security would once again be solvent for the future of our senior citizens in this great country.

Mr. TIAHRT. Mr. Speaker, if the gentleman would yield, if we go back to what we are currently paying this year on interest on the Federal debt, it is about $355 billion. That is our gross payments. It is not the net payment. But if we were to eliminate this debt and gradually pay it off, that means that our interest payments would actually become less and less and less. So right now it consumes about 20 percent of the Federal budget; is that not correct?

Mr. NEUMANN. If the gentleman would yield, about 17.

Mr. TIAHRT. About 17 percent of the Federal budget. Well, as that becomes less and less, it will make more money available to pay off more of the Federal debt. So it kind of gains momentum as we go on. As we pay off a portion of the debt, we pay less in interest payments. That makes more money available to pay off other parts of the debt and releases some of the burden that is on our children and on ourselves who are paying those additional taxes. So it is a pretty good plan. We are going to limit the growth of Government and allow extra revenue, surplus revenue that will be used to pay off the mortgage that this company has already taken.

Mr. NEUMANN. If the gentleman would yield, he might be interested to know my background as a home builder. And this not a whole lot different than what folks did when they came into our office and bought a home from us, they put it on a 30-year mortgage and paid the home off.

So this idea conceptually of paying down the Federal debt over a period of time, it is not a lot different what every American family goes through when they go out and buy the American dream or home. This is not a far-fetched idea that cannot happen. In fact, we have reached a point in this Nation where it can happen and should happen.

All we have to do is pass what is called the National Debt Repayment Act. We are hoping that that actually gets added into the reconciliation bill next week. We are hoping that this portion of the reconciliation bill will be put in so we actually get on this path to repay the Federal debt, thereby passing the Nation on to our children debt free and ensuring that Social Security is solvent again.

Mr. TIAHRT. If the gentleman would yield, I am also an original cosponsor of this legislation. But I want to go back to some things he said here, because now the projections that we are making for the future are based on revenue growth of about 4 percent increase each year. And yet our history over the last decade and a half has been at about 6.8, 6.5, over 6 percent.

So if it does grow at 6 percent, which is a very reasonable thought pattern, a very conservative view, we could get to this surplus by as early as 2000. And then at 2000, we start into the National Debt Repayment Act, which then takes a third for tax relief for working Americans.

And again, that is a good thing, because people do two things with their money once they have tax relief. They either save it, which is more capital and, therefore, more jobs that are created, or they spend it; and when they spend it, that stimulates our economy and, once again, creates more jobs.

So we have one-third going to tax relief and then two-thirds goes to repay the debt. And that kind of gains momentum. As we pay off the debt, the interest goes down and we have more money available. So it is a very conservative plan. Historically, it looks like it very well could work, barring any unforeseen circumstances.

Mr. NEUMANN. If the gentleman would yield, that is really what this chart shows. It shows the growth of revenue to the Federal Government. It has been 7.3 percent the last 3 years, 7.3 over 5 years, 6.2 over 10, 6.8. Those are all numbers.

But what is significant is to note the difference in those numbers versus what is actually in our budget agreement. We are only projecting growth at 4 percent. Our budget agreement is very, very conservative when compared to his historical perspective. In fact, if it grows at 6 percent, still slower than what we see up here, but if it were to grow at 6 percent, we would in fact have a balanced budget by the year 2000 and run our first surplus.

Just think what a wonderful situation. Just think, as we get to the turn of the century, instead of being burdened with the $300 billion deficit we were looking at when we came here 2 short years ago, if instead of that, this working model of controlling the growth of Government spending, not the old model of reaching into the back pockets of the American people back in 1993, with the biggest tax increase in history, the new model of controlling the growth of Washington spending, that model is working so well that we reach a balanced budget at the turn of the century and we get up on January 1, 2000, realizing that our Government has changed completely from where it was in 1994 and 1993 and back in this new model of controlled Government spending, as opposed to runaway Government spending, the new model of leaving more money in the pockets of the people instead of reaching into their back pocket and getting more money out for Washington, that new model where we control Government spending instead of raising taxes, that in the year 2000, on January 1, we get up in the morning and we realize that it actually has happened. It is going to be a startling day for America, because they are going to get up and they are going to see this come to reality.

These projections are very, very conservative. And I fully expect on January 1, 2000, the American people will get up and we will be talking about what we are doing with the surplus.

Mr. TIAHRT. If the gentleman would yield, when I think about how this is in relationship to the people in Wichita, KS, which is a big part of my congressional district, I think about a young woman that I met who works second shift at the Raytheon Plant. She has three children, and she is a single mom. When I asked her, ''What is the most important thing that the Federal Government could do for you?'' she said, ''If you could give me some tax relief so I could take care of my three kids, I would be very happy.''

At that time, we were talking about a lot of other issues, raising the minimum wage; we were talking about whether we should work on some other social programs, how we could save Medicare, et cetera. But the most important thing to her was that she could take care of her family. And I think most Americans are that way, they would like to be able to financially take care of their family.

Under the plan that we have put in place, we can achieve the goals that this country thinks is very important, balancing the Federal budget, paying off the debt we have, and giving more money to working Americans so they can take care of their families and take care of themselves.

This plan we have on the National Debt Repayment Act achieves those goals that we have in common here in America. It reduces the debt and it gives tax relief and restores integrity to very important funds that we have now, the trust fund for transportation and social security, very important issues. So as we move forward into the next few years, it is very exciting to see our economy doing well, that our plans are starting to take shape, that there is promise and hope for the future.

I think this is a wonderful time to be in Congress and to be in America because we see this plan coming into shape. It provides hope, does it not?

Mr. NEUMANN. If the gentleman would yield, it surely does. I think as we near the end of our hour here, I think it is important that we wrap this up.

We now have been talking about the future. This is not just a series of promises being made by people here in Washington. I think it is very important that we remember that, in the present, we are in the third year of our plan to balance the Federal budget. The first year, the red was promised, the blue was achieved; we were ahead of schedule. The second year, the red was promised, the blue was achieved; we are ahead of schedule.

I am about to head over to join somebody who I think is an American hero, and that is the gentleman from Ohio [Mr. KASICH], the chairman of the Committee on the Budget. He is right now crafting this third-year plan, and we are about to go and pass it, I hope this

afternoon. But in the third year, we are not only on track, but again we are ahead of schedule. I think it is very important.

We just dedicated about 10 minutes here to the future and the National Debt Repayment Act. This is not just a series of empty promises like back in the past with Gramm–Rudman-Hollings, and it is not a series of promises based on the past model of how much more money can we confiscate from the American people. These are discussions being held, based on a 3-year track record that have us not only on track but ahead of schedule from what was promised.

I think it is very, very important as we near the end of our hour here that we go back to the past, we cover the present, and we look to the future again and make sure we remember what that means. I cannot help, as we near the end here, thinking about our families back in Janesville, WI, and thinking about our friends in church with three kids, one headed off to college, and they look at the package that is now on the table, it is not fiction, it is here and now, that they are going to get that $1,500 help to send that student to college. They get to keep $1,500 more, instead of sending it out here to Washington. And the two kids they still have in their house back in Janesville, WI, they get $1,000 for them, $500 for each one of those kids.

This is not the past, it is the present, and it is happening here and now. We are on track to balancing the budget and reducing the taxes.

The first time I ever saw this really work, I was a little cynical of can we actually reduce taxes and balance the budget. But Tommy Thompson did it out in the great State of Wisconsin. If he can do it out there, this is just kind of a Wisconsin carry-through out here in Washington, DC.

The past is a series of promises that were broken, made by people here in Washington. The past and those broken promises motivated people like us to leave the private sector and come out here and serve in this Government to change it. The past and those broken promises of Gramm–Rudman-Hollings, where they promised to balance the budget and never did it. The past, 1993, the biggest tax increase in history, how much more money can we get out of the pockets of the American people to say that we are making progress towards balancing the budget? That is the past.

The present is our now-working model of controlling the growth of Government spending, because we know when the Government spends less, it leaves more money available in the private sector. More money in the private sector keeps the interest rates down. And this means something in Janesville, WI. This means lower interest rates so people can afford to buy more houses. And when they buy more houses and cars, somebody has to go to work building those houses and cars. And those people are leaving the welfare roles, getting jobs and paying taxes. And that is this working model that is making this whole thing happen.

That is the present. The present is not the old ways of the past, reaching into the pockets of American people. It is this new model of curtailing the growth of Government spending. This new model has us not only on track of fulfilling our commitments, but ahead of schedule. It has got us providing the tax relief to American families that had been promised 2 years ago. It is here and now and it is the present. It is not an empty set of promises, but it is actually happening now, as we speak.

The future holds an even brighter picture for our children and for future generations of Americans. The future holds us continuing down this path, passing a bill called the National Debt Repayment Act where we generate a surplus and that surplus is used one-third for additional tax reduction and two-thirds to pay down the debt. Under this plan, by the year 2025, this is our future, before I leave the work force, before I retire, good Lord willing, we will have paid off the debt in its entirety so we can pass this Nation on to our children debt free.

That means no interest payments out here to Washington. That means the Social Security system is revived and restored so our seniors can count on getting the money that has been promised. That is what this is all about, and that is my dream for the future of this country.

Mr. TIAHRT. Mr. Speaker, in conclusion, when Thomas Jefferson sent Merriwether Lewis and William Clark off to the great Northwest, he had a great deal of hope for the future of this country. He saw it growing and prospering.

Now, as we stand here in 1997, on the brink of a strong economy, we look forward and we have a great deal of hope, a hope of balancing the Federal Government, of controlling Federal spending, of giving a great deal of hope for the future for our country.

I want to thank the gentleman from Wisconsin [Mr. NEUMANN] for coming down here and showing us in very clear terms where we came from in the past as far as Federal Government spending, where we are today, and what we are looking for in the future, which I believe is very optimistic. Again, it is a picture of hope, the same type of hope that Thomas Jefferson saw when he looked toward the West back in the early 1800's, and it is the same type of hope, I think, as we look at the new century. We should have hope for a strong economy, of a way of paying off the debt so our children have a strong future, strong economy, with plenty of opportunity and a way that they can see that they can grow.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. CLAYTON (at the request of Mr. GEPHARDT), for today, on account of a death in the family.

Mr. STARK (at the request of Mr. GEPHARDT), for today, on account of illness in the family.

Mr. UNDERWOOD (at the request of Mr. GEPHARDT), for today, on account of official business.

Mr. YATES (at the request of Mr. GEPHARDT), for today, on account of personal reasons.

Mr. BLILEY (at the request of Mr. ARMEY), for today, on account of personal reasons.

Mr. GOSS (at the request of Mr. GEPHARDT), for today, on account of attending his daughter's wedding.

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. GUTKNECHT) to revise and extend their remarks and include extraneous material:

Mr. DREIER, for 5 minutes, today.

Mr. KOLBE, for 5 minutes, on June 23.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SANDLIN) and to include extraneous matter:)

Mr. SKELTON.

Mr. DOYLE.

Mr. KILDEE.

Mr. KUCINICH.

Mr. DEUTSCH.

Ms. HARMAN.

Mr. STARK.

Mr. WEXLER.

(The following Members (at the request of Mr. GUTKNECHT) and to include extraneous matter:)

Mr. FORBES.

Mr. HILL.

Mr. GILMAN.

Mr. GINGRICH.

Mr. WOLF.

Mr. MCDADE.

Mr. BOB SCHAFFER of Colorado.

(The following Members (at the request of Mr. TIAHRT) and to include extraneous matter:)

Mr. UPTON.

Mr. GILLMOR.

Mr. MORAN of Kansas.

Mr. HALL of Texas.

Mr. PACKARD.

Mrs. FOWLER.

Ms. DELAURO.

Ms. VELÁZQUEZ.

Mr. CRANE.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the

following title, which was thereupon signed by the Speaker:

H.R. 956. An act to amend the National Narcotics Leadership Act of 1988 to establish a program to support and encourage local communities that first demonstrate a comprehensive, long-term commitment to reduce substance abuse among youth, and for other purposes.

ADJOURNMENT

Mr. TIAHRT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Saturday, June 21, 1997, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3880. A letter from the Administrator, Rural Utilities Service, transmitting the Service's final rule—Distance Learning and Telemedicine Loan and Grant Program (RIN: 0572–AB31) June 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3881. A letter from the Administrator, Rural Utilities Service, transmitting the Service's final rule—Streamlining the Rural Utilities Service Water and Waste Program Regulations (RIN: 0572–AB20) received June 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3882. A letter from the Assistant Secretary for Environmental Management, Department of Energy, transmitting the annual report on research and technology development activities supporting defense waste management and environmental restoration, pursuant to Public Law 101—189, section 3141(c)(1), (2) (103 Stat. 1680); to the Committee on National Security.

3883. A letter from the General Counsel, Department of Defense, transmitting drafts of eight proposed items of legislation that address various management concerns of the Department of Defense; to the Committee on National Security.

3884. A letter from the Secretary of Defense, transmitting the Department's report on the impact of limiting the service area of a facility designated as a Specialized Treatment Services (STS) to not more than 100 miles from the facility; to the Committee on National Security.

3885. A letter from the Secretary of Energy, transmitting the thirteenth Annual Report on the activities and expenditures of the Office of Civilian Radioactive Waste Management, pursuant to 42 U.S.C. 10224(c); to the Committee on Commerce.

3886. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Maine; Final Authorization of State Hazardous Waste Management Program Revisions [FRL–5845–1] received June 20, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3887. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Designation of Areas; Virginia; Redesignation of Hampton Roads Ozone Nonattainment Area, Maintenance Plan and Mobile Emissions Budget [VA–066–5024 and VA–068–5024; FRL–5846–7] received June 20, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3888. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Virginia; 15% Rate of Progress Plan for the Northern Virginia Portion of the Metropolitan Washington D.C. Area [VA045–5022; FRL–5846–8] received June 20, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3889. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with the United Kingdom (Transmittal No. DTC–56–97), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3890. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to the United Kingdom (Transmittal No. DTC–76–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3891. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Saudi Arabia (Transmittal No. DTC–6–97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3892. A letter from the Executive Director, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting the Authority's Resolution disapproving the Council's revised financial plan and budget in D.C. Act 12–94, ''Revised D.C. Act 12–76, Fiscal Year 1998 Budget Request Act of 1997,'' and the Authority's recommended financial plan and budget for fiscal year 1998; to the Committee on Government Reform and Oversight.

3893. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule—Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture (RIN: 3209–AA00) received June 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

3894. A letter from the Secretary of the Treasury, transmitting the semiannual report on activities of the Inspector General for the period October 1, 1996, through March 1, 1997, and the Secretary's semiannual report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

3895. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to reduce the fractionated ownership of Indian lands; to the Committee on Resources.

3896. A letter from the Acting Assistant Attorney General, Civil Rights Division, Department of Justice, transmitting the Department's final rule— Redress Provisions for Persons of Japanese Ancestry: Guidelines Under *Ishida* v. *United States* [Order No. 2077–97] received June 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3897. A letter from the Director, Federal Bureau of Prisons, transmitting the Bureau's final rule—Scope of Rules: National Security; Prevention of Acts of Violence and Terrorism [BOP–1046–F; BOP–1059–F] (RIN: 1120–AA47; RIN: 1120–AA54) received June 19, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3898. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend the Immigration and Nationality Act to authorize appropriations for refugee and entrant assistance for fiscal years 1998, 1999, and 2000, pursuant to 31 U.S.C. 1110; to the Committee on the Judiciary.

3899. A letter from the Director of Publications, The American Council of Learned Societies, transmitting the Council's Annual Report for the year 1995–1996, pursuant to 36 U.S.C. 1101(56) and 1103; to the Committee on the Judiciary.

3900. A letter from the the Assistant Secretary of the Army (Civil Works), the Department of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 27, 1996, submitting a report on Cook Inlet, Alaska, together with accompanying papers and illustrations, pursuant to Public Law 104—303, section 101(b)(2) (110 Stat. 3666—3667); (H. Doc. No. 105—99); to the Committee on Transportation and Infrastructure and ordered to be printed.

3901. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to establish a presumption of total disability for certain individuals for purpose of nonservice-connected disability pension; to the Committee on Veterans' Affairs.

3902. A letter from the Attorney-Advisor, Financial Management Service, transmitting the Service's final rule—Offset of Tax Refund Payments to Collect Past-due, Legally Enforceable Nontax Debt (RIN: 1510–AA62) received June 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3903. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax forms and instructions [Rev. Proc. 97–31] received June 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3904. A letter from the Director, Office of Administration and Management, Department of Defense, transmitting the annual report of cross-servicing and acquisition actions undertaken pursuant to Acquisition and Cross-Servicing Agreements with countries that are not part of the North Atlantic Treaty Organization (NATO) or its subsidiary bodies, pursuant to 10 U.S.C. 2349; jointly to the Committees on National Security and International Relations.

3905. A letter from the Administrator, National Highway Traffic Safety Administration, transmitting the Administration's Report on Establishing a Federal Motor Vehicle Safety Standard for Frontal Offset Crash Testing; jointly to the Committees on Commerce, Transportation and Infrastructure, 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. YOUNG of Alaska: Committee on Resources. H.R. 1278. A bill to authorize appropriations for the activities of the National Oceanic and Atmospheric Administration for fiscal years 1998 and 1999, and for other purposes; with an amendment (Rept. 105–66 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. ARCHER: Committee on Ways and Means. House Joint Resolution 79. Resolution disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China; adversely (Rept. 105–

140). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X, the Committee on the Judiciary discharged from further consideration. H.R. 1553 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X, the following action was taken by the Speaker:

H.R. 1276. Referral to the Committee on Commerce extended for a period ending not later than June 26, 1997.

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. BACHUS (for himself, Mr. PICKERING, Mr. BLUNT, Mrs. NORTHUP, and Mr. THOMAS):

H.R. 2002. A bill to amend trade laws and related provisions to clarify the designation of normal trade relations; to the Committee on Ways and Means.

By Mr. BARTON of Texas (for himself, Mr. MINGE, Mr. STENHOLM, Mr. WAMP, Mr. ANDREWS, Mr. BALLENGER, Mr. BOYD, Mr. CASTLE, Mr. TANNER, Mrs. TAUSCHER, Mr. VISCLOSKY, Mr. CONDIT, Mr. LUTHER, Ms. SANCHEZ, Mr. RAMSTAD, Mr. NEUMANN, and Mr. GRAHAM):

H.R. 2003. A bill to reform the budget process and enforce the bipartisan balanced budget agreement of 1997; to the Committee on the Budget, and in addition to the Committees on Rules, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER (for himself and Mr. EVANS):

H.R. 2004. A bill to amend title 38, United States Code, to provide for the reinstatement of eligibility for dependency and indemnity compensation for certain surviving spouses of veterans; to the Committee on Veterans' Affairs.

By Mr. MCDADE (for himself, Mr. HINCHEY, Mr. KING of New York, Mr. BORSKI, Mr. GEKAS, Mr. HOLDEN, Mr. GREENWOOD, Mr. PETERSON of Pennsylvania, Mr. EHRLICH, Mr. KLINK, Mr. MANTON, Ms. FURSE, Mr. ROTHMAN, Mr. SHAYS, Mr. DELAHUNT, Mr. BILIRAKIS, Mr. ARCHER, Mr. ACKERMAN, Mr. MALONEY of Connecticut, Mr. FORD, Mr. CRAMER, Mr. ENGLISH of Pennsylvania, Mr. KILDEE, Mr. DOYLE, Mr. KANJORSKI, Mr. FATTAH, Mr. MURTHA, Mrs. ROUKEMA, Mr. MOLLOHAN, Mr. MCHALE, Mr. GOODLING, Ms. DEGETTE, Mr. MASCARA, Mr. RIGGS, Mr. BLILEY, Mr. MILLER of Florida, Mr. FORBES, Ms. DELAURO, and Mr. HOYER):

H.R. 2005. A bill to amend title 49, United States Code, to clarify the application of the act popularly known as the Death on the High Seas Act to aviation incidents; to the Committee on Transportation and Infrastructure.

By Ms. SLAUGHTER (for herself, Mrs. LOWEY, Mr. ACKERMAN, Mr. DAVIS of Illinois, Ms. DEGETTE, Ms. ESHOO, Mr. FROST, Ms. KILPATRICK, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Ms. MILLENDER-MCDONALD, Mrs. MORELLA, Ms. NORTON, Ms. PELOSI, Ms. RIVERS, Mr. RUSH, Mr. SERRANO, Mr. TRAFICANT, Mr. TOWNS, and Mr. UNDERWOOD):

H.R. 2006. A bill to amend the Public Health Service Act to establish a program of providing information and education to the public on the prevention and treatment of eating disorders; to the Committee on Commerce.

By Mr. THORNBERRY (for himself and Mr. COMBEST):

H.R. 2007. A bill to amend the act that authorized the Canadian River reclamation project, Texas, to direct the Secretary of the Interior to allow use of the project distribution system to transport water from sources other than the project; to the Committee on Resources.

By Ms. BROWN of Florida (for herself, Mr. DELLUMS, Ms. KILPATRICK, Mr. BONIOR, Mr. ADAM SMITH of Washington, Mr. HASTINGS of Florida, Mr. FROST, Mr. DIXON, Mr. HILLIARD, Ms. MILLENDER-MCDONALD, Mr. BLUMENAUER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NEAL of Massachusetts, Ms. WOOLSEY, Mr. FILNER, Mr. BARRETT of Wisconsin, Mrs. MEEK of Florida, and Ms. CHRISTIAN-GREEN):

H. Res. 173. Resolution honoring the inaugural season of the U.S. women's professional basketball leagues; to the Committee on Education and the Workforce.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

136. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 203 memorializing Congress to suspend implementation of the vehicle emissions provisions of the Clean Air Act Amendments of 1990 and subsequent regulations promulgated by the Environmental Protection Agency until October 1, 1998; to the Committee on Commerce.

137. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 174 memorializing the President and Congress to take whatever steps are necessary to protect the rain forests from further destruction; to the Committee on International Relations.

138. Also, a memorial of the General Assembly of the State of Tennessee, relative to Senate Joint Resolution No. 53 memorializing the U.S. Congress to appropriate funds for the replacement of the Chickamauga Lock; to the Committee on Transportation and Infrastructure.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. WELLER introduced a bill (H.R. 2008) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Mar Y Paz;* which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 37: Mr. BILBRAY and Mr. HERGER.

H.R. 44: Mrs. NORTHUP.

H.R. 51: Mrs. FOWLER, Mr. FROST, Mr. STUMP, Mr. ENGLISH of Pennsylvania, and Mr. PARKER.

H.R. 65: Mrs. NORTHUP.

H.R. 96: Mr. HERGER, Mr. LINDER, and Mr. LIVINGSTON.

H.R. 107: Mrs. FOWLER.

H.R. 108: Mr. WALSH.

H.R. 122: Mr. HASTINGS of Washington.

H.R. 158: Mr. TAYLOR of North Carolina and Mr. NEUMANN.

H.R. 284: Mr. WATT of North Carolina.

H.R. 303: Mr. GOODLING and Mrs. NORTHUP.

H.R. 304: Ms. ESHOO.

H.R. 465: Mr. QUINN.

H.R. 475: Mr. BARTLETT of Maryland and Mr. MALONEY of Connecticut.

H.R. 630: Mr. MCKEON, Ms. WATERS, and Mr. SHERMAN.

H.R. 689: Mr. JEFFERSON.

H.R. 715: Mr. LEWIS of Georgia.

H.R. 716: Mr. ROYCE.

H.R. 768: Mr. MCCOLLUM and Mr. BUYER.

H.R. 857: Mr. ROGAN, Mr. DICKEY, and Ms. GRANGER.

H.R. 881: Mr. COYNE.

H.R. 893: Mr. JEFFERSON and Ms. HARMAN.

H.R. 894: Mr. JEFFERSON.

H.R. 901: Mr. PICKERING, Mr. BASS, Mr. THUNE, Mr. SISISKY, Mr. REDMOND, Mr. SCHIFF, and Mr. INGLIS of South Carolina.

H.R. 939: Mrs. JOHNSON of Connecticut.

H.R. 953: Ms. BROWN of Florida and Mr. FORD.

H.R. 961: Mr. BLILEY, Mr. CANADY of Florida, and Ms. PRYCE of Ohio.

H.R. 970: Mr. GIBBONS, Mr. FROST, and Mr. PASTOR.

H.R. 1018: Mr. PARKER.

H.R. 1053: Mr. GIBBONS.

H.R. 1059: Mr. LINDER.

H.R. 1070: Mr. ALLEN and Mr. JACKSON.

H.R. 1104: Ms. WOOLSEY and Mr. STRICKLAND.

H.R. 1168: Ms. DUNN of Washington, Mrs. KELLY, Mr. SKELTON, Mr. CLEMENT, and Mr. BURR of North Carolina.

H.R. 1231: Mr. DOYLE.

H.R. 1315: Mrs. LATHAM.

H.R. 1327: Mr. CALVERT and Mr. FOX of Pennsylvania.

H.R. 1356: Ms. DUNN of Washington, Mr. STUPAK, Mr. PICKERING, Mr. DIAZ-BALART, Mr. MCINTYRE, and Mr. HAYWORTH.

H.R. 1357: Mr. STUPAK.

H.R. 1362: Mrs. MORELLA, Mr. DAVIS of Illinois, Mrs. LOWEY, Mr. DIAZ-BALART, Mrs. THURMAN, Mr. MCINTYRE, Mr. GILCHREST, Mr. RODRIGUEZ, Mr. CRAMER, Mr. CHRISTENSEN, Mr. MOAKLEY, and Mr. LEWIS of Kentucky.

H.R. 1383: Ms. BROWN of Florida, Mr. CLAY, Mr. DAVIS of Illinois, Mr. FLAKE, Ms. MILLENDER-MCDONALD, Mr. SCOTT, Mr. SNYDER, Mr. STOKES, Mr. DIXON, Mr. JACKSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. OWENS, Mr. PAYNE, Mr. SERRANO, and Mr. THOMPSON.

H.R. 1437: Mr. HASTINGS of Florida and Mr. PAYNE.

H.R. 1440: Mr. DAVIS of Illinois.

H.R. 1441: Mr. CAMP and Ms. CARSON.

H.R. 1507: Mr. MILLER of California, Mr. WEXLER, Ms. DANNER, Mrs. TAUSCHER, Mr. CAPPS, Mr. BEREUTER, Mr. DAVIS of Illinois, Ms. CHRISTIAN-GREEN, and Mr. JEFFERSON.

H.R. 1532: Mrs. JOHNSON of Connecticut, Mr. HEFNER, Mr. BONIOR, Mr. EHRLICH, Mr. PARKER, and Mr. JEFFERSON.

H.R. 1619: Mr. LAHOOD, Mr. WELLER, Mr. MCINTOSH, Mr. ROMERO-BARCELO, Mr. MCHUGH, Mr. MANZULLO, Mr. EVANS, Mr. NUSSLE, and Mr. GILLMOR.

H.R. 1689: Mr. CRAPO, Mr. STEARNS, Mr. BOEHNER, Mr. MORAN of Virginia, Mr. BLUMENAUER, Mr. GORDON, Mr. GREEN, Mr. HALL of Texas, Ms. MCCARTHY of Missouri, Mr. HOYER, Mr. DAVIS of Virginia, and Mr. WYNN.

H.R. 1710: Mr. FAZIO of California, Mr. GEKAS, Mr. HOLDEN, Mr. SAWYER, Mr. PETERSON of Minnesota, Mr. CUNNINGHAM, Mr. MCGOVERN, Mr. CAMPBELL, Mr. BUYER, Mr. ARCHER, Mr. GUTKNECHT, Mr. FARR of California, Mr. FROST, Mr. FRANK of Massachusetts, Mr. CANADY of Florida, Mr. CRAMER, Mr. MCHALE, Mr. FOLEY, Mr. NEAL of Massachusetts, Mr. HAYWORTH, and Mr. MCKEON.

H.R. 1732: Mr. EVANS, Mr. DELLUMS, Mr. ROMERO-BARCELÓ, and Ms. FURSE.

H.R. 1788: Mr. MATSUI, Mr. SANDERS, and Mr. GREEN.

H.R. 1839: Mr. MORAN of Virginia, Mr. GILLMOR, and Mr. ADAM SMITH of Washington.

H.R. 1858: Mrs. THURMAN.

H.R. 1863: Mr. SHINKUS, Mr. TIAHRT, Mr. RYUN, Mr. STUMP, Mr. CRAMER, Mr. SISISKY, Mr. OXLEY, and Mr. PARKER.

H.R. 1908: Mr. SKAGGS.

H.R. 1951: Mr. SABO, Mr. TOWNS, Mr. BARRETT of Wisconsin, Mr. PARKER, and Mr. SANDERS.

H.R. 1955: Mr. CHRISTENSEN, Mr. CAMP, Mr. CALLAHAN, Mr. MCHUGH, Ms. LOFGREN, Mr. KING of New York, Mr. DINGELL, Mr. DAVIS of Virginia, Mr. TRAFICANT, and Mr. MILLER of Florida.

H.R. 1963: Mr. GINGRICH.

H.R. 1984: Mr. DOYLE, Mr. HOLDEN, Mr. MASCARA, Mr. MOLLOHAN, Mr. RAHALL, Mr. DOOLEY of California, and Mr. CHRISTENSEN.

H. Con. Res. 97: Ms. DELAURO, Mr. ENGEL, Mr. MILLER of California, Mr. FRANK of Massachusetts, Mr. LAMPSON, Mr. ANDREWS, Mr. BARRETT of Wisconsin, Mr. DEFAZIO, Mr. FARR of California, Mrs. MINK of Hawaii, Mr. OLVER, Mr. MARKEY, Ms. WOOLSEY, Ms. CARSON, Mr. KENNEDY of Massachusetts, and Mr. TIERNEY.

H. Con. Res. 100: Mr. FRELINGHUYSEN and Mr. ROHRABACHER.

H. Res. 37: Mr. CARDIN and Mr. DAVIS of Virginia.

H. Res. 139: Mr. BOB SCHAFFER and Mr. DICKEY.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

Vol. 143 WASHINGTON, FRIDAY, JUNE 20, 1997 No. 87

Senate

The Senate met at 10 a.m., and was called to order by the President pro tempore [Mr. THURMOND.]

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, often we speak of Your omnipotence and omniscience. Today, we contemplate Your loneliness. You created us to know and love You. With vulnerability, You gave us freedom to choose to respond to You and fill the void in Your heart shaped by each of us. We are profoundly moved that there is a place each of us can fill. All through human history You have been seeking, searching, questing for humankind's response of faith and trust in You. You have revealed Yourself and are yearning to have us in a right relationship with You. You have ordained that You would enter the affairs of humankind at our invitation and exercise Your care and guidance through us. You have all power, and yet, You have chosen to work through us. This has great meaning for us.

You have called the Senators to lead this Nation. You will seek entry into the momentous as well as the mundane details of this day through them.

And so, in this quiet moment we all are drawn back to You by the magnetism of Your love and yield all we will do today to Your sovereign guidance. It is awesome to realize how much we mean to You and how much You trust us to seek and do Your will. Here we are: ready, willing, and listening for Your direction, for You are our Lord and Saviour. Amen.

Ms. COLLINS addressed the Chair.

The PRESIDENT pro tempore. The able acting majority leader, the distinguished Senator from Maine, is recognized.

SCHEDULE

Ms. COLLINS. Mr. President, on behalf of the majority leader, today the Senate will resume consideration of the defense authorization bill. The majority leader has stated that it is his hope that Members will be present to offer their amendments during today's session. However, no rollcall votes will occur today. Senator LOTT announced last night that any rollcall votes ordered on or in relation to any amendments offered to the defense bill today will be set aside.

In addition, the majority leader has stated that the Senate will begin consideration of the budget reconciliation bill on Monday. Amendments are anticipated to the reconciliation bill. However, any rollcall votes ordered on Monday will be stacked to begin at 9:30 on Tuesday morning as well. Therefore, Senators should be aware that the next series of rollcall votes will begin at 9:30 a.m. on Tuesday.

The majority leader would also like to remind all Members that next week is the last legislative week before the Fourth of July recess. Senators should be prepared for a very busy week of session and rollcall votes beginning on Tuesday and occurring throughout the week as we complete the reconciliation process.

I thank my colleagues for their attention.

Mr. WELLSTONE addressed the Chair.

The PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Mr. WELLSTONE. I thank the Chair.

Madam President, I ask unanimous consent that I be allowed and other Senators be allowed to speak for 10 minutes as if in morning business.

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

Mr. WELLSTONE. I thank the Chair.

THE RECONCILIATION BILL

Mr. WELLSTONE. Madam President, I was on the floor yesterday speaking about the reconciliation bill. I decided to not go forward with an amendment today. The amendment that I was considering offering, and the amendment I offered yesterday to the intelligence bill, speak to the issue of tax fairness. But the reconciliation bill will be on the floor next week, and the DOD reauthorization is not going to come up in any case until after the reconciliation bill. So I will wait until next week and then offer amendments directly to the reconciliation bill.

Madam President, let me just start out with a piece from the National Journal of June 21. The caption is ''Fighting Over Taxes.''

I quote:

> In the coming weeks Wall Street will be lobbying in support of all the new tax measures it likes, notably capital gains tax cuts, expansion of IRA's, and trying especially in the Senate to keep unwanted provisions out of the final bill. ''We have to make sure that they are not offered on the floor to pay for some other provisions,'' said Bruce E. Thompson, Jr., the head lobbyist of the Washington office of Merrill Lynch & Co.

Madam President, I think this is the real question about this tax bill that is before us. The question is, who really has say in this process.

Let me just go back to some charts—again, the Department of Treasury analysis.

Looking at the House bill, the tax cuts disproportionately help those who need help the least. If you look at the share of tax cuts by family income, the top fifth get almost 70 percent of the benefit of the tax cuts, the top fifth. Then the fourth fifth gets 19 percent of the cuts; the third fifth, 9.2 percent; the second fifth, 2.4 percent; the bottom fifth, less than 1 percent. In other words, the bottom 40 percent of the population get a total of about 3 percent of the benefits of these tax breaks; the third fifth, the middle class, gets about 9.2 percent. Then you get to the top fifth, the top 20 percent, they get almost 70 percent of the breaks. So you have about 80 percent of the benefits going to the top 40 percent, and almost

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper containing 100% post consumer waste

70 percent of the benefits going to the top fifth. This is just unbelievable.

Just look at the next chart. This shows the dollar amount that families get.

Again, the source here is the Department of the Treasury, Office of Tax Analysis: If you have an income of $400,000 a year, or over, you will get about $7,000 a year in benefits under these tax proposals. Congratulations. If you earn $200,000 and up, you are going to get about $3,706. But on the other hand, if you are down here in the $30,000 to $40,000 range, you get $152. If you are $15,000 to $30,000, you get about $52. A buck a week.

If you look at the tax cuts on the House side, and the way in which they are back loaded because of the capital gains cuts and the IRA's, you are talking about an erosion of revenue to the tune of about $950 billion by the time we get to the year 2017. It is not just the first 10 years that matters. It is what happens in the second 10 years that is tragic. This is not my analysis. It is the Joint Tax Committee and the Center on Budget & Policy Priorities.

By the way, Bob Greenstein, who is the director of that Center—people can agree or disagree with some of Bob's views on different issues—but his data analysis is impeccable. Bob received the MacArthur award, the genius award, for the work he does. And you add to his reputation Congress' own Joint Tax Committee.

On the one hand, Members of Congress say they are for deficit reduction, and then they go forward with this erosion of the revenue base via back-loaded tax cuts. That is bad enough. The second thing that is bad enough, or even worse, is what is going to be the tradeoff. We are going to have more and more people that are going to be 65 years of age and over, and more and more people that are 85 years of age and over. We will have the pressure of supporting them financially and covering their medical costs, and we will end up either running the deficits back up again, or we will be cutting into what little is left by the way of investment and education programs for our children and for our grandchildren.

But what makes this really unconscionable is basically we are talking about tax cuts that go to people on the top.

Let me quote a Washington Times headline from today: from Speaker GINGRICH—''Gingrich Derides Democrats' Tax Cut Proposal As Welfare.''

This is unbelievable. What the Speaker is worried about is that Democrats—I hope—are going to be on the floor of the Senate next week, and in the House, focusing on the welfare of working families.

Let's not have a play on words here. This is not a debate about welfare policy. This is a debate about the welfare of working families and their children. That is not rhetoric. That is what this is all about.

So, Madam President, I will suggest to you—and we will see what happens next week—that people in the country are going to be sorely disappointed and people in the country are just going to shake their heads in disbelief. And people in cafes in Minnesota and Maine, when they finally get a look at who is really going to get the benefits, are going to say, ''Wait a minute. We thought you were talking about tax cuts for our hard-pressed families.'' And they are going to find out that is not the case at all.

Apparently, we made some progress in the Finance Committee last night, at least for some of the people who are in the $20,000 to $25,000 range who weren't going to be getting any child care credit because they received earned income tax credit. These are working poor people. At least now they're not going to be a 100-percent offset, and some of these families are going to be able to get some child care credits.

But, Madam President, this still begs the question as to why in the world giving these families a benefit is even controversial. Don't we want to make sure that working families' children also get benefits? Don't we want to make sure that these tax cuts are not tilted and skewed toward the very top—the top fifth—of the population that gets the lion's share of all the benefits? Don't we want to target precious dollars toward middle-income people and toward working families?

That is not what this legislation is all about. That is not what these tax cuts are all about. That is not what is going to be reported out on the floor of the Senate.

Madam President, I just want to mention one other area that I know is near and dear to the Presiding Officer's heart. That is higher education. I want to be critical of Democrats and Republicans on this. I still say that we are making a mistake here by underreaching. If we are going to say that we are concerned about higher education not being affordable, and we are going to claim to focus on getting support for the people who need it most, how can we talk about tax credits that are not refundable? Nonrefundable HOPE tax credits mean that many of these families with incomes of $20,000 to $25,000 a year are not going to get anything because they don't have any tax liability. That is why the Pell grant is a far better way of getting help to the people who need it. The IRA's are great if you can afford to put the money in savings. We already have the tax incentives for working families to do that. They can't do any more.

The problem for many people is they still struggle very hard to earn a decent living and to raise their children successfully. To raise your children successfully means to try to be able to send your kids to college or to a university. But so many struggling families just don't have any money to put into savings.

So let's just not fool anybody here. We don't have, really, anything that I see in this tax cut, in this reconciliation bill, that as a matter of fact is going to make higher education affordable for those families that have had the most difficult time. We have had a flat 8 percent graduation rate for families with incomes under $20,000 a year since about 1979. That is scandalous. We ought to be making sure that those families are part of the American dream as well, and we ought to reach well into the $20,000 and $30,000 range of hard-pressed, middle-income working families. We are not doing that. The President's proposal does not do that and certainly the alternatives we have here do not represent a step forward. They represent a great leap backwards.

Madam President, let me just finish up with a kind of appeal —I will have amendments next week which will be very specific, and we will have up or down votes on them—but right now, I want to make just a broad appeal. I am grateful for whatever improvements have been made in the Finance Committee. I thank all my colleagues for their work. They have made some improvements. However, like my good friend Jim Hightower likes to say, you can put an earring on a hog, but you still can't hide the ugliness. A couple of earrings don't make a hog beautiful. You can put a couple of earrings on this tax cut, this reconciliation bill, but you can't make it beautiful; you cannot hide the ugliness.

Madam President, I ask unanimous consent I have 3 more minutes to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. When you have a tax cut bill, a reconciliation bill that gives the vast majority of the benefits to those people at the very top and gives middle-income and working families the shaft, you don't have justice. You don't have a bill that represents expanding opportunities. And, as I said, fix it up, do your best, but, again, you can put an earring on a hog, but that won't hide the ugliness. You are not going to be able to hide it from people in the country.

Next week we are going to have one heck of a debate. My appeal is that we work together here in this body. But my appeal also is to the President: I hope you will hold the line. During the last campaign the President talked about economic fairness. Boy, if there ever was a place to draw the line and have a debate, it is here. To Democrats, my colleagues, I hope you will come out here with an alternative. I hope we will be united behind it, and I hope we will stay strong. Because this piece of legislation is the exact opposite of what most folks mean by fairness. It is no wonder that most people in the country think there has been a hostile takeover of the government process. They know who has been in there lobbying, they know who is going to get the vast majority of the benefits, and they can see that it does not have a whole lot to do with them. That

is the disconnect in American politics today. This reconciliation bill, this tax cut, represents a huge disconnect to middle-income and working families. It is an outrage.

Let me just conclude by asking unanimous consent that a Wednesday, June 18, piece, ''Rising College Costs Imperil the Nation, Blunt Report Says,'' from the New York Times and a Washington Post piece, June 18, ''Colleges' Failure to Resolve Funding May Bar Millions from Attending, Study Finds,'' be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 18, 1997]

RISING COLLEGE COSTS IMPERIL THE NATION, BLUNT REPORT SAYS

(By Peter Applebome)

The nation's colleges and universities need to cut costs dramatically or face a shortfall of funds that will increasingly shut out the poor from higher education and from economic opportunity as well, according to a blunt and far-ranging assessment of American higher education that was made public yesterday.

The report, by a panel of public and private university officials and corporate executives, says that rising costs, falling public spending and a coming surge in demand are making the economics of American higher education increasingly unsupportable.

If current enrollment, spending and financing trends continue, the report said, higher education will fall $38 billion short of what it needs to serve the expected student population in 2015. To sustain current spending, it said, tuition would have to double by 2015, effectively shutting off higher education to half of those who would want to pursue it.

The report focuses on one of the great unspoken dilemmas in President Clinton's push to make at least two years of college as common as a high school diploma: higher education is expensive, students pay only a small share of their costs and, while bringing increasing numbers of low-income students into higher education will have long-term economic benefits, it will also have enormous short-term economic costs.

On the other hand, the report said, with education increasingly crucial to economic advancement, cutting off access to education—particularly to the poor and to immigrant groups who increasingly dominate the student population of states like California, Florida, New York and Texas—would have enormous consequences for the nation's social fabric.

The report, ''Breaking the Social Contract: The Fiscal Crisis in Higher Education,'' calls for a radical restructuring of universities, including an effort to overhaul university governance to limit the power of individual departments, redefining and often reducing the ambitions of different institutions and a sharing of resources between institutions.

The report also calls for more public financing, but it stresses that changes in the system should be prerequisites to any increases.

''The facts are irrefutable,'' said Thomas Kean, the former New Jersey Governor who is now president of Drew University and is a co-chairman of the panel that wrote the report. ''We are heading for a crisis at the very time we can least afford one.''

The panel, the Commission on National Investment in Higher Education, is made up of academic and business leaders convened by the Council for Aid to Education, an independent subsidiary of the Rand Corporation.

Experts say that higher education is already being reshaped by such forces as technology or competition from for-profit institutions, so that a straight-line extrapolation from current economic figures is difficult. And higher education is such a varied enterprise in the United States that a crisis for a public college in California does not necessarily mean a crisis for Harvard or Princeton.

Still, Roger Benjamin, president of the Council for Aid to Education, notes that even rich universities like Yale and Stanford have faced deficits and retrenchment in recent years.

And officials in state systems, which educate the majority of Americans, say the gap between resources and costs in higher education is becoming ever more daunting.

Charles Reed, chancellor of the State University System of Florida, said that over the next 10 years Florida would face a 50 percent increase in students at its public four-year institutions, to 300,000 from 210,000.

Barry Munitz, chancellor of the California State University System, said California was midway through a half-century of population growth and demographic change that would see the number of children in kindergarten through the 12th grade almost double, to about eight million, and go from about 75 percent white in 1970 to about 75 percent minority in 2020.

Population growth will only accelerate the financial problems facing higher education, the report said. It noted that the index measuring the increases in the price paid by colleges and universities for goods and services, like faculty salaries, rose more than sixfold from 1961 to 1995. The annual rate of growth in the cost of providing higher education exceeded the Consumer price Index by more than a percentage point from 1980 to 1995, the report said.

And, while costs have gone up, public support has not. Since 1976, public support per student has just kept up with inflation, while real costs per student have grown by about 40 percent, the report said.

To make up the difference, tuition has risen dramatically, with tuition and fees doubling from 1976 to 1994. But the report said that a similar doubling between now and 2015 would have a catastrophic effect on access, pricing as many as 6.7 million students out of higher education.

''If you were to announce that, given fiscal pressures, the door to social mobility that was good enough for the old generation is really no longer needed by the new one, you might as well stick a ticking bomb inside the social fabric of this country,'' Chancellor Munitz said.

While calling for more public support, the report said that a solution with colleges and universities themselves.

''Given the magnitude of the deficit facing American colleges and universities, it is surprising that these institutions have not taken more serious steps to increase productivity without sacrificing quality,'' the report said.

The report's recommendations for restructuring—from sharing a library with other institutions to eliminating weak programs—are not new, but there are enormous political and institutional barriers in the way of a major economic overhaul of higher education. Still, some experts say institutions have no option but to find ways to operate more efficiently.

''The ability to maximize revenue, given the competitive pressures for state dollars on the one hand and the resistance to future increases in tuition on the other, has about run its course,'' said Stanley Ikenberry, president of the American Council on Education, a leading advocacy group, which was not involved in the report. ''All of that's putting more and more pressure on the operating side of the budget.''

[From the Washington Post, June 18, 1997]

COLLEGES' FAILURE TO RESOLVE FUNDING MAY BAR MILLIONS FROM ATTENDING STUDY FINDS

(By Rene Sanchez)

A new report on the nation's universities warns that the pressures of growing enrollment, rising tuition, and declining funding have put campuses on a dangerous financial course and threaten to exclude many students from higher education.

The report, by the Rand Corp., draws a bleak portrait of the financial problems facing universities and suggests that many of them are ''floundering'' in their attempts to solve those problems.

Thomas Kean, a former governor of New Jersey who helped lead the study, said that if current campus trends in funding and enrollment continue into the next century ''millions of Americans will be denied the opportunity to go to college.''

The report concludes that neither public nor private support of colleges is keeping pace with campus costs or student enrollment. The report projects that by 2015, the number of full-time college students will swell to 13 million, about 3 million more than now.

That growth, spurred largely by the increasing necessity of a college degree in the nation's labor market, is occurring as college tuition costs are continuing to outpace inflation. Nationally, average college tuition per student, adjusted for inflation, has nearly doubled in the past 20 years, the report concludes.

If that pattern were to continue for another 20 years, the report asserts, more than 6 million students ''will be priced out of the system.''

Higher education officials said yesterday that the long-term analysis of colleges presented in the report appears to be sound.

''It defines the problems well, and speaks candidly about what states and institutions have to do to try to solve them,'' said Stanley Ikenberry, president of the American Council on Education, a Washington group that represents more than 1,300 colleges and universities.

Leaders of the study faulted both the federal government and, in particular, states for not making stronger financial commitments to higher education. But they also stressed that the management habits of colleges are a substantial part of the problem.

The report sharply criticizes the way many colleges manage their money, arguing that the financial decisions they make are often ''cumbersome and even dysfunctional in an environment of scarce resources.'' The report urges universities to define their missions more precisely, streamline services, and do more to measure faculty productivity. On many campuses, the report notes, the response thus far to growing financial crises has been ''partial and ad hoc.''

It also recommends that universities share more of each other's resources and try to save money in the years ahead by relying more on new computer technology and the Internet as tools for class instruction and scholarly research.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

The PRESIDENT pro tempore. The Senate will now resume consideration of S. 936, which the clerk will report.

The bill clerk read as follows:

A bill (S. 936) to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Cochran-Durbin amendment No. 420, to require a license to export computers with composite theoretical performance equal to or greater than 2,000 million theoretical operations per second.

AMENDMENT NO. 420

The PRESIDING OFFICER. The pending question is the Cochran amendment No. 420.

The Senator from South Carolina.

Mr. THURMOND. Madam President, I would like to remind the Members of the Senate if they have amendments to this bill, the Defense authorization bill, they come down and offer them. Now is the time. There is no use to put it off. We have set aside this morning to consider these amendments, and we hope they will not delay.

I yield to the able Senator from West Virginia.

Mr. BYRD. Madam President, I ask unanimous consent that I may speak out of order.

The PRESIDING OFFICER. Without objection, it is so ordered.

EGYPT AND THE MIDDLE EAST PEACE PROCESS

Mr. BYRD. Madam President, the Republic of Egypt has been an outstanding leader in the Arab world in bringing an historic reconciliation between the state of Israel and its neighbors, including the Palestinians. Egyptian leaders, including President Sadat as well as the present leader, President Mubarak, have dedicated substantial energy toward such a reconciliation. There has been constant, difficult opposition to this process in the region. President Sadat's tireless and courageous dedication to peace in the Middle East cost him his life. He paid the supreme sacrifice at the hands of an assassin. And he left a lasting legacy in fashioning the Camp David Accords together with Prime Minister Begin of Israel, through the good offices of President Jimmy Carter.

In the Middle East it has always taken three to tango. Advancing the process of making peace has required the dedication of the leaders of all three countries, Israel, Egypt and the United States. What is so dangerous about the current period is the apparent flagging of this dedication on the part of the government of Prime Minister Netanyahu, which has promoted the construction of new, and entirely unnecessary Jewish settlements in Arab portions of Jerusalem, a development sure to engender violence and the disruption of the peace process. Indeed, as I have said before on this floor, it was just when there appeared to be hopeful momentum toward resolving the outstanding issues between Israel and her neighbors that the right wing in Israeli politics initiated settlement construction activities and pulled the rug out from under this momentum. Unfortunately, attempts by President Clinton to revive this process were less than successful, in part, because of deep inconsistencies in the approach of the United States which appeared only half-heartedly—only halfheartedly—to protest the settlement construction activity on the part of the Netanyahu government. Unfortunately, the United States vetoed United Nations Security Council Resolutions protesting the settlement construction, which has, in effect, taken the United States out of the strong intermediary role that it needs to play for lasting progress to be made.

It was precisely at this point—with the Israeli right acting to put the brakes on the peace process, and only a perfunctory attempt, only a half-hearted attempt by the United States Administration to revive the peace process—that Egypt has stepped in again to use its influence to infuse new energy into the complicated dance steps of the Middle East peace process. President Mubarak arranged for meetings last month at Sharm el-Shiek between Palestinian and Israeli leaders and has shown himself to be in the Egyptian tradition in exercising courage and creativity to bring the parties together again. Indeed, President Mubarak has assigned a key aide to act as a troubleshooter and intermediary between the Israelis and Palestinians, and has sponsored an ongoing dialogue which has been praised by U.S. and Israeli officials alike. This Egyptian initiative, in fact, appears to be the only game in town at this time.

So I think it is very unfortunate that just at the time when Egypt is playing this central and responsible role, the Foreign Operations Subcommittee of the Appropriations Committee has chosen to take the extraordinarily unfair and puzzling step of removing the earmark of funds in the Foreign Operations Appropriations bill for Egypt, while at the same time preserving the earmark for Israel. As my colleagues are aware, those earmarks have been the practice ever since the Camp David Accords, the peace treaty between Israel and Egypt, were signed in 1979.

I was at the signing, and I had had the pleasure and the privilege of talking with President Sadat, the President of Egypt, in 1978, in Egypt. A courageous man, President Sadat, was leader in breaking the ice, and thus giving peace a chance, a chance in the Middle East.

So, the subcommittee action, now, sends precisely the wrong signal to the Egyptians, whose assassinated leader was the pioneer in this peace process, who gave his life that there might be peace in the Middle East.

Egypt should be commended for its diplomatic actions vis-a-vis the Palestinians and Israelis, not seemingly punished for her courage. Is Israel to be symbolically rewarded for the unnecessary and provocative action it has taken in building entirely unnecessary housing settlements in sensitive Arab lands? To add insult to this injury, the subcommittee has also taken the controversial step of approving $250 million for Jordan out of what is understood to be Egypt's account in the bill. While I certainly do not take issue with rewarding Jordan and King Hussein for signing the 1994 peace treaty with Israel and for helping on the matter of Israeli partial withdrawal from the West Bank city of Hebron earlier this year, it is far preferable and much more fair that the money for Jordan come equally from both Egypt's and Israeli's earmarks.

Madam President, I do not agree with the concept of earmarks of the very large magnitude that we have been making for both Israel and Egypt.

In my view, too much money goes to both nations—too much money. For years, this has been considered as something that was due them.

I think such a foreign entitlement program should eventually be phased out and eliminated. But if we are going to give such earmarks as a tool of American diplomacy and foreign policy, at the very least they must fairly reflect this Nation's goals.

These earmarks have been looked upon virtually as entitlements by both nations, Egypt and Israel. And while we in this Chamber struggle annually over the budget deficits in attempts to get them under control, while we cut discretionary spending for America, for the American people, while both the administration and the Republican regime on Capitol Hill continue to reduce discretionary spending, discretionary caps, and to ratchet down the spending for programs and projects beneficial to the American people, the taxpayers of this country, and help to build infrastructure in this country, all kinds of questions are asked and the game of one-upmanship is played as to who can cut the most.

I am an admirer and supporter of Israel. But are there any questions asked when it comes to funding programs in Israel? Are there any questions asked when it comes to this being looked upon as an entitlement figure for Israel and Egypt? No questions asked.

Are the American taxpayers fully aware that Congress and the Administration, every year, without any questions asked—no questions asked—provide $3 billion to Israel and $2 billion to Egypt, no questions asked, while we cut funding for water projects, sewage projects, highways, harbors, bridges, education, health, law enforcement, and Indian programs? We cut those programs. But no questions are asked when it comes to this entitlement of $3 billion annually for Israel and $2 billion annually for Egypt.

I am against those earmarks, but if we are going to have them, at least they must fairly reflect the Nation's goals.

What has been done as of yesterday on this matter by the subcommittee is flagrantly unfair and does a disservice to Egypt, to the United States, as well, and to our national interests in the basic process of making peace in the Middle East. I strongly oppose this action, and I hope that it can be corrected when the bill gets to the full Appropriations Committee next week, and if it isn't corrected there, then the attempt will be made at least to correct it on this floor. The action has not gone unnoticed.

The Ambassador from Egypt and I have discussed this matter. He came to my office a couple of days ago, and then we have been in discussions since on the telephone. I received a thoughtful letter from him which I may wish to share with my colleagues. The Ambassador is disappointed and perplexed by the subcommittee action, as am I, and as true friends should be, true friends of Israel and Egypt should be. I hope it can be corrected before even more damage is done.

Madam President, I ask unanimous consent that a letter to me, this date, from the Honorable Ahmed Maher El Sayed, the Egyptian Ambassador, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

EMBASSY OF THE
ARAB REPUBLIC OF EGYPT,
June 20, 1997.

Hon. ROBERT BYRD,
U.S. Senate, Senate Hart Building,
Washington, DC.

DEAR SENATOR BYRD: It was, as usual, an intellectual delight to talk to you last Wednesday to share with you the lessons of wisdom from the Bible and ancient Greece, and their meaning in the present circumstances. I particularly appreciate your giving me so much time, in a very busy schedule, so that I may appreciate again your sense of objectivity and fairness, as well as your deep insight of things.

Unfortunately, action was taken by the Foreign Operations Subcommittee to strike the earmark for assistance to Egypt, while keeping it for Israel.

While I know your general position regarding the aid program to Egypt and Israel, I also know that your sense of fairness would not support treating Egypt in such a discriminatory manner.

I would also like to set the record straight concerning Egypt's position in response to certain allegations which were made:

1. The non-attendance by President Mubarak, of the summit held in Washington last September was based on his assessment that Prime Minister Netanyahu was not ready, at this meeting, to take steps conducive to the advancement of the cause of peace. President Clinton clearly understood the motives of President Mubarak, and King Hussein of Jordan was quoted, after the meeting, as saying that in, hindsight, President Mubarak was justified in not attending.

2. The role of Egypt in reaching an agreement on Hebron was crucial. It was an Egyptian proposal which constituted the basis of the agreement. The Jordanian officials have recognized publicly that their proposal which led to the agreement is built on an Egyptian suggestion of a compromise. The American Peace Team recognized the Egyptian vital contribution to the solution.

3. Egypt did not lead an effort to reimpose the boycott on Israel. What happened is that at a regular meeting of the Arab League at its seat in Cairo, a unanimous decision was taken to revise steps taken toward normalization with Israel if it persisted in policies clearly contradicting its obligations. The resolution did not include countries bound by Treaties with Israel, i.e. Egypt and Jordan.

4. Relations between Egypt and Israel are normal, which does require neither subscribing by one party to the policies of the other, nor mandatory trade and travel. There exists on our part no restriction on trade and travel to Isreal, and far from stagnating, the two fields have seen in the last years, significant progress. A warm relation is one that is built through the years given the right circumstances; what is required, and in existence, are normal relations. It is not an unusual state of affairs that relations between countries fluctuate with the acuity of political problems. Egypt and Israel are bound by 16 agreements and protocols which have been implemented or being normally implemented.

5. I would like to remind you that Egypt out of its deep commitment to peace in the region, has embarked on a major effort to create conditions to bring the Palestinians and the Israelis back to the negotiating table. President Mubarak is personally involved in this effort. He has met with Prime Minister Netanyahu in Sharm El Sheikh, and since then contacts have been maintained both with the Israelis and Palestinians.

6. Our ties with Libya are normal relations between neighbors in the context of the respect of UN Resolutions. Our influence has been a moderating one.

All these points have been clearly explained by President Mubarak to distinguished members of Congress he met on various occasions, and thereofre, I do not believe that there is any justification in raising from the dead arguments and misrepresentations that had been laid to rest by the reality as recognized by most Egypt has been and continues to be a pioneer of peace, an anchor of stability in the Middle East, and a fierce defendant of the rule of law and legitimacy for which we fought side by side. Without its contribution and its courageous stands, as well as its cooperation with the US, it would not be envisageable to move towards achieving our common goals of peace and prosperity, and overcome the hurdles which Egypt is working very hard to overcome.

Best and warm regards,

Sincerely,

AHMED MAHER EL SAYED.

Mr. BYRD. Madam President, I yield the floor.

Mr. GRAMS addressed the Chair.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

The Senate continued with the consideration of the bill.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

AMENDMENT NO. 420

Mr. GRAMS. Madam President, I inquire of the business now before the Senate.

The PRESIDING OFFICER. The pending question is on the Cochran amendment No. 420.

Mr. GRAMS. Madam President, I rise this morning to strongly oppose the amendment by my colleague and friend from Mississippi, Mr. COCHRAN, first for jurisdictional reasons, and most importantly because it is a seriously, I believe, flawed policy.

As chairman of the International Finance Subcommittee of the Senate Banking Committee, I object to the consideration of this matter, since it is within the jurisdiction of my subcommittee and the Committee on Banking. This is a very controversial issue and it should be heard and debated in the normal congressional process, by the proper committee of jurisdiction, not by a floor amendment with little opportunity for opponents to be heard. Many Members of this body may have already returned to their States and will not even have the opportunity to listen to the debate today.

The Senate has not had an opportunity to have a full debate on export controls in the last few years. Members need the benefit of time to fully analyze changes in an area that can have such a negative impact on U.S. companies and on U.S. jobs.

What really concerns me, Madam President, is that this amendment turns back the clock on technology. This amendment indicates it is directed at supercomputers, but computers at the 2,000–7,000 MTOPS level are not supercomputers, a point I will discuss later. The amendment reverses 2 years of effort to decontrol computers that are generally available. You will hear all sorts of talk today about how this amendment improves national security. But it does not. If the goal is to stop the sale of high performance computers to questionable end users in Russia, China, India, Pakistan, and Israel, it will stop the sale of United States computers to those end users—but it will not stop our allies from making those sales.

It is true that there are two companies currently under investigation for alleged sale without license to a questionable end user. Those investigations are still pending and should be pursued, so it seems premature to, in effect, have the Congress find them guilty. Let us let the process work. If they are guilty, they will be penalized. The U.S. companies selling computers abroad at this level are few; they are reputable and they do care about selling to questionable end users. The investigations have also had a positive effect in that they have encouraged companies to seek more validated licenses for uncertain end users. I disagree with my colleagues who believe businesses care only about the almighty dollar, and not national security.

This amendment will bring us back to the cold war days when export controls were required for computers sold in drug stores. A computer at 2,000 MTOPS, which is the level we would control, is a low-end work station which is widely available all over the world. We would establish unilateral controls on any computer over this capability. Our companies would have to

obtain a validated license. Their competitors in other nations would not have that requirement. Therefore, European and Japanese companies would have a competitive edge in many, many computer sales in countries where it is important to establish a foothold as a reliable supplier to facilitate future sales. Licenses would be required for every sale above this limit, not just those to questionable end users. We want to expand markets in those countries, while protecting our national security interests, rather than handing them on a silver platter to our trading partners who will then be seen as reliable suppliers in the future.

I know the argument will be that it is not hard to get an export license and that there are statutory deadlines on agency review of license applications. I can give you quite a list of companies—many of them smaller companies—which have come close to shutting down due to export license delays, even in recent years. We cannot return to this uncertainty and bureaucratic maze. Even the larger companies will see their expenses increase as they will have to hire more high-priced attorneys to facilitate many of the licenses through the process. Export licenses to these countries do not get approved in a couple of months. Many of them take many months and earn the U.S. the designation as an unreliable supplier. While we are pursuing regulatory reform in many areas, what we are doing here is reimposing regulations we eliminated 2 years ago.

What is curious to me is an independent study commissioned in 1995 for the Departments of Commerce and Defense which determined that computers could be decontrolled to the 7,000 MTOPS level without a negative impact on national security. The Departments of State, Defense, Commerce, the intelligence agencies, and ACDA all signed off on this report, and the decontrol was made at that time to 7,000 MTOPS. The determination was made because the 2,000–7,000 range, again, Madam President, was widely available throughout the world.

But you have also heard that we are stopping the sale of supercomputers to tier 3 countries without a license. Again. Madam President, a 7,000 MTOPS computer is not a supercomputer. Supercomputers still need export licenses. I am told that the MTOPS for a supercomputer is in the 20,000 range and can go up to one million MTOPS—a far cry from 7,000.

Let's look at the level the amendment seeks to control—2,000 MTOPS. This is a low-level work station computer. By 1998, personal computers will reach this level. Also, the alpha chip available next year will be 1,000 MTOPS itself. So just two of those in a computer would qualify the computer for an export license. It is very difficult for me to justify that companies will have to jump through so many hoops just to sell fairly low-level computers. We are truly turning back the clock on technology.

I have previously made the point that we are stabbing ourselves in the foot, since computer companies in other countries do not have these controls, and therefore our efforts are futile to say the least. There are four European companies which sell computers in the 2,000–7,000 range as well as Japanese companies. We all know that they will be eager to make these sales.

What is really ironic is that the Chinese themselves have now produced a computer at the 13,000 MTOPS level. They have surpassed the 7,000 current limit the sponsor of this amendment is trying to roll back.

One argument I have heard is that Japan also requires validated licenses for its sales. Yes, that is true, but Japan's validated license system has always been a rubber stamp operation. The entire process takes 24 hours, if that. Ours can take months. And I can show you some unhappy constituents who can verify that.

Another question I have is whether it is good policy to codify export controls at certain levels rather than leaving them to regulation. Do we really want to be in a position to have to change the law each time we need to decontrol? Is the Congress really able to act as quickly and as often as needed to adjust to rapidly changing technology? I think not.

Madam President, I plan to send a second degree amendment to the amendment by my colleague from Mississippi and in a moment will ask for its immediate consideration.

But I again want to mention that this amendment would request the GAO to perform a study of the national security risks that would be involved with sales of computers in the 2,000–7,000 MTOPS range to military or nuclear end users in tier 3 countries. It would also analyze the foreign availability issue to determine whether controls at 2,000 MTOPS and above would make any sense.

Further, the amendment would require the Department of Commerce to publish in the Federal Register a list of end users which would require the filing of a validated license application, except when there is an administration finding that such publication would jeopardize sources and methods.

Madam President, this is a sincere compromise in my position as subcommittee chairman of the committee of jurisdiction over this issue, which will help us decide whether there is a need to recontrol at the 2,000 level. It is far too controversial to decide this question today, or by next Tuesday when we will vote.

I believe Commerce should be asked to publish this list and to further seek ways to work with computer companies to determine whether other end users are questionable in order to alleviate some of the uncertainty that is out there.

Madam President, let us not turn back the clock on technology. Let us make a rational national security decision that also take into account the best interests of our exporters—and the jobs that they represent.

AMENDMENT NO. 422 TO AMENDMENT NO. 420

(Purpose: To require the Comptroller General of the United States to conduct a study on the availability and potential risks relating to the sale of certain computers)

Mr. GRAMS. So, Madam President, I send my second-degree amendment to the desk, and ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Minnesota [Mr. GRAMS] proposes an amendment numbered 422 to amendment No. 420.

Mr. GRAMS. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. . GAO STUDY ON CERTAIN COMPUTERS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the national security risks relating to the sale of computers with composite theoretical performance of between 2,000 and 7,000 million theoretical operations per second to end-users in Tier 3 countries. The study shall also analyze any foreign availability of computers described in the preceding sentence and the impact of such sales on United States exporters.

(b) PUBLICATION OF END-USER LIST.—The Secretary of Commerce shall publish in the Federal Register a list of military and nuclear end-users of the computers described in subsection (a), except any end-user with respect to whom there is an administrative finding that such publication would jeopardize the user's sources and methods.

(c) END-USER ASSISTANCE TO EXPORTERS.—The Secretary of Commerce shall establish a procedure by which exporters may seek information on questionable end-users.

(d) DEFINITION OF TIER 3 COUNTRY.—For purposes of this section, the term ''Tier 3 country'' has the meaning given such term in section 740.7 of title 15, Code of Federal Regulations.

The PRESIDING OFFICER. Is there a sufficient second for the Senator's request for a rollcall vote?

There is a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER (Mr. ENZI). The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I have listened carefully to the comments of my good friend from Minnesota in support of his second-degree amendment. I must say that the language of the amendment is appealing in some respects, particularly the suggestion that the General Accounting Office ought to be asked to conduct a review of this situation and the apparent risk to our national security caused by the export policies of this administration with respect to the sale of supercomputers and its technology to foreign purchasers.

There is some question in my mind about the efficacy of the last part of

the amendment particularly, because in our hearings in the Governmental Affairs Committee the administration officials talked about the fact that the reason they did not publish and make available a list of end users or potential purchasers of these computers at this time was because of diplomatic considerations and the questions about whether it puts in jeopardy our intelligence-gathering capabilities and a number of other issues that concerned them enough so that they do not now make available this list even privately to exporters of supercomputers.

So to require them to publish it in the Federal Register and to make it available to the general public is probably something that ought to be reconsidered and not approved by the Senate. They should not be compelled to do that. It seems to me that the reasons they gave in our hearing for not doing it even privately was enough and sufficient in my mind to raise questions about whether we should compel them to do it publicly.

But looking back at the earlier complaints and the comments from my friend about the Cochran-Durbin amendment, let me say that this is not an effort on our part to roll back regulatory policy with respect to military end users. It is an effort to change the procedures and to put the onus and the responsibility for determining whether a sale is permissible or consistent with national security concerns on the administration rather than on the sellers of the computers.

Computer companies do not have the capacity to make determinations on their own about the use to which the computers they are selling in the international market will be put, or the relationships between prospective purchasers and governments, particularly in the case of China or Russia. The U.S. Government, though, has the capacity, through its contacts worldwide, to do a much more reliable and accurate job of assessing whether or not someone would be a purchaser who would use these computers to enhance the lethalness of nuclear weapons or missile technology to put our own citizens at risk, the lives of Americans at risk, in a way that they would not otherwise be, but for the sale of our computer technology.

So it is for that reason and that reason alone not to prevent the sale to legitimate purchasers who will use it for civilian or other appropriate purposes. It is in those situations where there is very real concern based on knowledge that we have about the potential harmful use—harmful to our own interests—that we ought to have the power, we ought to have the process reserved to the Federal Government to prohibit that sale in those selected situations.

Right now the policy of our Government is to prohibit the sale of this category of computers if it is for the purpose of being used for a military use or sold to a military organization. It is prohibited under current law, under current regulations. So the suggestion that the Senator makes that we are imposing new restraint on trade in this amendment is not true insofar as it concerns the sales for military purposes.

Current policy simply says to the exporters, if you know it is going to be used by a military organization, you cannot sell it—2,000 to 7,000 MTOPS speed computers cannot be sold under current U.S. law and under current regulations. So this amendment that we are offering does not impose a new definition that restrains the sale of computers. It simply says that the Commerce Department is going to give you the OK. Once you tell us who you will sell it to, they will tell you whether it is permissible or not. That is all we are saying.

The current policy is it is up to the exporter to decide whether this is a military end use or an end user. If they sell it to someone they knew was a military end user, they violate the law right now. The problem is a lot of exporters, the people in the business of manufacturing and marketing supercomputers, do not have the capacity to make this determination.

Also, there are motivations that are different. They are in the business of making money. They are in the business of selling as many as they can. The stockholders of these companies want to see sales go up, and so when there is a close question—we are not questioning anybody's motives here today—but where there is a close question and you really do not know for sure, the temptation is to go on and make the sale, particularly if there is really no hard evidence there.

Now, there have already been those cases where there is enough evidence that people have sold computers to end users who are military organizations or who are involved in nuclear weapons programs, that they are now under investigations by a Federal grand jury. This is serious business. That could have been prohibited, maybe, if you had the Commerce Department saying, ''OK, it is fine, go ahead and make this sale. Here is your license.'' Then the civilian marketer is off the hook. The Commerce Department makes the decision. That is the issue.

Do we leave it up to the honor system that has been developed by the Clinton administration, which is not working—46, we thought it was 46, but it turned out to be 47 as a result of the hearing we held of new information of these computers that are in the hands of Chinese entities and we do not know what they are being used for. Or if our Government knows, they cannot tell us in a public hearing session. We have to go behind closed doors to find out what they really know.

From what we can talk about right now, we know that this policy ought to be changed, and for the business of ''this is not the right place, this is not the right time,'' and the jurisdictional question—well, the Commerce Department has jurisdiction over commerce issues, the Banking Committee has some jurisdiction, our Governmental Affairs Committee has jurisdiction over compliance with nonproliferation treaty provisions. We are constantly monitoring the question of proliferation of weapons of mass destruction in our committee, and we came upon this information through the exercise of our oversight responsibilities.

It is a matter of some urgency, in our view, that this matter be addressed, and we think the U.S. Senate will agree with that. I think we have suggested a very modest but a very necessary first step in the process of reform of our policies over exporting computers. This administration came into office having made a promise to the computer industry that they were going to make some dramatic changes in the rules so that they could sell more computers in the international marketplace. That is fine. That is fine. But they have adopted a policy that is not working. It is not working to protect our national security interests, which is important. It is working in that it has helped sell a lot more computers and a lot of people have gotten rich under this new policy. I do not have a problem with that. No complaints are being made about that. But it was supposed to be a policy that both enhanced our ability to compete in the international computer market but at the same time protected our national security interests. It worked on the one hand, but it has failed on the other.

We now see the Atomic Energy Minister in Russia, whose name is Mikhailov, bragging in a public forum about the new supercomputer technology they have bought from the United States that is 10 times more powerful and sophisticated than anything they have had before. This agency is in the business of modernizing the nuclear weapons that the Russians have.

We have this Nunn-Lugar builddown program supposedly trying to dismantle these weapons of mass destruction, and we are very actively involved with the Russians in that regard. But at the same time, to be selling them the technology to make the weapons, they are more accurate, more lethal, capable of destroying potential adversaries like the United States, it seems we are working at cross-purposes with ourselves. We are trying to work to keep down the proliferation of weapons of mass destruction, and here we are, in this instance, contributing to the proliferation of more lethal nuclear weapon systems. Certainly that is true in the case of Russia and China. We know that. We know that.

So what do we do about it? Nothing? Have some hearings? Have the GAO spend another year looking at things? We agree GAO ought to look at this. We are asking them to do that, too. They have already begun some work at our request. I agree with the Senator

that we need to do more, but to just say the Senate should not act on this suggestion, this is a modest first step. It is not a suggestion for comprehensive reform at this time. We need more information. We need to do more work to decide on the details of a comprehensive, workable policy than is on the books now and administered by our Commerce Department.

So, but for the provisions of the amendment offered by the Senator that I have suggested caused me some concern, I would like to be able to support the amendment so that we could then go on and vote to approve the amendment as amended, but I cannot do that at this point. I hope the Senate will not agree to the amendment.

I know under the announcement that was made earlier today on behalf of the majority leader, there will be no votes on amendments today. They will be set aside and we will come to them later. So there will not be a vote today. Knowing that there will not be, I will not push the issue any further, except to suggest to the Senate that this is an issue that ought to be debated, considered carefully, and we ought to vote for this amendment that I have offered with the cosponsorship of Senator DURBIN.

Incidentally, I asked the other day, after we had described the amendment, that Senator ABRAHAM be added as a cosponsor. I have now been asked to seek unanimous consent that Senator LUGAR be added as a cosponsor. I make that request at this time, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. THURMOND. Mr. President, I ask unanimous consent that Janice Nielsen, a legislative fellow with Senator CRAIG's office, be granted floor privileges during debate on S. 936, the Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMS. Mr. President, I want to say I appreciate the remarks of my colleague from Mississippi, Senator COCHRAN. We hope to be able to work with him over the weekend and hope to come to an agreement and compromise with him by next week. Like he said, hopefully we can vote on this at that time.

I yield the floor.

Mr. THURMOND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call.

Mr. GRAMM. Mr. President, I ask unanimous consent that we may move from this quorum call into morning business for 20 minutes.

The PRESIDING OFFICER. Is there objection to calling off the quorum?

Mr. LEVIN. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue to call the roll.

The bill clerk continued the call of the roll.

Mr. GRAMM. Mr. President, making two separate requests, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRIST). Without objection, it is so ordered.

Mr. GRAMM. Mr. President, I ask unanimous consent that I can proceed for 20 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Will the Senator yield for a unanimous-consent request?

Mr. LEVIN. Reserving the right to object, would the Senator add to that, that following morning business that we go back into an automatic quorum call?

Mr. GRAMM. Mr. President, I ask unanimous consent that following my speech, if it ever begins, that we go back into the quorum call, and I also ask unanimous consent that, without losing the floor, I might yield to Senator INHOFE so that he might get a staff member on the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR—S. 936

Mr. INHOFE. Mr. President, I ask unanimous consent that Jeff Severs be given floor privileges for the DOD bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Mr. President, with all this folderol, I hope they are not conspiring against me or against Texas. If so, maybe we are in trouble.

SAVING MEDICARE

Mr. GRAMM. Mr. President, I come to the floor today to talk about a very difficult subject that for the next couple years is going to be very unpopular. In the long history of the country it is one of the most important subjects that we have ever debated—and that is trying to save Medicare.

I want to talk about what we did in the Finance Committee. We reported a bill that will be on the floor by the middle of next week. I want to explain to people exactly what we did and exactly why we did it. I want to talk about why it is important to the future of the country and why it is critically important to 38 million people who depend on Medicare. It is something that we have to do, and it was a courageous action taken by the committee. However, it will be a great blot on the courage and leadership of this Congress if we let this effort, started in the Finance Committee this week, die on the floor of the U.S. Senate or in the Congress.

First of all, Mr. President, let me remind people that we have a terrible problem in Medicare. Medicare will be insolvent in 3 years. There are a lot things I may do in my political career that I do not want to do, but there is one thing I am never going to do. I am never going to call up my 83-year-old mother and say, ''Well, mama, Medicare went broke today. It went broke today because nobody had the courage to do something about it. I knew it was going broke, but I didn't want to tell anybody because I thought somebody might criticize me for trying to do something about it. So I just stood by thinking, 'Well, when it goes broke in 3 years, maybe something magical will happen, and maybe nobody will blame me.'" I am never going to make that telephone call.

I am proud to say that we took two steps in the Finance Committee this week that will go a long way. If we continue to show the courage that we showed in committee on the floor of the Senate, then I will never have to call my mother and tell her Medicare went broke, and she will never be without the benefits that she has become accustomed to and that she needs.

And let me outline the two things we did.

First of all, as my colleagues will remember, we had a crisis in Social Security in 1983. We set up a commission which was almost unable to agree on what to do about putting Social Security back in the black. We were on the verge halting Social Security checks. However, one of the reforms which arose from the process resulted from a recognition that Americans are healthier, and are living longer.

So as part of that Social Security solvency package, those of us who were in Congress at the time swallowed hard and voted to raise the retirement age from 65 to 67 over a 24-year period.

I remind my colleagues that when Social Security started, the average American lifespan was less than the eligibility age for Social Security. So the Social Security system protected people who lived longer than the average.

Obviously, thank goodness, the average lifespan of Americans has grown dramatically since 1935. So we now have in law where beginning in the year 2003 through the year 2027, we are going to very gradually raise the retirement age from 65 to 67. That was part of a program to keep Social Security solvent.

It was heavy lifting at the time. Medicare was still in the black, and nobody wanted to make the lifting any heavier.

Now we are reaching a point where this phase-in for Social Security is going to start in the year 2003. So the Finance Committee, in what I believe was a courageous vote, voted to begin phasing up the eligibility age for Medicare in the same way as Social Security. That is the first significant change we made. I think there is something historic about that change which goes beyond it being the most dramatic change we have ever made in Medicare's history to keep the program solvent.

The second dramatic thing about this reform is that we did not do it to save

money. We did not do it to fund tax cuts. We did not do it to balance the budget. We do not even count the savings that come from it in our budget. Every penny we save goes into the hospital insurance trust fund to protect benefits.

Let me say to our colleagues who might be listening to this speech, with Medicare within 3 years of going broke, with Medicare within 7 years of having a $100 billion deficit per year, with a projected deficit in Medicare over the next 10 years of $1.6 trillion—counting both part A spending and part B spending—it is an absolute certainty that we will ultimately conform the eligibility age for Medicare with the retirement age under Social Security. That is a certainty. That is going to happen.

But if we wait 2 or 3 more years before doing so, we are not going to have time for people to plan for the future. One of the cruelest things we could do is to wait and delay and let a crisis occur so that we find ourselves forced to change the eligibility age for those who had planned to retire in a year or 2 or 3.

If we make this change now, people will have several years to adjust to an increase in the retirement age. The changes that will occur will occur very slowly over the next 24 years.

The impact of this provision on the solvency of the Medicare hospital insurance trust fund is dramatic. It will reduce the projected deficit in the Medicare trust fund by about 10 percent in and of itself, by the year 2025.

The second change that we made is an equally dramatic change and recognizes that there are two parts to Medicare. We all pay 2.9 percent of our wages in payroll taxes during our working lives in order to qualify for coverage under the Medicare Hospital Insurance Program.

There is a voluntary part of Medicare that nobody pays for in payroll taxes, but that is funded by a payment that people make in a part B premium.

Mr. President, there are two types of Medicare benefits. One type is the trust fund that we pay for during our working lives. We pay 2.9 percent of wages into that trust fund. That pays primarily for hospital care. Coverage for physician services is a separate system for which you do not start paying until you retire. When it was set up in 1965, the idea was for retirees to pay 50 percent of program costs in premiums, while taxpayers would pay the other 50 percent. Over the years that retiree payment has fallen to 25 percent of Medicare.

Currently, there is a deductible of $100 which people have to pay before Medicare part B, the voluntary part of Medicare, kicks in. Under the second reform adopted by the Finance Committee, as income rises from $50,000 to $100,000 for an individual—or from 75,000 to $125,000 as a couple—very high-income retirees—that deductible would phase up from $100 to an amount equal to the full taxpayer subsidy of this voluntary health insurance program. That would make the deductible about $1,700 a year for very high-income retirees.

Now, those are the two changes we have made. As was true with the retirement age phasein, none of the savings that come from having a higher deductible for very high-income retirees goes to the deficit. None of it goes to fund tax cuts. None of it is even counted in the budget. Every penny of the savings goes to protect the trust fund.

Now, why do we need to do this? I read in the newspaper this morning where one of our colleagues said it is hogwash to say we have to make these kind of changes to save Medicare. Well, let me explain why we are going to have to make some dramatic changes and we are going to have to make them quickly if we are going to save Medicare. The two changes that we made in the Finance Committee will not save Medicare by themselves. They are major steps forward. They are the only real reforms we have made since 1965.

I am sure when we debate this next week people will say, but we have savings in the budget. Well, we assume we are cutting payments to hospitals and providers. We have done that about a dozen times. It has never saved any money because they find a way to get around it. Then our biggest savings is that we take the fastest growing part of Medicare, home health care, out of the trust fund and put it in general revenue. Then we say, well, we have helped save the trust fund. So the only two real permanent reforms that have a long-term impact are the two reforms which we are not counting as part of the budget. We do have another major long-term change in Medicare by giving our seniors more choices.

Let me, very briefly, go through the problems in Medicare. First, Medicare expenses are exploding. They are growing at over twice the cost of medicine in the private sector. We have a program that by and large was designed in 1965 based on an old Blue Cross-Blue Shield policy that is no longer available. Medicare is a system that has tremendous inefficiencies and has grown faster than any other major program in the Federal budget. We started off paying for Medicare with a 0.7-percent payroll tax on the first $6,600 of income earned. We are now paying 2.9 percent of every $1 they earn, and still Medicare will be broke in 3 years. So our first problem is exploding costs.

The second problem is a time bomb we know as the baby boomer generation. I want to ask people to look at this chart because this explains what is going to happen and why there is nothing conjectural about it. It is not somebody merely claiming that the sky is going to fall; the sky is already falling.

Currently, in 1997, we are at the point where all the babies born in 1932 are retiring. 1932 was not a banner year for having children in America. We were in the middle of a depression. The birth rate was very low—one of the lowest birth rates in American history. So for the next few years, as depression era babies retire, we are going to have relatively few people who are retiring. These should be great years in terms of solvency for Medicare. However, these are the years where Medicare is going broke.

But notice what happens, beginning during the war and then immediately after the war we had an explosion in the birth rate in America. Fourteen million men came home from the war. They had defeated Nazism. America was the dominant power on Earth. People had new confidence in the future, and they made the greatest investment you can have in the future—they had babies, millions of them. Most Members of Congress were either in the sort of pre-baby-boomer generation during the war or they were in the generation right after the war. There was a huge explosion in the birth rate.

When we created Medicare in 1965, we were looking at this huge avalanche of young people coming into the labor market. In 1965 we had about four times as many people turn 19 as we had had 2 years before. It looked as if this tidal wave of people would never end. Actually, had Congress gone down to the Census Bureau in 1965 and asked if this baby boom would ever end, they would have discovered that it already had. But when we wrote Medicare with this huge number of people coming to the labor market, they made a decision not to fund it. They opted for a pay-as-you-go system where young workers would pay into the system without building up trust funds to pay for the benefits. This baby boomer generation turned out to be a godsend for programs like Medicare.

But now we come to the problem. This chart shows the projected increases in the population 65 and over. If you look at this chart, we are down here now where only 200,000 people are going to turn 65 this year, but within 14 years 1.6 million people will turn 65 and that number will not change for 20 years. We are going to go from 5.9 workers per retiree on the day Medicare started—we are down now to 3.9 and we are headed to 2.2—2.2 workers for every retiree in America.

The financial impact of that is absolutely cataclysmic. If we do not act, the young people who are sitting down here as pages are going to have to pay a payroll tax three times the current level. We are going to have an average tax rate in America—average tax rate in America—of about 50 cents out of every dollar. America is not going to be America when you have that kind of tax burden.

Now, this is a problem we must address. We know it is coming. We can fix it. We can preserve benefits. We can make the system better. But we are going to have to be courageous in order to do it, and we are going to have to make some tough decisions.

Here is what the financial status of Medicare looks like. As you can see, we are in the last years of its solvency. We

are looking at an explosion in the cumulative deficit of Medicare because we guaranteed two generations of Americans medical coverage during retirement, and nobody ever set aside any money to pay for it. Now the baby boomer generation is headed into retirement, they want these benefits, and there is no money to pay for them. That is the crisis.

Let me give an idea of how big this is. If we reform Medicare right now, and change the system by improving efficiency, thereby bringing the cost of Medicare down to the general inflation rates, even under the best of circumstances, to pay off this debt to baby boomers, we would have to borrow $2.6 trillion. If we wait 10 years, it goes up to $3.9 trillion. If we wait 20 years, it goes up to $6.1 trillion. Now, the whole debt of the country today is less than $6.1 trillion. So this is a crisis. This is a crisis that is happening right now.

We have made two changes in the Finance Committee which produce savings that are dedicated, every penny, to strengthening the hospital insurance trust fund. One is raising the eligibility age for Medicare as we have done for the retirement age under Social Security. I can guarantee you that is going to have to happen sooner or later. Within 10 years we are going to vote to do it. If we wait 10 years, we will have Americans who literally are on the verge of retiring who are going to find out they cannot retire. That is not fair, and it is not right. If we do it today, we will catch the political heat today but people will have 30 years to adjust to working 2 years longer. So it will be unpopular in the short run, we will be criticized for it in the short run, but within 10 years when people fully understand this, they are going to be very grateful that we did it, and it will be the right thing to do.

Second, asking very high-income people in a voluntary program to pay more of the cost of providing that benefit is not unreasonable. Nobody is required to participate in part B Medicare. No one pays a penny in the part B Medicare during their working life. It is a voluntary program. I have been stunned when listening to the criticism of this that somehow there is something wrong with asking people who have income of $100,000 a year in retirement to pay a $1,700 deductible for the best medical care policy that money can buy. I do not think that is unreasonable.

Let me tell you something. We are going to have to do it. But do we have to wait until our seniors are scared to death because they are not sure Medicare is going to be in place next month? Do we have to wait until the wolf is at the door, until the house is on fire, to make a tough decision? Can't we make the decision while there is time to adjust to it so that we can prevent the system from going broke? Does it have to go broke for us to have the courage to do something that we know has to be done?

So, we are going to be debating these things next week, and we will have Members of the Senate standing up and saying we are breaching an agreement by asking people with $100,000 a year income to pay $1,700 for a voluntary health insurance program.

We are going to have a lot of people say the world is going to come to an end because we are asking people to pay more if they can to save a system that is critical. I am ready to debate it. I don't know if we can save these reforms. But we are going to be awfully embarrassed some day if we don't.

I yield the floor.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

The Senate continued with the consideration of the bill.

Mr. THURMOND. Mr. President, what is the pending business?

AMENDMENT NO. 422

The PRESIDING OFFICER. The pending business is the Grams substitute for the Cochran amendment.

Mr. THURMOND. Mr. President, I consider this a matter of national security and, therefore, I support the efforts of the Senator from Mississippi to require export licenses for computers—in short, supercomputers to tier 3 countries, such as Russia, China, India, and Pakistan.

For several years, both the Strategic Subcommittee and the Acquisition and Technology Subcommittee, chaired by the Senator from New Hampshire, Senator SMITH, have conducted hearings on the administration's export policies on dual-use technologies with military applications. The concerns expressed by Senators COCHRAN and DURBIN is one of the issues which Senator SMITH was concerned about, and which he explored during his hearings.

The export of the high-performance computers to countries of concern could have a significant and potentially detrimental impact on United States and allied security interests.

The alleged export of the high-performance computers to Russia and China recently causes me great concern. The computers are more capable than any computer known to have been in use in those countries. The export of these computers was accomplished without export licenses. Evidently, the Russian Government told the companies that sold the computers that they would be used for modeling of Earth water pollution. However, subsequent to the sale, officials from the Russian Ministry of Atomic Energy stated that the computers would be used to maintain its nuclear weapons stockpile, to confirm the reliability of its nuclear arsenal, and to ensure the proper working order of the nuclear stockpile under the Comprehensive Test Ban Treaty.

Mr. President, according to U.S. export policy, the sale of high-powered computers that would directly or indirectly support nuclear weapons activities is prohibited.

Mr. President, I believe the Senator's amendment to require a license to export high-powered supercomputers with a 2,000 million theoretical operation range is appropriate.

I ask unanimous consent that I be added as an original cosponsor of the amendment offered by the Senator from Mississippi.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THURMOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I ask unanimous consent that the Grams and Cochran amendments be temporarily set aside and it be in order for Senator COVERDELL to offer an amendment No. 423 to the bill on behalf of himself and Senators INHOFE and CLELAND.

I further ask that following 2 minutes for explanation by Senator COVERDELL, the amendment be set aside, and further, that the call for regular order with respect to the Inhofe-Coverdell amendment only be in order after the concurrence of the chairman and ranking member and Senators from the following States: Georgia, Utah, Oklahoma, California, and Texas.

Mr. LEVIN. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

AMENDMENT NO. 423

(Purpose: To define depot-level maintenance and repair, to limit contracting for depot-level maintenance and repair at installations approved for closure or realignment in 1995, and to modify authorities and requirements relating to the performance of core logistics functions)

Mr. COVERDELL. Mr. President, I call up amendment 423.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Georgia (Mr. COVERDELL), for himself, Mr. INHOFE and Mr. CLELAND, proposes an amendment numbered 423.

Mr. COVERDELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of subtitle B of title III, add the following:

SEC. . DEFINITION OF DEPOT-LEVEL MAINTENANCE AND REPAIR.

(a) DEPOT-LEVEL MAINTENANCE AND REPAIR DEFINED.—Chapter 146 of title 10, United States Code, is amended by inserting before section 2461 the following new section:

"§ 2460. Definition of depot-level maintenance and repair

''(a) IN GENERAL.—In this chapter, the term 'depot-level maintenance and repair' means materiel maintenance or repair requiring the overhaul or rebuilding of parts, assemblies, or subassemblies, and the testing and reclamation of equipment as necessary, regardless of the source of funds for the maintenance or repair. The term includes all aspects of software maintenance and such portions of interim contractor support, contractor logistics support, or any similar contractor support for the performance of services that are described in the preceding sentence.

''(b) EXCEPTION.—The term does not include the following:

''(1) Ship modernization activities that were not considered to be depot-level maintenance and repair activities under regulations of the Department of Defense in effect on March 30, 1997.

''(2) A procurement of a modification or upgrade of a major weapon system.''

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting before the item relating to section 2461 the following new item:

''2460. Definition of depot-level maintenance and repair.''.

SEC. 320. RESTRICTIONS ON CONTRACTS FOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE AND REPAIR AT CERTAIN FACILITIES.

Section 2469 of title 10, United States Code, is amended—

(1) in subsections (a) and (b), by striking out ''or repair'' and inserting in lieu thereof ''and repair''; and

(2) by adding at the end the following new subsection:

''(d) RESTRICTION ON CONTRACTS AT CERTAIN FACILITIES.—

''(1) RESTRICTION.—The Secretary of Defense may not enter into any contract for the performance of depot-level maintenance and repair of weapon systems or other military equipment of the Department of Defense, or for the performance of management functions related to depot-level maintenance and repair of such systems or equipment, at any military installation of the Air Force where a depot-level maintenance and repair facility was approved in 1995 for closure or realignment under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note). In the preceding sentence, the term 'military installation of the Air Force' includes a former military installation closed or realigned under the Act that was a military installation of the Air Force when it was approved for closure or realignment under the Act.

''(2) EXCEPTION.—Paragraph (1) shall not apply with respect to an installation or former installation described in such paragraph if the Secretary of Defense certifies to Congress, not later than 45 days before entering into a contract for performance of depot-level maintenance and repair at the installation or former installation, that—

''(A) not less than 75 percent of the capacity at each of the depot-level maintenance and repair activities of the Air Force is being utilized on an ongoing basis to perform industrial operations in support of the depot-level maintenance and repair of weapon systems and other military equipment of the Department of Defense;

''(B) the Secretary has determined, on the basis of a detailed analysis (which the Secretary shall submit to Congress with the certification), that the total amount of the costs of the proposed contract to the Government, both recurring and nonrecurring and including any costs associated with planning for and executing the proposed contract, would be less than the costs that would otherwise be incurred if the depot-level maintenance and repair to be performed under the contract were performed using equipment and facilities of the Department of Defense;

''(C) all of the information upon which the Secretary determined that the total costs to the Government would be less under the contract is available for examination; and

''(D) none of the depot-level maintenance and repair to be performed under the contract was considered, before July 1, 1995, to be a core logistics capability of the Air Force pursuant to section 2464 of this title.

''(3) CAPACITY OF DEPOT-LEVEL ACTIVITIES.—For purposes of paragraph (2)(A), the capacity of depot-level maintenance and repair activities shall be considered to be the same as the maximum potential capacity identified by the Defense Base Closure and Realignment Commission for purposes of the selection in 1995 of military installations for closure or realignment under the Defense Base Closure and Realignment Act of 1990, without regard to any limitation on the maximum number of Federal employees (expressed as full time equivalent employees or otherwise) in effect after 1995, Federal employment levels after 1995, or the actual availability of equipment to support depot-level maintenance and repair after 1995.

''(4) GAO REVIEW.—At the same time that the Secretary submits the certification and analysis to Congress under paragraph (2), the Secretary shall submit a copy of the certification and analysis to the Comptroller General. The Comptroller General shall review the analysis and the information referred to in subparagraph (C) of paragraph (2) and, not later than 30 days after Congress receives the certification, submit to Congress a report containing a statement regarding whether the Comptroller General concurs with the determination of the Secretary included in the certification pursuant to subparagraph (B) of that paragraph.

''(5) APPLICATION.—This subsection shall apply with respect to any contract described in paragraph (1) that is entered into, or proposed to be entered into, after January 1, 1997.''.

SEC. 321. CORE LOGISTICS FUNCTIONS OF DEPARTMENT OF DEFENSE.

Section 2464(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking out ''a logistics capability (including personnel, equipment, and facilities)'' and inserting in lieu thereof ''a core logistics capability that is Government-owned and Government-operated (including Federal Government personnel and Government-owned and Government-operated equipment and facilities)'';

(2) in paragraph (2)—

(A) by inserting ''core'' before ''logistics''; and

(B) by adding at the end the following: ''Each year, the Secretary of Defense shall submit to Congress a report describing each logistics capability that the Secretary identifies as a core logistics capability.''; and

(3) by adding at the end the following new paragraphs:

''(3) Those core logistics activities identified under paragraphs (1) and (2) shall include the capability, facilities, and equipment to maintain and repair the types of weapon systems and other military equipment (except systems and equipment under special access programs and aircraft carriers) that are identified by the Secretary, in consultation with the Joint Chiefs of Staff, as necessary to enable the armed forces to fulfill the contingency plans prepared under the responsibility of the Chairman of the Joint Chiefs of Staff set forth in section 153(a)(3) of this title.

''(4) The Secretary of Defense shall require the performance of core logistics functions identified under paragraphs (1), (2), and (3) at Government-owned, Government-operated facilities of the Department of Defense (including Government-owned, Government-operated facilities of a military department) and shall assign such facilities the minimum workloads necessary to ensure cost efficiency and technical proficiency in peacetime while preserving the surge capacity and reconstitution capabilities necessary to support fully the contingency plans referred to in paragraph (3).''.

Mr. COVERDELL. Mr. President, amendment No. 423 is language in the DOD authorization bill that would have the effect, in the judgment of the Senators that coauthored it from Georgia and Oklahoma—and I am pleased that Senator CLELAND, my colleague from Georgia and a member of the Armed Services Committee, has coauthored the amendment—this language would, in our minds, have the effect of concluding and carrying out what we believe were the findings of the last round of the Base Realignment and Closure Commission.

Because of the structure of the unanimous consent, it is designed to encourage the Senators of the States so enumerated in the unanimous consent to work arduously to try to resolve the differences that currently exist between our separate views of what the final Base Realignment and Closure Commission was and how it was carried out. It is a strong statement, following the lead of the good Senator from Oklahoma, who has been in pursuit of this issue for an extended period of time. Of course he is the principal author of the amendment.

Mr. President, I yield the floor, according to the unanimous consent agreement.

The PRESIDING OFFICER. The Senator from South Carolina.

MORNING BUSINESS

Mr. THURMOND. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 5 minutes each.

Mrs. HUTCHISON. Mr. President, reserving the right to object, let me ask just one question. In the last unanimous consent it was agreed amendment No. 423 would be set aside, subject to all of the unanimous consent requirements. Has it been now set aside?

The PRESIDING OFFICER. The amendment has been set aside.

Mrs. HUTCHISON. Thank you, Mr. President. I do not object.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Kentucky.

Mr. FORD. I understand we are in a period of morning business?

The PRESIDING OFFICER. We are in a period for morning business.

Mr. FORD. I may take a little longer. I don't see anybody here to object—excuse me, the Senator from Pennsylvania may, but we will start.

The PRESIDING OFFICER. The Senator from Kentucky.

PRINCIPLES FOR TAX LEGISLATION

Mr. FORD. Mr. President, when we start debating tax legislation on the floor, I hope our debate will be governed by a few basic principles. Let me state those questions which are most important to me personally. Each of these questions needs a satisfactory answer.

Are the tax benefits spread evenly across all income levels?

Is the tax legislation consistent with the budget agreement?

Does the tax package undermine a balanced budget after 10 years?

We need answers which meet basic standards of fairness and sound public policy. These are the standards I think we should use to judge any tax bill that comes to this floor.

Today, I would like to talk a little more about the first concern I have mentioned how evenly the benefits of the proposed tax bills will fall across income levels.

A distribution table put out by the Senate Finance Committee claims that 74 percent of the tax benefits in the proposal pending before that Committee go to those making under $75,000; 74 percent. That sounds pretty good.

On the other hand, our analysis shows that 43 percent of the benefits go to the wealthiest 10 percent, and two-thirds of the benefits go to the top 20 percent.

How can the two analysis be so different? Well, let's look at some of the differences.

First, the Republican claims about who gets the tax cuts are based only on 5-year projections—before many of the backloaded tax breaks are fully implemented. Our analysis looks at the tax cuts when fully implemented. Let me repeat that. They cut their analysis off after 5 years, before many of the tax breaks are fully implemented. You can play a lot of games by cutting off the analysis after 5 years. What happens after 10 years? Under the Republican income distribution, they will never tell you. But why not?

Our income distribution looks at these new tax breaks when they are fully implemented. What a difference it makes. Apparently the most backloaded tax breaks provide very little benefit for low and middle income workers.

Second, because the Republican claims are only based on 5 years, they treat capital gains cut as hardly any tax cuts at all. In fact, the Republican analysis of the House tax package claims that the capital gains tax cut is actually a tax increase for upper income taxpayers during the first 5 years. Imagine that—a capital gains cut that counts as a tax increase.

Third, the Republican claims about who gets the tax cuts ignore the impact that estate tax cuts will have in individual taxpayers. It simply ignores them. They don't count estate tax benefits at all.

The Republican claims about who gets the tax cuts ignore the fact that many of the proposed tax cuts are backloaded—meaning that the full impact is not felt until well after the first 5 years, and in some cases not until well after 10 years. This means they have essentially ignored not only the impact of capital gains cuts, but also the backloaded IRA's, and the phase-in of estates taxes.

Mr. President, the Center on Budget and Policy Priorities has produced a more detailed analysis of the distribution tables prepared by the Joint Committee on Taxation on the House tax bill. That analysis contains essentially the same flaws as the Senate analysis. I ask unanimous consent that this document, entitled ''Joint Tax Committee Distribution Tables Produce Misleading Results,'' be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CENTER ON BUDGET AND POLICY PRIORITIES—JOINT TAX COMMITTEE DISTRIBUTION TABLES PRODUCE MISLEADING RESULTS

TABLES FAIL TO ACCOUNT FOR ANY OF THE BENEFITS FROM THE TAX CUTS WORTH THE MOST TO HIGH-INCOME TAXPAYERS

According to distribution tables the Joint Committee on Taxation has prepared the tax cuts proposed by Rep. Bill Archer, chairman of the House Ways and Means Committee, would concentrate their benefits among middle-class Americans. This finding is sharply at odds with the content of the legislation. Four of the largest tax cuts—the capital gains, Individual Retirement Account, estate, and corporate alternative minimum tax provisions—provide the large majority of their benefits to households with high incomes.

The Joint Committee's handling of these four provisions is fundamentally flawed. In effect, its distribution tables do not reflect any of the benefits that taxpayers would receive from the four provisions.

The Joint Tax Committee distribution tables ignore the effects of reductions in estate and corporate taxes. The Joint Committee did not examine the distributional effects of these tax changes.

The Joint Tax Committee distribution tables do consider the effects of the changes in the capital gains tax and the IRA provisions. The distribution tables, however, go only through 2002. Because the capital gains tax cuts and the IRA provisions are heavily backloaded, they do not result in net reductions in revenue collections during the time period the Joint Tax Committee examined. (For example, taxpayers would not begin to receive tax cuts from capital gains indexing until 2004). And because they do not result in net revenue reductions, the Joint Tax Committee assumes these provisions produce no net tax cut benefits in these years.

In fact, the Joint Tax Committee estimates that during the period through 2002, net capital gains tax payments would rise $1 billion due to the Archer capital gains tax provisions. In its distributions tables, the Joint Tax Committee treats this $1 billion as a tax increase, primarily on taxpayers at high income levels. As a result, under the Joint Tax Committee tables, high-income taxpayers appear to be the victims of a tax increase imposed by the Archer capital gains tax cuts.

By considering a time period in which the capital gains provisions cause a short-term increase in revenue collections and the IRA provisions result in no significant net change in revenue collections (the IRA provisions lose only $33 million cumulatively in the years through 2002), the Joint Tax Committee's distribution tables dramatically understate the benefits of the tax package to high-income taxpayers.

While the capital gains and IRA proposals produce no net revenue loss in the years through 2002, the combined revenue loss from these provisions is $51 billion from 2003 through 2007, years the Joint Tax Committee distribution tables do *not* examine. The large cost of these provisions during this second five-year period stands in sharp contrast to the $1 billion net gain in revenue from the capital gains and IRA provisions from 1998 to 2002, years the Committee's distribution tables do examine.

By 2007, the combined cost of the capital gains and IRA provisions exceeds $15 billion a year and is growing at a rate of nearly $3 billion a year.

If the Joint Tax Committee had examined the capital gains and estate tax provisions when they were fully in effect—and if it also had distributed the effects of the reductions in the estate and corporate alternative minimum taxes—the degree to which the tax benefits of the Archer plan accrue to high-income taxpayers would be shown to be vastly larger than the Joint Committee on Taxation tables indicate.

Like the capital gains and IRA tax cuts, the estate tax provisions of the Archer plan are heavily backloaded. (The corporate alternative minimum tax provisions are the only provisions principally benefitting high-income taxpayers that are not heavily backloaded.)

As a consequence of the backloading, the four upper-income tax cut provisions account for a growing proportion of the tax package over time. Specifically, in 2003, the capital gains, IRA, estate and corporate alternative minimum tax provisions account for 30 percent of the gross cost of the tax package. By 2005, they account for 35 percent of the gross tax cuts in the tax package. By 2007, the figure is 42 percent. By about 2010, the upper-income provisions, which concentrate the bulk of their benefits among a small fraction of the population, would account for a majority of the gross tax cuts in the package.

Furthermore, these percentage figures do not reflect several other major tax cuts in the package that would confer a sizable share of their tax cut benefits on high-income taxpayers—such as the provision weakening the individual alternative minimum tax and the $10,000-a-year education tax deduction, which includes no income limit on the taxpayers who can claim it. Eventually, the Archer plan becomes a piece of legislation whose predominant effect is to provide upper-income tax relief and enlarge the after-tax incomes of those in the wealthiest strata of society.

CHANGES IN JOINT TAX COMMITTEE METHODOLOGY SKEW THE DISTRIBUTION TABLES

Also of significance, the methodology the Joint Tax Committee has used in preparing the distribution tables on the Archer plan differs in important ways from the methodology the Joint Committee employed until late 1994.

Tax bills have been introduced on numerous previous occasions that phase in the tax cuts they contain. Accordingly, the Joint Tax Committee had to address on many prior occasions the question of how to estimate the distributional effects of tax provisions whose full effects would not be felt for more

than five years. Until the end of the 103rd Congress, the Joint Tax Committee traditionally addressed this issue by examining the distributional effects of the proposed tax changes when the changes were fully in effect. This also is the approach most tax analysts endorse and the approach the Treasury Department continues to use. But the Joint Tax Committee did not use this approach in analyzing the distributional effects of the Archer tax package. It thereby has significantly understated the effects of the backloaded tax cuts in the Archer plan that primarily benefit high-income taxpayers.

The Joint Tax Committee also has changed its methodology in another key respect. The capital gains and IRA provisions of the Archer tax package are designed so they increase tax collections in the period from 1998 to 2002. This increase in collections does not reflect an increase in tax rates or a change in tax law under which previously exempt income is made subject to taxation. Rather, the increased collections reflect voluntary changes in behavior by taxpayers who choose to make tax payments in the next five years that they would have made in later years in return for very generous tax cuts for years to come.

For example, the Joint Tax Committee estimates that the Archer capital gains provisions would produce a net increase in revenues in the years through 2002. In the first two years, these provisions would raise revenues because some investors would decide to take advantage of the new, lower capital gains tax rate to sell more assets than they otherwise would have sold in those years. The increased tax collections that result from the sale of an increased volume of assets in these two years do not represent a tax increase the government has required investors to pay. To the contrary, the increase in tax collections would occur because some investors would elect to sell in the next two years some assets they otherwise would have sold at a later date. The investors would sell these assets because they concluded it was in their interest to do so.

Similarly, the capital gains indexing proposal offers investors the *option* of paying capital gains tax in 2001 and 2002 on the increase in the value of various assets they hold between the time the assets were purchased and January 1, 2001, in return for large capital gains tax cuts when they sell these assets in later years. Because this offers such a sweet deal to investors, many would use it. They would pay capital gains taxes in 2001 and 2002 that they would otherwise have paid in future years when the assets are actually sold, and they would reap large tax cut benefits as a result. Here, too, the additional revenue collections in 2001 and 2002 do not represent tax increases the government has imposed on these individuals. To the contrary, these investors are securing large tax cuts for themselves.

The Archer IRA proposals also have this characteristic. They are engineered so taxpayers can opt to pay taxes during 1999 through 2002 that they otherwise would pay in future years in return for very generous tax breaks for years to come. Here, also, taxpayers would choose to accelerate some tax payments into the next several years because it would be in their interest to do so.

Under the traditional methodology the Joint Tax Committee used in the past, these accelerated tax payments that individuals would elect to make in the next few years, in return for large future tax breaks, would *not* be treated as tax increases imposed upon these individuals. Under the new methodology it adopted in late 1994, however, the Joint Tax Committee treats these additional revenue collections as tax increases. As a result, the Joint Tax Committee's distribution tables reflect the incongruous assumption that the net effect of the Archer capital gains and IRA proposals on wealthy individuals is to saddle them with a tax increase.

LEADING ANALYSTS REJECT NEW JOINT TAX METHODOLOGY ON THE DISTRIBUTION OF CAPITAL GAINS TAX BENEFITS

Many of the leading analysts in the field reject the new Joint Tax Committee method as producing severe distortions in the distribution of the benefits that a capital gains tax cut produces. Among those rejecting the new Joint Tax Committee approach are: Robert Reischauer, former director of the Congressional Budget Office; Henry Aaron, senior fellow at the Brookings Institution; and Jane Gravelle, the Congressional Research Service's leading tax expert and analyst. In addition, several years ago Gravelle co-authored an article on this matter with Lawrence Lindsey, a noted conservative economist who served until recently on the Federal Reserve Board and who supports a capital gains tax cut. In their article, Lindsey and Gravelle explicitly rejected the methodology the Joint Tax Committee has now adopted.

As Aaron has observed, investors who respond to a capital gains tax cut by selling more assets are people who face one set of opportunities under the current capital gains tax rates—and find it financially advantageous not to make additional asset sales—but face a more generous set of opportunities when capital gains tax rates are reduced and choose to follow a different course. ''Since they have the option of doing what they did before (i.e., not selling additional assets), but the new, more favorable tax rates induce them to do something else, they must be better off,'' Aaron explains. ''It is logically absurd to count them as worse off in any way whatsoever.''

Aaron's view is supported by an article Gravelle and Lindsey co-authored in 1988 before Lindsey joined the Fed. In the article they stated:

''* * * suppose a reduction in the capital gains tax rate led to substantially more capital gains realizations [i.e., more sales of assets] and actually increased the tax revenue paid by upper-income groups. * * * it would be totally inappropriate to say that their tax burden had increased. After all, with a lower tax rate, these upper-income taxpayers are less burdened than they were before, even though they pay more taxes.''[1]

In addition, in a more recent analysis examining the new Joint Tax Committee methodology, Gravelle notes that the standard methodology, if anything, understates the benefits that investors would secure from a capital gains tax cut because it does not reflect the tax benefits they would receive when they voluntarily sell more assets to take advantage of a lower capital gains tax rate. She also observes that economists generally would reject the new methodology.

Mr. FORD. Mr. President, let's not cook the books. Let's have a straightforward debate about who is getting the tax breaks that have been proposed, and whether we can do better. We hear a lot about income tax, but what about payroll tax?

Let's not ignore payroll taxes when we talk about who is carrying the tax burden today. Workers in this country pay a 7.65-percent payroll tax to finance the Social Security Program. They pay an additional 1.45 percent payroll tax to finance the Medicare Program. Social Security taxes are collected on the first dollar earned—up to $62,700. Medicare taxes are collected on all earned income.

The majority of workers in this country pay more in payroll taxes than they do in income taxes. So it is insulting for many of these workers to hear some around here talk about low income workers as if they pay no taxes. You will actually hear some Members come to this floor and argue that lower income workers do not get much of a tax break because they do not pay many taxes. They will say lower income workers do not get a full $500 per child tax credit because they do not pay enough in taxes.

This is just not true. A tax is a tax for most folks—whether they are income taxes or payroll taxes or estate taxes or something else. But by counting only income taxes and ignoring payroll taxes, it means that upper income taxpayers get more of the tax breaks, while lower and middle income workers get less.

So we have to do better.

Now, we will also hear that the top 10 or 20 percent get most of the tax benefit because they generate most of the income. Well, let's put that in perspective as well. According to the Congressional Budget Office, in 1994 the wealthiest 20 percent of families made about 48.1 percent of family income in this country. Yet under the Senate Finance Committee bill, they get 67 percent of the tax breaks.

Or let me put it another way—from a middle class perspective. Again according to CBO, in 1994 the bottom 60 percent of families made 27.3 percent of the income. Yet under the Senate Finance Committee bill, they get only 12 percent of the tax benefit. So I think we are a little out of balance. When the bill reaches the floor, I hope we can do better. I hope we can make it a little more fair. It is the least we can do.

Last, Mr. President, when we talk about the fairness of this package, we need to talk about how the revenue raisers in the Senate Finance Committee tax package affect different income groups.

Last night, the Finance Committee voted to increase excise taxes on cigarettes by 20 cents per pack. I understand that it's politically correct to attack the tobacco industry. And we're going to see plenty of piling on over the next few months regarding tobacco.

But let's talk for a minute about how this cigarette tax affects various income groups. It's well documented that cigarette excise taxes are the most regressive of all taxes—meaning they hit poor folks a lot harder than they hit upper income folks. According to a 1997 KPMG Peat Marwick study, U.S. families earning about $30,000 or less earned

[1] This quote is from Jane G. Gravelle and Lawrence B. Lindsey, ''Capital Gains,'' Tax Notes, January 25, 1988, p. 399. Gravelle included this quote in Jane G. Gravelle, ''Distributional Effects of Tax Provisions in the Contract with America as reported by the Ways and Means Committee,'' CRS Report for Congress, April 3, 1995.

about 16 percent of all income generated, but paid 47 percent of all tobacco taxes. Let me say it again. Families earning less than $30,000 pay 47 percent of all cigarette excise taxes.

The changes in the tax bill made last night will make the disparity among poor families even greater.

On average, low income persons pay 15 times more in tobacco taxes than upper income individuals.

And what was this tax increase on low income people going to be used for? To accelerate the increase in estate tax relief, which goes primarily to upper income individuals. This is a reverse-Robin Hood amendment. We are taxing the poor to help the wealthy.

The amendment will also reportedly be used to provide $8 billion in additional spending for health insurance. Just a couple of weeks ago we heard how this would violate the budget agreement. We voted 55 to 45 against an amendment that would raise taxes in order to raise spending on health insurance. Phone calls were made to the President of the United States to tell him how this would violate the budget agreement and how he better announce he was opposed to the amendment. Yet last night, some of the very same Senators who made those arguments on the floor a few weeks ago apparently voted in favor of a very similar amendment. How could it violate the budget agreement a few weeks ago and not now?

Last, Mr. President, the timing of this tax increase is most interesting. Later today we may hear an announcement of a ''global settlement'' of tobacco litigation. The agreement will require congressional action. As I understand it, this agreement completely fails to address the interests of tobacco farmers and factory workers, nearly all of whom are low to moderate income workers. But we will have that debate on another day.

What is interesting today, however, is the impact of that agreement on all these proposed cigarette tax increases. The tobacco settlement, if implemented, will have an immediate impact on prices, raising the price of a pack of cigarettes by somewhere in the neighborhood of a dollar. This, of course, will depress consumption—which in turn will reduce revenues by about 20 to 25 percent, or maybe even higher. So any proposals in the reconciliation bill to raise revenues by raising cigarette taxes will prove to be overly optimistic as soon as any global settlement is implemented. This means less revenue will actually be raised, and our deficit problems will be worse—particularly in the out years. So there is a great ripple effect as work here if these tax increase proposals succeed.

But last, Mr. President, let me return to my initial point. The tax package considered by the Finance Committee benefits upper income individuals too heavily. The cigarette tax adopted last night makes matters even worse, because it is primarily a tax on low income individuals. So not only do low income folks get virtually none of the tax breaks—but they will now get a tax increase.

I hope my colleagues who claim great concern for low income people will keep this in mind as they prepare to vote on the tax reconciliation bill. As for this Senator, I think a bad bill was made worse by the Finance Committee last night, and it is simply not a package I can support in its current form.

I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMERICANS DISABLED FOR ATTENDANT PROGRAMS TODAY

Mr. SPECTER. Mr. President, I have sought recognition today to discuss programs proposed by the Americans Disabled for Attendant Programs Today, a group known as ADAPT, that is working to help people who are disabled live normal lives.

There is a curious provision in the Medicaid laws, one of many curious provisions in the Medicaid laws, which does not permit people to live at home in community-based settings as opposed to being in nursing homes. I have sought to persuade the Secretary of Health and Human Services to change that program with a letter which I wrote to her on February 28, 1997, pointing out that ''it has been brought to my attention that considerable savings to the Medicaid Program could be achieved by redirecting long-term care funding toward community-based attendant services, and by requiring States to develop attendant service programs meeting national standards to assure that all people with disabilities have full access to such services and can live at home.''

When the Secretary came for a hearing, the question was propounded and the response has been that ''HHS is currently considering such programs as a policy option but has not yet put them into effect. The Robert Wood Johnson Foundation is funding a demonstration program that will be operational next year, and the Department is looking toward the results of that program before acting.''

It is my thought, Mr. President, that there is a clear-cut need for this kind of a program to be put into effect forthwith, and if the Department of Health and Human Services does not do so, then it may be necessary to enact legislation which would require the Department to act in that way. In the meantime, the appropriations subcommittee, which I chair, has increased the funding for the independent living program by some $2.1 million for a $74.6 million allocation this year.

I had occasion earlier this year to visit a group of people who are living at home and told them that I would display on the Senate floor their sweat shirts and send to them a video cassette. Sweat shirts are very popular these days. This one says, for those who might not be able to read it on C-SPAN2: ''Our Homes, Not Nursing Homes.'' Underneath the logo is ''ADAPT,'' which is Americans Disabled Attendant Programs Today.

They are a very courageous group. They are principally in wheelchairs, with very, very substantial disabilities, struggling to live independent lives and doing a great job at it. What they want is the flexibility to be able to live at home and to have home services.

I think this is another area where Medicaid ought to have a little flexibility, understanding the needs of people. One way or another, Mr. President, we intend to get there and reasonably soon.

(The remarks of Mr. SPECTER pertaining to the introduction of S. 943 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

(The remarks of Mr. SPECTER pertaining to the introduction of Senate Concurrent Resolution 34 are located in today's RECORD under ''Submissions of Concurrent and Senate Resolutions.'')

Mr. SPECTER. I thank the Chair. I note the absence of any other Senator seeking recognition and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ENZI). Without objection, it is so ordered.

Mr. COVERDELL. Mr. President, I ask unanimous consent in the period of morning business, the following Senators be permitted to speak for up to the following periods of time: Senator MURKOWSKI, 30 minutes, and Senator COVERDELL or his designee for up to 60 minutes from the hour of 2 o'clock to 3 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX RELIEF

Mr. COVERDELL. Mr. President, we are in the midst of a great deal of history in the 105th Congress. As most people now realize early out, the Congress, the leadership of the Congress and the President of the United States and his administration reached an agreement that they would work together to produce, finally, after well over a decade, tax relief, and that we would produce by the year 2002 a balanced budget which would, of course, by definition, produce constrained spending, and that we would take steps to protect the solvency of Medicare at least for upward to a decade, and begin to reduce spending in order to reach these balanced budget goals.

By and large, I believe the American people are pleased with the concept of

this agreement. I suspect that not all of them realize that was only one step in a 1,000-mile journey, and that once those basic parameters had been established then you had to begin the business of having the committees of jurisdiction produce the actual legislation that would produce this effect.

Mr. President, this has been a long goal of the Republican majority of this Congress that came here in 1994, to produce balanced budgets and to produce tax relief for America's families and workers that we believe are under the most severe economic pressure in contemporary history. They are paying more taxes. An average family is paying higher taxes today than at any time in contemporary history.

This agreement comes in the context of a longstanding battle between this Congress and the President. I am going to take just a moment or two to remind us of the general milestones in that battle. In 1992, 5 years ago, when the President was first seeking election, he promised the American people, particularly the middle class, that he would lower their taxes, that if he were elected President, he was going to reduce the economic tax pressure on middle-class America. In August of 1993, in his first year of the Presidency, that promise to lower taxes became, in reality, the largest tax increase in American history. I repeat, the promise to lower taxes was fulfilled by raising taxes to the highest level in American history.

Then came the elections of 1994 and the American public said, ''Now, wait a minute here. We were told we were going to have tax relief, and our tax bill has gone up. We were told that American Government would shrink, and we just witnessed the single largest proposal to enlarge the Federal Government in American history.''

So we had the largest tax increase, which passed by one vote—that of the Vice President, seated in the very chair that the Presiding Officer occupies right now, and that was followed by a suggestion that we should expand the Federal Government to take over every aspect of health care, which was narrowly defeated.

So in 1994, the American public sent new leadership to the Congress, and they turned the Congress over after three decades of dominance by the other party, and they elected a new majority.

The new Congress, Mr. President, designed a balanced budget, reduced the size of the Federal Government, reduced Federal spending, and offered to lower taxes by the equivalent amount of money that the President had raised taxes. He raised taxes in 1993 by about $250 billion, and the new Congress came in and lowered taxes by $245 billion. So what it in effect was was a refund of that galloping tax increase that hit the American public in 1993.

That went to the President and the President took his pen and struck it down. He vetoed the tax relief, he vetoed the balanced budget, and he vetoed all the constraints that were represented in the balanced budget. Now, even though it was vetoed, it was a historic achievement because it was the first time in over 30 years that a Congress proved that it could, indeed, muster the courage and the muscle to pass a balanced budget and at the same time lower working families' taxes. But it was vetoed.

Now we have two major events that have occurred here—in 1993, taxes were raised to historical levels; in 1995, the Congress tries to refund that and the President vetoes it.

We have another election. The President is reelected and he is reelected under the theme: The era of big Government is over; the era of big Government is over. The Congress is reelected in the House and the Senate, the Congress that was committed to balanced budgets and tax relief. The leadership of this Congress and the newly elected President, for his second term, decided to sit down, and they had historical meetings, both in the Capitol and at the White House, and they announced a historical agreement that both will work for a balanced budget, for tax relief and constrained spending.

Last night, the Senate Finance Committee passed to the full floor of the Senate a proposal that honors the agreement for tax relief in the range of $135 billion. That tax relief is not enough, but keep in mind it is an agreement between an institution—the White House is not all that enamored with tax relief per the discussion we just had—and a Congress that would like it to be substantially more. At the end of the day, the proposal that will be coming to the Senate floor will be about a refund equivalent of about 40 percent of that tax increase that was put in place by the President in 1993. So it is very meaningful and very significant.

Just to remind the American public—no one can see this chart, but it goes from 1950 to 1997, and you can see the trend. The percentage of the Nation's wealth consumed by taxes has gone from 23.4 to almost 32 percent—up, up, up, and up.

This proposal that we will have coming before us is the first in well over a decade that would significantly lower that burden. A little later on in my remarks I will talk further about the condition of the average family, but we will take a moment and talk about some of the details of this tax relief. First of all, Mr. President, it is for kids. This is tax relief for children. The $500 per child tax credit will help parents—that is per child—will help parents meet the needs of children and teenagers. We figure teenagers probably have the highest economic impact on the family than even the real little ones, and that is the difference between us and the President. The President's proposal does not include tax relief for teenagers, but we do and this proposal does. So it is a $500 per child tax credit to help parents meet the needs of children and teenagers because parents can decide their children's needs better than Washington bureaucrats.

We are leaving the money in their checking account, not dragging it up here and then micromanaging it as to what is important in that family. Obviously, it is for the parents of these children. We make it easier in this tax relief for parents to afford their children's higher education by building on the President's Hope education proposal and improving it. We make it easier for parents to save and to invest for their own future by expanding IRA's and including a homemaker IRA that will help either mothers at home or working mothers.

This is a plan for the grandparents in their retirement years. Those who have worked hard and played by the rules and saved for retirement should be rewarded, not punished, as is the current law. Some say, on the other side of the aisle, you are rich—which is often characterized in an uncomplimentary fashion. I am also often amused by what is considered wealthy, and you do not have to have much to be targeted as being a wealthy person in America around this Washington establishment. On the other side of the aisle they say you are rich if you put money into mutual funds or contributed to a company retirement plan or built a small business with your own sweat and labor, or run your own farm. An average farmer would be categorized as rich, according to the other side of the aisle.

More than half of all taxpayers claiming capital gains have incomes under $50,000. I want to repeat that. More than half of all taxpayers who claim capital gains have incomes of less than $50,000, and most, or many, are seniors who live a better life by converting their lifelong investments. Over the years, as we have heard argument after argument against lowering the tax on capital gains, we have heard time and time again that that is just something for wealthy people; that is just something for rich people.

I repeat: More than half of all who claim capital gains earn less than $50,000 a year.

Mr. President, I have noted the arrival of the distinguished chairman of the Senate Budget Committee, who has played just a massive role in these agreements and has been following the details of their fulfillment in great detail. I yield up to 15 minutes of our time—unless he needs more—to the distinguished Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. First, I compliment Senator COVERDELL, so soon after completion of the tax package and deficit reduction package, for him being on the floor encouraging Senators to evaluate it and to speak out. I think it is fair to say that no one has had an opportunity to review, in detail, the tax bill that was written last night. Sometimes people confuse the Budget Committee with the Finance Committee.

The Finance Committee is the tax-writing committee. It has a lot of additional jurisdiction, including Medicare and Medicaid in the Senate. The Budget Committee does not write the laws. It writes the budget resolution. But we try our best to keep abreast of what is going on.

The reconciliation bills will be up next week, and there are some very technical rules about these bills. We will be careful to advise everyone on how to apply those technical rules and the way that is best to get the issues framed in the Senate and get the votes proceeding.

Today, I want to indicate that the package of tax cuts that the Finance Committee passed last night, from this Senator's standpoint, is a very exciting package. In the Finance Committee package, approximately 82 percent of the tax relief is made up of a family tax cut that we Republicans have been promoting for almost 5 years, and education assistance priorities, which we all share. Let me repeat that we are going to hear a lot about some of the other tax proposals in this bill. But our American citizens ought to understand that out of every dollar in tax reductions in this bill, no matter what is said about the remainder of the package, 82 percent of the tax relief is made up of the $500 child credit and education assistance in this bill.

It represents the biggest tax cut in 16 years.

Now, some complain that it is not big enough. The American people should know that, in our efforts to get a balanced budget put together, this is not a huge tax cut. In the first 5 years, it is around $85 billion. To put that into perspective, we spend about $1.6 billion every year. Our gross domestic product, the sum of all input into the economy, is well over $5 trillion, moving toward $6 trillion. So this is a tax cut that permits us to do some good things for the American taxpayers, and I repeat that approximately 82 percent of the package goes to families that are raising children; they get a tax cut of $500. We call it this fancy name, ''tax credit.'' But, essentially, a tax credit means that if you owed $5,000 in income taxes, you can take $500 off of that $5,000. There is no other way to say it than it is a tax cut. Most of it is for working men and women in America who are not particularly wealthy.

We are never going to be able to produce a tax cut package that some Senators—particularly on the other side of the aisle—are not going to moan about. They are going to moan that it goes to the wrong people. Well, some of them don't want a tax cut at all. Some just have to find something to make sure that the poor in the country believe that the other party is serving the poor better than we are. That is just too bad, because it is obvious in this American society, to most people that look at our economic situation, that we ought to be doing more on the capital formation side of this equation.

So while this bill is finally and firmly tax relief for middle-class families, it does include some relief from capital gains taxes, and for people with a home. It gives them a very generous $500,000 exclusion from capital gains tax for people who sell their house. But it also provides some capital gains relief for many millions of Americans who sell an asset, be it a few shares of stock, a piece of real estate, a family lot that they inherited from their parents, or stock on the stock market. And we have not gone wild with reference to this capital gains tax. It is a pretty reasonable one, considering that we don't have an awful lot of money to spend.

Obviously, no matter what is done with reference to death taxes, there will be some who complain that you ought not change death taxes, even though we haven't changed the basic exemption for many, many years. While inflation has built up, we have left it just like it was, and now millions of Americans—not a few hundred thousand—are looking out there saying that 50 to 55 percent of what they have accumulated on death is going to go to the Federal Government. We don't think that is exactly right—most of us—on our side. We think there ought to be much more concern about the energizing of society and this economy that comes with people who work hard because they want to accumulate wealth. We don't want to take that away by making the death tax so onerous. We haven't been able to change it very much in this bill, but there is some improvement. It will take 10 years to be fully implemented. Frankly, we will hear some more about that, too. It is obvious that it is easy to talk about that as if it were something bad for us to try to give some relief to these kinds of Americans who worked hard to build a business up, who have been smart and accurate on how they have done things. We are going to give them some tax relief. It is a small portion of this package. It is something we want to do. I am sure there are many Democrats that want to do this also, and I am quite sure something like the death tax relief in this bill is going to become law.

Now, let me repeat, this bill provides a $500 tax credit per child, beginning the day the child is born. By making changes in the order that the earned-income tax credit and new child credit are taken, the Finance package adds about 900,000 more children who will be eligible for this tax relief than the House version of this bill. I believe that this change that we now have a bill that we will not be accused of being unfair to a very large part of the working people in the country.

The earned-income tax credit—although it has been dramatically increased—was a Republican idea, incidentally, for those who wonder. Ronald Reagan was a staunch supporter of saying to those who want to work for a living that we want to encourage you to work, even though you are not making a lot of money. We want to discourage you from going on welfare by giving you this earned-income tax credit. So it is for working adults who are not earning enough in the eyes of Congress and past Presidents, and so we give them that earned-income tax credit.

When you look at the rest of this bill—at least the major components—the cost of a college education has increased 234 percent since 1980. The bill helps families save for college, helps students pay for college and pay back certain loans, helps employers pay for their employee's education, which many of us have thought for a long time is a very prudent thing to do. If you need more education in this society for better jobs and for the transition required in today's job market, if an employer wants to pay for it, we don't understand why the employer should not be able to deduct that and why the employer should be paying for that as if they earned money. So we are fixing that, to some extent. It includes tax relief for education assistance provided by the employer side, which I have just alluded to, and it helps employees maintain what many think is a new characteristic of American society, which is maintaining a lifelong learning opportunity.

It provides capital gains to help people generate more incentive to invest in U.S. companies that provide jobs and help grow this economy. One of the interesting things is that people can be in favor of jobs, but oftentimes it is very difficult to make the case that there are a lot of ways to create jobs, and they are not singularly—in fact, the worst way in terms of cost effectiveness is for the Government to provide programs that create jobs. We do that sometimes. In fact, in the bill before us, we are going to have a $3 billion, 5-year program on welfare jobs. Frankly, we agreed to it. I have very slim hope this initiative will succeed. But we agreed on some things that I did not believe in and this was one of them.

When you invest in capital formation and help American companies grow, they can build new modern plants, install efficient technology, you, as an investor and a citizen, are deserving of an accolade that you are helping create jobs. And so a capital gains tax cut should recognize that jobs were created and the country benefited from the investing and risk taking that the investor was willing to take.

Actually, the capital gains provisions are pretty good. Last night the committee partially corrected the discrimination against real estate—real estate that is depreciable, whether it is a building, whether it is an office storage, or an office building, we came very close to mistreating those investments. Thanks to some amendments last night, it is getting closer to at least a reasonable treatment of the gain that comes when you sell that kind of an asset. It won't be the same as the other

asset sales, be it stock equity or your home, or other things, but we are moving in the right direction.

So I am pleased that the Senate bill treats capital gains investment on real estate better than the House bill. I hope we keep that. It lowers the recapture rate to 24 percent. I actually believe that, in due course, it ought to be the same as the overall capital gains rate. I know my friend from Georgia agrees with that. You only have so much money to go around and you can't do everything.

Now, I understand that one of the things we have problems with in our country—and I don't stand here saying that the IRA's in this bill are going to solve it. But America is now becoming known, worldwide, as the country that doesn't save. We love to spend, but we don't like to save. We are very fortunate that, for the last 15 or 20 years, or so, our credit has been so great, and our economy so stable, and the country so stable, that a lot of foreign money flows into America to pay our debts.

But essentially, so long as we run big deficits—and hopefully we are putting a stop to that—and so long as the American people do not save otherwise, we are still going to be the world's largest borrower and the world's worst saver; that is, as a people and as business and as Government goes.

On the other hand, we are moving in the right direction. I for one think that we ought to have universally IRA's. But we are not going to get there until we totally reform the Tax Code. But there are some powerful IRA provisions in this package. I am not sure that all of them will stay through conference, and I am not sure that some won't be attacked here on the floor. But, nonetheless, the idea of doing something to encourage savings by middle-income Americans instead of just those who are at the top of the ladder is very exciting to me. Countries with the highest saving rates are moving in the direction of greatest economic growth. Greater economic growth translates into better jobs, bigger paychecks and higher standards of living. For the higher the savings rate—Japan has a high savings rate—some people say, ''Well, they don't do it voluntarily.'' It is almost mandated by their government. But at least they do, and the government almost tells them how much of their paycheck has to go into savings.

Some of the other countries in the Pacific rim have great savings prospects for their people. We have to do better. And we will be doing better, if this bill becomes law.

I alluded earlier to the death tax, and I am not going to say much more about that.

But I do want to comment that I wish today I could tell people of New Mexico—and I wish everybody could know in their States—the exact impact of this tax bill on their States and their constituents. I understand, however, that the Tax Foundation has done that for the House bill.

So, if you want to know what the House bill has done in terms of the citizens of your sovereign States, you can get that. It looks to me from what I can discern in terms of my State of New Mexico that the tax relief numbers attributable to the people of my State from the Ways and Means bill are worthy of stating because I think the final package will result in bigger tax cuts for New Mexicans. I think the Senate Finance package will result in bigger tax cuts than the Ways and Means package. So I will be able to say to New Mexicans that we are going to do at least this and probably better.

Let me just recite to show how important it is to a small State like mine. New Mexicans will save $388 million over 5 years because of the child credit in the House bill. New Mexicans will have $388 million of their own money to spend on their families as a result of this tax package. We are doing a little better under the Senate version.

It is common knowledge that, if you look at New Mexico you discover that we have a lot of children in the families of the working poor. So I would assume for the working people who pay taxes that my State will get a higher benefit as a result of the ways the Finance Committee ''stacked'' the earned income and new child credit. That is a pretty good chunk of money that will stay in New Mexico rather than coming to Washington because of the $500 credit. That makes it kind of understandable. Mr. President, $338 million-plus will never leave our taxpayers' pockets in New Mexico and come to Washington. It will stay there.

Mr. President, New Mexicans will also save $229 million in additional dollars of their own money to spend on education for their children.

There are a couple of glitches in the bill. There will be a big debate about should there be an IRA for education after the 13th year or 14th year. But when it is all taken into account the House bill has $229 million that will stay with New Mexico families to use on education that they would otherwise send to Washington for us to determine how to spend it. And, obviously, we are very convinced on this side of the aisle that both the child credit, the education-type deductibles, and the like are better determined there in my home State—and the Senator's State of Georgia by his people, and our people. So as much of that as we can leave there the better we feel and the better we think the lives of our people will be.

So while this bill has a road ahead of it that may be thorny and may be contentious—I am not speaking only of the tax bill—I believe it is not too soon to come here and say, ''Well, this is what I am going to try.'' There will be some additional spending money on child health care. And I know that. I have an open mind. I want to hear the committee talk about it and report on it. I am of the opinion—and I know it doesn't set well with some States—but I think the cigarette tax portion of it was inevitable. We could see that coming. And I think the committee took 20 cents instead of 43 cents, which was proposed by Senator KENNEDY and Senator HATCH, or Senator HATCH and Senator KENNEDY. And then it used that money for very good purposes, I think, of the bill. It spent some. And that is why many would like it all to have gone for tax cuts.

But, you know, the bill came out with total bipartisan support. And I am not sure we need total bipartisan support on every major measure as it goes through the Senate. But I believe we started this budget exercise with a strong suggestion that we might get the package adopted. Frankly, that was because we recognized that the President was not of our party and that we had to work with Democrats here in an effort to get something that the President would sign. There is no use going through another process as in 1993 where Democrats just passed a huge tax increase or 1995 where just Republicans voted for an enormous tax reduction plan with reforms in every area only to find that it would get vetoed.

The reality of it is—and Republicans are beginning to understand—that we have a President who is not of our party. He is the President. If we want to make a point, we can make a point. When we want to get something done, it is pretty obvious that we have to have him as a part in getting it done as a team.

So I am hopeful. We are moving in that direction.

I thank the Senator for arranging the time.

I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I thank the Senator from New Mexico for, as usual, his eloquent description of this proposal.

I would make one comment. And then I am going to yield to the distinguished Senator from Utah.

When you talk about savings, in my judgment, the force that has more to do with destroying savings is Uncle Sam. When something marches through an average person's checking account and takes over half, as they do today—a 45-percent tax is the cost of Government, and higher interest rates because of the deficit—there isn't anything left to save in an average family. You can look at every data and see exactly what has happened as we ratchet up the amount that the Government takes out of that checking account. We closed savings accounts all over the country. Until we start moving resources, as the Senator described, for New Mexico back into their savings accounts, we are never going to have them open savings accounts.

Mr. DOMENICI. The Senator should also add that as the deficit turns into

debt—that is the accumulation of the deficit, the debt—you have to go out and borrow that money. And essentially that is not saving. To the extent that you have to go borrow the money, you have to get it from somewhere. And our biggest activity for not saving has been the deficit. It gobbles it up, and it isn't available. It is used for that, if nothing else, plus the fact that high taxes prevent you from being able to have any left over, which is your premise here today. We are not in the greatest shape in just that one area. The economy looks pretty good. It looks like we are moving in the right direction in how we treat our American business. It seems like they have a little more freedom than European companies. We find that they do better for us and better for workers that way. That is better than most countries. But saving is still something that we are working very hard on. If we can get the deficit down to zero, we are surely moving in the direction of putting more savings into the total pot of savings for growth, prosperity, and other uses.

I yield the floor.

Mr. COVERDELL. I thank the Senator from New Mexico.

I yield up to 10 or 12 minutes to the Senator from Utah, or, if he needs 15, I will yield that as well.

Mr. BENNETT. I thank the Senator from Georgia.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I have come here because I have seen a series of articles that have appeared in the newspapers. I am not a believer in a conspiracy theory. But I think there is a movement afoot to give us a steady drumbeat of repetition of a particular theme coming out of those who are opposed to any kind of tax relief. And I picked two examples to show what this drumbeat is.

The first one appeared in the Washington Post, written by Alan Blinder. Alan Blinder, Mr. President, used to be the Vice Chairman of the Federal Reserve Board. He is now a professor of economics at Princeton.

He starts his presentation this way:

> I have always opposed cutting the capital gains tax, and still do. The case is simple and compelling. No one has yet produced evidence that lower capital gains taxes will lead to higher savings and investment; claims that they are just hunches. But we do know that a lower capital gains tax will shift some of the tax burden from the haves to the have-nots just when income disparities are at postwar highs.

Then he goes on to say how terrible the capital gains tax rate is and laments the fact that he and others like him have lost the debate.

A few days later Robert Kuttner wrote the following, again in the Washington Post. I would tell you who Robert Kuttner is, if I knew. But I am not as familiar with him as I am Alan Blinder.

He says, referring to capital gains tax:

> . . . with the stock market setting new records, the timing is a bit off.
>
> It's hard to argue with a straight face that the prospect of paying capital gains tax is deterring much productive investment.

Again, another drumbeat along the idea that cutting the capital gains tax is really nothing more than a way of putting more money into the pockets of the rich—that it will not increase investment, that it will not increase savings. Those who say that it will are ignoring the economic evidence. And these economists make this case over and over again. I submit to you, Mr. President, that they are shooting at a straw man. Either they do not understand the impact of capital gains taxes in the economy, or they don't want us to know what capital gains taxes really do to the economy because I am not going to stand here and argue with Professor Blinder on his turf. I want to take him to my turf, which is the marketplace. I want to take him to the marketplace where real people make real economic decisions in real life, and not the classroom where people argue about it.

Let's start out with a little bit of classroom conversation, however, to set the context for this. I submit to you this truth, Mr. President: All wealth comes from accumulated capital.

If someone somewhere does not stop spending everything he creates in the way of product and saves some of it, accumulates some of it, there will never be any wealth. Out of accumulated capital comes factories. Out of accumulated capital comes machine tools. Out of accumulated capital comes the infrastructure that then produces more wealth.

The argument in society in the last century or so has not been over that truth. It has been over the question of who should own the accumulated wealth.

Karl Marx, and others, said that society as a whole should accumulate wealth but that individuals should not. We have already seen one society give us an example of what happens when society holds all of the accumulated wealth and does not allow individual property accumulation. That example was called the Soviet Union, and it is the premier economic basket case of this century. It has wreaked absolute havoc in the lives of all of its people.

Still the notion that society should own accumulated wealth has some currency in the world, and there are those who call themselves Socialists based on their notion that society should own everything and that the wealth should be accumulated by society. We have a different notion in this country. We go back to the writings of Adam Smith, who coincidentally wrote his book, ''The Wealth Of Nations'' in 1776, which was a good year for this country: The wealth should be held in private hands, that when private people accumulate wealth, they do better things with it than when society as a whole accumulates wealth.

Why is this important? Because the capital gains tax is a tax on movement of accumulated wealth. It is not a tax on the wealth itself, it is only a tax that is levied when there is a movement of that wealth from one entity to another; or, in our circumstance, from one individual to another, one private corporation to another private corporation.

I now give you the second great truth that applies in the marketplace. All wealth comes from risk-taking. If someone is not willing to take a risk and invest his or her accumulated wealth in that factory or that machine tool or that plow, with no guarantees that the investment is going to pay off, the wealth that comes from the factory or the machine tool or the plow will never be there. So these two principles guide what we are doing: All wealth comes from accumulated capital and all wealth comes from risk-taking.

So, what happens when a private individual or corporation accumulates some wealth, accumulates some capital, takes some risk and creates some wealth, and then decides to move that from one investment to another? The Government steps in and says we will tax that movement. That is what the capital gains tax is all about. We will tax the movement of accumulated capital from one investment to another.

This is what happens—real example, real world, not classroom stuff now. I will give you an example of a friend of mine who invested at great risk in a new venture. He is that kind of fellow. He is an entrepreneur. He takes risks. I'll keep the numbers very simple. Obviously there are more accounting details to this, but the illustration is accurate. He made, let us say, $100,000, and to keep it simple let's rule out the tax base. Let's say he has a cost of zero. In fact it was not that, but a gain of $100,000.

So now he has $100,000 of accumulated wealth, but what has happened to his investment? Over the years that it has grown from zero to $100,000, it has become what we call a mature investment. That is, it is now earning 10 percent a year and that's about the prospect for this investment from now on. And this guy, because he is an entrepreneur, is restless with a 10 percent return. He wants to take some bigger risks and do some other things with his money. He sees an opportunity over here that will produce him a 20 percent return. Yes, it has a risk. He is willing to take the risk. He is willing to move his accumulated capital from company A to company B. And the Feds step in and say, ''We want 28 percent of that, or $28,000.'' And the States, of course, follow right along. He is going to end up, moving his capital from company A to company B, with $65,000 worth of accumulated capital instead of $100,000.

Now, if he earns a 20 percent return on $65,000, for 3 years he will not even break even, back up to his $100,000 where he was. And the $100,000, if he had left it alone, would have earned an

additional $30,000. He has to earn a 20 percent return on his $65,000 investment for 5 years just to get even with where he would be if he had left his capital alone.

Well, you say, so what? This is a rich man, he has $100,000; why are you concerned about him? I am concerned—not about him. He can take care of himself just fine. I am concerned about the people in company B who will not get jobs because they cannot attract investors. Why can't they attract investors? Because the entrepreneurs have their money locked up in the investment that only earns 10 percent.

He can find somebody who can buy investment A very easily. There are lots of people to say we would be satisfied with a 10 percent return in a mature company, absolutely. We will buy your stake and let you go out and run the risk to do something else. But, no, the capital, by virtue of the capital gains tax, is locked into investment A, because the entrepreneur says I can't afford the tax hit to move my investment capital from investment A to investment B. Therefore, I will not be backing the new rising company that needs funds.

These people whom I quoted at the beginning say the stock market is going through the roof, and what do they offer as proof of that? The Dow Jones averages. How many people understand the Dow Jones averages are derived from 30 stocks? The Dow Jones Corp. picks 30 companies, baskets them together into a single average, and what happens to the prices of those 30 stocks is described as what is happening to the market as a whole. Yes, they are probably doing a pretty good job of picking some representative stocks, but understand they have only picked 30 companies. The Standard & Poor's index has 500 companies in it, and you know what? It's not going up quite as much as the Dow. Then there is the little known, little followed stock index called the Russell 2000, and as the name indicates, it has 2,000 stocks. But none of the Russell 2,000 stocks are in the Standard & Poor's 500 or even in the Dow 30. These are the new entrepreneurial companies where the jobs for the next decade are going to be created. Do you know what is the story in the Russell index? It is down. It is not up the way the Dow is. It is not up the way the Standard & Poor's is. It is down.

These little companies, struggling along, entrepreneurial efforts, need money. Where are they going to get the investment? Are they going to get it from the big venture capitalists who like to back them? Maybe, if they can make their presentation. But they will find, time and again, that the venture capitalists who would otherwise be taken with their presentation and give them backing will say to them, ''I'm sorry, I am locked in by the capital gains tax. I am locked in with an investment that would cost me so much in tax, if I were to sell and back you, that I will not make that money available to you.'' I have personally seen this phenomenon take place. I have been present when discussions of this have gone on, and I know, very differently from the way it may appear in a classroom, that in the real market the capital gains tax at its present level is stopping entrepreneurs from moving their capital from one investment to the other and making capital available to the entrepreneurial companies that would create the jobs of the future.

I said on this floor before and I repeat here again, I challenge every Member of this body to go home to his or her home State, gather the venture capitalists in the home State together, gather the real estate investors, if you will, in the home State together, and ask this one question: Are there deals that should be done not being done because of the capital gains tax? I have asked that question in my home State and I am told, almost with a laugh: All over, Senator. Everywhere you look there are deals that should be done, certainly could be done, but are not being done because of the capital gains tax.

Now, ask this question: Are the deals that should be done the deals that have the greatest potential for job creation in the future? And the answer is, once again: Yes. So then I ask the question: What is going on? And I am told, look, Senator, there are so many cockamamie trade-outs being done, ways to avoid a realization of any kind of a gain that are being put together by lawyers and accountants because they want to back this in one way or another but they cannot take the hit that will come if they move their capital from investment A to investment B, so they are jerry-rigging all kinds of deals that will ultimately rise up and bite them in ways that will be detrimental.

I started off by quoting Alan Blinder, with whom I disagree, and identifying him as a former Vice Chairman of the Federal Reserve Board. I close by quoting the Chairman of the Federal Reserve Board, Alan Greenspan. Alan Greenspan has a reputation of his own. He has a reputation that has brought him praise from Members of this body on both sides of the aisle. I have sat in the Banking Committee and on the Joint Economic Committee and heard my Democratic colleagues congratulate Mr. Greenspan for the deft and intelligent way he has handled monetary policy in this country.

Mr. Greenspan tells us what the capital gains tax rate ought to be for the greatest benefit of the economy. He recommends a capital gains tax rate, not of 18 percent, as proposed out of the Finance Committee, not of 14 percent, as proposed by the Dole campaign, but zero. Because he understands the basic principles that I outlined in the beginning: All wealth comes from the process of investing accumulated capital and all wealth comes from risk-taking with that capital. The capital gains tax is a tax on that process. The capital gains tax by definition is a tax that will hold down the creation of wealth.

Alan Greenspan understands that the greatest boon that can come for this country is the creation of more and more wealth and that is why he calls for a capital gains tax rate of zero. I think we are being very modest when we call for a capital gains tax rate of 18 percent. I hope those responsible for these articles and these comments in the Washington Post would go back to school at the feet of Professor Greenspan and learn again where wealth comes from and what we need to do in the Government to foster its creation.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COVERDELL). Will the Senator from Utah withhold?

Mr. BENNETT. I withdraw my request.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, on behalf of the present occupant of the chair, I will yield myself 10 minutes and also ask unanimous consent the order be extended by the same amount.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair recognizes the Senator from Wyoming.

Mr. ENZI. Mr. President, I congratulate you and thank you for providing this opportunity for us to talk a little bit today about taxes to our colleagues and to the American people. I do rise in support of the tax reform proposals that have been offered by the Republican Congress. Yesterday I presided over the Senate for an hour and listened to an hour of Republican bashing on taxes. I am here today to proudly say that if it were not for Republicans in this body, we would not be debating tax cuts for the American people at all. We would only be talking about increased spending—not increased spending that the American people helps to decide on, just increased spending. And increased spending leads to increased taxes.

So, I am proud to be working on a tax cut proposal for this Congress. The American people have not received serious tax relief for 16 years. Earlier this year I had the pleasure of chairing a committee hearing in Wyoming on small business. One of the groups that appeared there was the Society of CPA's. They asked for tax simplification and tax cuts for the American people.

You might say that's kind of a strange bunch to want tax simplification, but I have to tell you it is so complicated that their liability is hanging out. It is difficult for them to meet the needs of the people. If you call the Internal Revenue Service on successive days with a tax question, you will most likely get different answers on that tax question. But they were reluctant to ask for the simplification because

every time they have worked on simplification in this country, we have wound up with tax increases. That is one of the things we are here to guard against, is tax increases. And we are proposing a tax package that provides for nearly $85 billion in net tax cuts over the next 5 years. It is the first step in providing the American people with the tax relief they so richly deserve.

This tax package provides broad-based tax relief for America's families. This is just the first step toward peeling back the monumental tax hike passed by the Democratic Congress and President Clinton in 1993.

It should come as no surprise that the administration and many of my colleagues on the other side of the aisle began bashing the Republican's tax proposal almost as soon as it was unveiled.

A brief review of the last 5 years illustrates that this administration believes that a bloated Federal Government knows better how to spend your money than you do. President Clinton's tax hike in 1993 punished the American people by burdening them with more than $240 billion—billion—in new taxes. The President's tax increase was the largest in American history and it came after—after—the President had promised that he would offer middle-class tax relief. The Republican tax package would give Americans back some of the hard-earned money that was taken from them 4 years ago.

We in Washington must never forget that we are talking about the people's money. As an accountant—and I am the only accountant in the U.S. Senate, which I like to humorously say probably accounts for the difficulty in getting tax cuts and balanced budgets—I hear people talk about how happy they are that the Government gave them a tax refund this year. I have to remind some of them that that wasn't the Government giving them a tax refund, that was them overpaying their taxes, the already overexorbitant taxes overpaid, and they were getting back their own money. We get confused, particularly in Washington, and we have to remember that we are talking about the people's money.

Some of my friends on the other side of the aisle seem to have forgotten this. They apparently believe it is the job of the Federal Government to take as much money away from the private citizens as they possibly can and then set themselves up as a ''committee of Government'' who divides that money up to take care of everyone as they see fit.

Mr. President, this is wrong. We should allow citizens to keep more of their own money and make their own decisions on how it should be spent. Government often purports to know more about our own needs than we do. But you know best how to spend your own money. History has demonstrated that the American people will use their money more wisely and more efficiently than we in Congress will. While they are doing that, they will be very compassionate, as well as constructive.

The Republican tax package is aimed at providing broad-based tax relief for the majority of the American people. The $500-per-child tax credit would provide $81 billion in tax relief for America's families over the next 5 years. This idea has been championed by the Republican Party as a means of helping America's families. The President thought it was such a good idea that he has even campaigned on it.

Many families today have two parents working: one of them works to pay the bills, the other one works to pay the taxes. We should be working to strengthen our American families in any way that we can. Taxes are our tax policy, and we should be disappointed and embarrassed by what our tax policy says. We should not be strangling American families with a punitive Tax Code that penalizes marriages. It provides very little tax relief for families with children. It punishes people with a further tax on interest income when they try to save for their kids' college educations or for their own retirement. To add insult to injury, we even tax people when they die.

We kind of have this tax policy in the United States that if it moves, you tax it, and if it won't move, you tax it; when you buy it, you tax it; when you sell it, you tax it; and if you happen to die owning something, we're going to tax half of that, too.

I listened to much of the debate yesterday by my colleagues on the other side of the aisle who claim this is a tax cut for the wealthy. This claim has absolutely no basis in fact unless you play with statistics. I watched the charts yesterday. We should have truth in advertising on the Senate floor. We saw charts that indicated that people earning $30,000 a year would only get a $50-a-year tax credit. That is playing with the truth. They said that people who earned $400,000 would get $7,000 in tax relief. That is also lying with statistics.

Take the $500 tax credit all by itself. If you earn $30,000 and you have kids, you would get a tax credit of $500 per child, and as I heard so eloquently explained earlier by my colleague from New Mexico, that is a tax credit. That means you don't take it off the income part of your tax statement, you take it off the taxes that you owe. You get to fill it out clear down to the balance first, and that is where you get the biggest tax cut. You figure your tax bill, and then you get to subtract from your tax bill this $500-per-child tax credit.

I assure you that people who are earning $30,000, as most of you know, pay taxes, and if you pay taxes and you have kids, you get the tax credit, you get a $500-a-year credit for that child. That is quite a bit bigger than the $50 that was claimed here yesterday.

If you take and lump everybody together, there are a whole bunch of people who are earning money who are not even married yet and don't have kids. They are looking forward to that tax credit, but they are not earning it. If you combine all of those, maybe you can get it down to an average of $50 per person who pays taxes in the $30,000 tax bracket. I would like to see a lot more detail on the kind of charts that we saw.

We did pass welfare reform. That was the American people saying that we do expect people in this country to work and pay taxes. The credit would not go to people who do not pay taxes. We are not going to pay people not to work. What we are talking about here is the ability of the people in the United States to still enjoy the American dream. The American dream of owning their own home, their own car, to be able to be an entrepreneur; have an idea, go out and start a business and have that business grow into one of the biggest in the country. When they start that business, they are hoping that they can be doing it for their kids as well; that there will be money that can go to their kids.

They are hoping to be able to pass some money on to the next generation. They are worried about their kids. I know a lot of people who have homesteaded in the West and spent every dime that they have earned off their farm or ranch to buy more land so that they would have land to pass on to their kids. Something interesting is happening out in the West, and that is, a whole bunch of people are moving into Wyoming from other States, and they are willing to pay a lot more for land than what the cows will produce on the land. The price of land has been increasing greatly. That is what they have to pay an inheritance on. They are taking away their ability to pass it on to their kids, a way of life, a way their kids anticipated earning money.

I saw a program the other night about the new millionaires. Millionaires, we consider them to be rich. I can tell you—not from personal experience I can't—but from looking at people's returns, today's millionaires are not nearly as rich as years-ago millionaires. It is happening today, and the way it is happening is people who are working on assembly lines or in small business are taking a little bit of money out of their check—I know it is difficult to do—but they are taking that money and investing it, and when they get to retirement age, some are now finding because of these investments they have been doing for years and years, the business has been successful enough, they worked hard enough at their job to make that business successful, that the stock they bought is worth over $1 million. And then they die just at the time they get to their retirement, and the Federal Government says your kids aren't entitled to that, even though you worked for it for yourself and your kids all of that time. We, the Federal Government, are entitled to almost half of that money. We didn't do anything to help it, but we get it.

The fact is that the overwhelming majority of the tax cut contained in the Senate's tax package go to middle-income families. According to the Joint Committee on Taxation, which is Congress' official tax estimator, 74 percent of the benefits of the tax relief bill will go to individuals and families making $75,000 or less. Moreover, 82 percent of the benefits would go to families with educational needs, these middle-income families who were hardest hit by the Democrats' radical tax hike in 1993, and this is the group that is in most need of serious tax relief.

What many of my colleagues on the other side of the aisle really want to return to is welfare. They want to raise the taxes on people who are now paying taxes to give more money to those who aren't paying any taxes at all. That is not tax relief, it is welfare. Moreover, the budget proposal already provides for $1 2/10 trillion in spending for the next 5 years. The tax proposal would be a good first step in allowing families and small businesses and those who save to keep more of their own.

We need to get beyond the misstatements and distortions and give the American people meaningful tax relief. As we prepare for the debate on the tax package next week, I ask my colleagues to join me in this endeavor.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Alaska.

Mr. MURKOWSKI. I thank the Chair and wish the Chair a good afternoon.

THE 20TH ANNIVERSARY OF THE TRANS-ALASKA PIPELINE

Mr. MURKOWSKI. Mr. President, I advise my colleagues that 20 years ago today, a truly historic event occurred in my State of Alaska that had much to do with the shaping of the character of our State probably as much as the majestic and unique parts of our State, whether it be in the mountains or glaciers.

On June 20, 1977, at 10:06 a.m. at Prudhoe Bay, AK, the crude oil discovered on the North Slope 9 years earlier began to flow. It began its journey south some 800 miles to the ice-free port of Valdez through the Trans-Alaska pipeline. That first trip, which now takes about 5 days for the oil to move, took over 1 month to complete and marked the culmination of the largest private construction project ever undertaken in the history of North America.

Since that time, every citizen has benefited from this marvel of American engineering, but few really understand how significant this feat was and how much it has contributed to our Nation. The pipeline took 3 years of construction.

The total cost was about $8 billion. The initial estimate was just under $1 billion. However, in today's dollars, that would equate to about $22 to $25 billion. It was truly a marvel, one of the engineering wonders of the world. It took 2,215 State and Federal permits to proceed. Today, it is estimated to take over 5,000. Approximately 70,000 people were used as a work force; over 3 million tons of materials were shipped to Alaska for construction; 73 million cubic yards of gravel were used; 13 bridges, ranging from 177 feet to 2,295 feet had to be constructed going across the Yukon River; 834 rivers were crossed; three mountain ranges as well.

Since that time, Mr. President, that pipeline has been subject to earthquakes, it has been subject to bombing, dynamite has been wrapped around it, it has been shot at so many times too numerous to count—but it has withstood those rigors of Mother Nature as well as mankind.

While there was a terrible accident associated with the grounding of the *Exxon Valdez*, which was of course due to negligence on behalf of those who were operating that vessel, the Prince William Sound is cleaned up today, and it is continuing its contributions as one of the most productive bodies of water on Earth. From the standpoint of the renewability of the fisheries and marine resources of the area—I do not mean to belittle the significance of that tragedy—but Mother Nature has a way of cleansing, and it was helped by a good deal of funding, commitment and expertise from Alaskans and those outside. But the fact remains, this pipeline continues to contribute a great deal to the economy of this country.

Certainly much of the permitting process, and to a large degree the continuity of maintaining quality and environmental concerns, are a responsibility of the Federal Government as well as the State government which watched over the construction and the operation and made sure it was done responsibly. But those groups did not stand in the way of construction.

Since the pipeline first flowed on June 20, 1977, the pipeline has produced and provided the United States with over 25 percent of the domestic crude oil produced in the United States and about 10 percent of total U.S. daily consumption of crude oil, to give you some idea of the significance of this particular and unique all-American pipeline.

So, as a consequence, as we look at our situation today, this pipeline has contributed significantly to U.S. energy independence and, I might add, energy independence that is in serious jeopardy.

Consider this for just a moment, Mr. President. In 1994, domestic flow production dropped to 6.6 million barrels a day, the lowest since 1954. National demand has increased to more than 17.7 million barrels per day, the highest level since the mid-1970's. The United States imported 51 percent of its oil in 1994. Today, we are importing a little over 52 percent, but according to the Department of Energy, U.S. dependence on foreign oil is expected to rise to nearly 70 percent by the year 2000.

If not for the trans-Alaska pipeline, we might have already reached 70 percent imported oil. How much higher would our gasoline prices be without that pipeline? How much more likely would we be putting our children and grandchildren in harm's way on foreign soil to protect our domestic interests if we were importing more than 70 percent of our oil? Because, make no mistake about it, Mr. President, the Persian Gulf conflict was about keeping the flow of oil for the benefit of the world.

We have always had an environmental concern over the pipeline. It was predicted that this pipeline, going through permafrost, which is frozen ground, and being a hot pipeline carrying warm oil, would cause heat generation and melt the permafrost, and, therefore, the pipeline would continually go further and further down, to fulfill perhaps a self-propelling prophecy that was suggested it would end up in China some day. Didn't we always know as kids, if you went down far enough, you would end up in China? Well, clearly that has not happened, Mr. President.

The pipeline operates in permafrost. The hot oil flows through the pipeline, but the pipeline was clearly engineered to withstand that. It was suggested that this pipeline across 800 miles of Alaska would cause the animals, the wildlife associated with it, be it the polar bear, the grizzly bear, the brown bear, the black bear, the caribou, or the moose, to somehow have a fence they could not cross. The facts are, at the pipeline and the buried sections, the animals browse on it in the early spring because the small amount of heat generated causes the grasses to come up first, and it has become a sight and attraction. We see the caribou in their migration standing on top of the buried pipeline because there is more wind there and there are less opportunities for mosquitoes. So to suggest that it has somehow restricted the natural flow of wildlife certainly has not occurred.

One can bottom line it and simply say the predictions of the environmental groups who said this was going to be some kind of environmental disaster have not occurred. It has been successful. It has done its job, and continues.

To suggest it has not had its share of problems or there have not been mechanical failures and there have not been human failures—of course there have. I have always supported stringent oversight of the pipeline. We have been working with the Joint Pipeline Office and the Department of Transportation, and the effort has been successful.

But every now and then we find opponents of development in Alaska who are looking for a cause, the cause of membership or cause of dollars or perhaps they bring up some of the young attorneys from Harvard or Brown to do

missionary work in Alaska by representing one or another of the environmental groups. I think we have some 62 in Anchorage now.

They need a cause. And one of their favorite topics, when things are slow, is to come out with a report that somehow the pipeline is in peril, somehow the pipeline is not being operated in the most efficient manner from the standpoint of the public interest.

First of all, Mr. President, those who own the pipeline, the major owners—ARCO, Exxon—produce petroleum. Their interest is moving oil, moving oil safely, moving oil economically. To do anything less than that would be detrimental to their own interest.

The State of Alaska maintains an oversight, the Federal Government maintains an oversight. But nevertheless, we continually see reports that purposely mislead the public about the Trans-Alaska pipeline.

Those of us in the Senate know that if you do not have your electric code book up to date—and there are 25,000 or 30,000 separate entries—you can be classified by an agency as having 25,000 or 30,000 violations. It does not mean that your code book has not been updated during the last year for any number of reasons.

So we have had critics of the pipeline from time to time issuing reports intended to portray some of these problems as standard operating procedure for pipeline management rather than an exception. Of course, it generates for those particular organizations contributions and in some cases generates membership. But these claims are in stark contrast to recent oversight reports by responsible State and Federal agencies tasked with the oversight responsibility.

In 1995, the U.S. Department of Transportation audited the Office of Pipeline Safety to determine its effectiveness in ensuring the Trans-Alaska pipeline operations minimize risk to life and property. The audit concluded the operation ''is effectively monitoring and inspecting [the pipeline]. Also, when violations were identified, OPS took enforcement actions against Alyeska'' and made corrections.

In August of 1995, at the request of Congress, the GAO completed an audit of the pipeline operators and their response to identified deficiencies. The report concluded that ''Alyeska has taken substantive actions that, if carried through to completion, appear to be adequate to correct the problems.''

Last year, the Joint Pipeline Office concluded that Alyeska has implemented its revised quality control for the pipeline sufficiently to allow its full approval.

So, Mr. President, these are the responsible agencies and current reports we have on hand. We have no reason to doubt their accuracy.

Finally, Mr. President, Alaska truly is a great State, a great big piece of real estate. We have many great assets, including our people and the resources that we have. On this date, I would like to especially recognize the role the Trans-Alaska pipeline has had in shaping our State and the benefits it has provided to this Nation's energy and natural security interests.

Finally, Mr. President, on July 18–20, I am going to be leading a number of our colleagues to Alaska to look at the issues related to resource development of Alaska's Arctic, specifically the Trans-Alaska pipeline and other areas where truly the wealth of North America is coming from the Arctic.

I remind the Presiding Officer that Alaska just happens to be the only State with any Arctic in it. So as part of that trip, we will take a close look at the marvels of the Trans-Alaska pipeline, what it has meant to this Nation. I look forward to leading this group, and I encourage my colleagues to join with me on this important trip.

Finally, in conclusion, on the 20th anniversary of the Trans-Alaska pipeline, I would like to congratulate those workers who operate and have operated this pipeline for the last 20 years against tremendous odds, extraordinary climactic conditions, and have done it in a manner of recognizing that American technology and ingenuity and can-do spirit can just about overcome any adversity and any particular challenge of the time.

The successful operation of the Trans-Alaska pipeline for the last 20 years, I think, has proven that indeed the men and women who are associated with the pipeline and the Alyeska crew are certainly up to the task.

I thank the Chair.

Mr. President, I yield the floor.

134TH BIRTHDAY OF THE STATE OF WEST VIRGINIA

Mr. BYRD. Madam President, today is the 134th birthday of the State which I have been so pleased and so proud and so privileged and so honored to represent in Congress since January 1953. Born of the turmoil of the Civil War, West Virginia has never had an easy time of it. Although blessed with great beauty and rich in natural resources, my State's rugged terrain and isolated geography have worked to make her people a breed apart.

Their independent views—they are a mountain people; mountain people traditionally have independent views, whether they live in Switzerland or Afghanistan or in Scotland or in West Virginia—their independent views, their impoverishment, their fierce loyalty to their communities, to their State and to their country have made them fodder for bad jokes, degrading sitcoms and derogatory nicknames.

Well, I am here to tell those who would perpetuate such hackneyed stereotypes that it is they—it is they—who are backward, because in West Virginia's hollows and on her mountains live some of the finest people in all of God's great creation.

For the most part, West Virginians are religious. They don't have, as some would like to portray, rattlesnakes in their church services. They are traditional in their outlook, they are reverent about their tried-and-true customs and patriotic about their Nation.

In World War II, West Virginia ranked fifth among the States in the percentage of its eligible male population participating; first among the States in eligible male population participating in the Korean war; second among the States in the percentage of its eligible male population participating in the Vietnam war. Also, West Virginia ranked first among the States in the percentage of deaths its eligible male population suffered during both the Korean and Vietnam wars.

West Virginians are generally quiet. They are not loud talkers. I don't like loud talkers. They are not loud talkers. You would not hear them from one end of the Capitol to the other talking with loud voices in the corridors. They don't do that. They are generally quiet, courteous, sincere, and accommodating.

There is a presence of basic values among her residents that is scarce in much of the Nation in many places. West Virginians value hard work. They are not afraid of it. They love their families. They have a respect for authority. We don't burn flags in Weirton, WV, where there are at least 30 ethnic groups from the old world. They have respect for their communities and a love for their country and reverence for a Creator.

They don't go around wearing their religion on their sleeves. They don't make a big whoop-de-doo of it, and, as far as I am concerned, most are not the religious right or the religious left. They are simply respectful of a Creator and quietly religious.

More and more people are discovering our State. The crime is low in West Virginia, life is slower there and stress seems to float away, to be replaced by the serenity of beauty, charm and uncomplicated courtesy. Our unique mountain crafts attract attention nationwide, as do our scenic parks and our recreational activities.

West Virginia really is a world apart. My State has come a long way from the days when she was plundered by industrial barons who lived outside her borders, plundered for her rich natural resources, and many of her citizens were used as little more than indentured servants in those days in the dangerous dirty work of mining coal, for example. Today, she is experiencing new economic growth and prosperity as a result of new roads.

When I was a member of the West Virginia House of Delegates, the lower house of the West Virginia Legislature in 1947, West Virginia had 4 miles—West Virginia had 4 miles—of divided four-lane highways—4 miles. That was when I was starting out in politics, now 51 years ago. Four miles, and then one need not wonder why West Virginians become indignant when a few dollars are appropriated by the Federal Government to build safe, modern four-

lane divided highways in West Virginia; a few dollars compared with the billions of dollars that go for airports, go for mass transit and other modes of transportation elsewhere.

So she is experiencing new economic growth. Travel our highways now, view the scenery now, experience the hospitality now, see the historic places, stand on the tops of those mountains and view the creative works of an omnipotent God. Look at her sunrises, pause at her tranquil sunsets and view the land where the early pioneers crossed the Alleghenies with a Bible in one hand and a rifle in the other, carrying a bag of seeds.

They used the forests, dredged the rivers, and built a great State—a great State—a State that was born during the struggle between the States, the war between the States, the war among the States.

So she is experiencing new economic growth and prosperity as a result of new roads, technology, and forward-looking leadership. In fact, West Virginia boasts four cities in the top 200 of Money magazine's 1997 list of the best places in America to live. And there are many more than four cities there and towns and rural communities that I would categorize as the best places in America to live.

So today I say to all of those who have never tasted our glorious country cooking or danced at our traditional mountain festivals to tunes that are played by mountain musicians, never skied our shimmering slopes or paddled our wild white water, never heard the rich notes of our mountain music or gazed at our phenomenal sunsets, come to West Virginia. We will show you the way.

Happy birthday. Happy birthday, West Virginia. May you grow, and may your people never, never change.

Madam President, I yield the floor.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. I want to commend the able Senator from West Virginia on his devotion and dedication to his State. He has just paid a wonderful eulogy to that State and the people of that State. I am sure the people of the United States are very proud of West Virginia and the people of West Virginia and the able Senator who represents them here in the Senate.

Mr. BYRD. Madam President, I thank my friend, my senior colleague, for his gracious and kind remarks concerning my State and my people.

CHEMICAL WARFARE DEFENSE DOCTRINE

Mr. BYRD. Mr. President, one year ago tomorrow, on June 21, 1996, in a hastily called press conference, the Department of Defense revealed that United States troops may have been exposed to Iraqi chemical nerve and mustard agents as a result of the post-war demolition of an Iraqi ammunition storage depot at Kamisiyah, Iraq. By September 1996, the DOD estimate of the number of soldiers who may have been exposed had climbed to just over 20,000, and the DOD announced that studies were still under way that could push that number even higher. This announcement raised new fears that Iraqi chemical warfare agents may have played a role in causing the illness among United States and coalition veterans of the Persian gulf war that has come to be called gulf war syndrome, and it exposed flaws in the manner in which the Department of Defense tracked the locations and medical histories of units and individual troops. The Department of Defense and the Presidential Advisory Committee on gulf war illnesses have subsequently attempted to address this and many other possible causes of gulf war syndrome, as have a number of congressional committees. There is still considerable uncertainty and controversy surrounding this issue.

As a result of that announcement, I offered an amendment to the Fiscal Year 1997 Department of Defense authorization bill to provide $10 million for independent scientific research into the possible relationship between chemical agent exposure, particularly to low levels of chemical agent exposure, and gulf war syndrome. My amendment was adopted without debate by the Senate and supported through the conference with the House, and I thank my colleagues for sharing in my concern that our veterans be provided with the independent medical research on this subject that had not previously existed. I am eager, as I know our sick veterans and their families are also, to learn the results of these studies.

But, Mr. President, although efforts to improve medical records management techniques in order to better understand and treat future post-war illnesses among United States troops—efforts already undertaken by the Department of Defense—are a step in the right direction, I believe that the most effective course of action is to prevent the exposures from occurring. We must not settle for just closing the barn door after the horse has bolted. We must find out why the door failed to contain the horse, and fix it. In that regard, the effectiveness of current doctrine and technology is questionable. It is not certain that our chemical detectors will provide a sufficient warning for low levels of chemical agent, and it is not certain that our military doctrine and procedures are adequate to fully protect our troops in a scenario that is not immediately life-threatening. Nor is it certain that the military anticipates the synergistic effects of different factors, such as the administration of vaccines and anti-chemical warfare agent drugs, in combination with the use of pesticides or exposure to other battlefield effluents, including chemical and biological agents.

I am concerned that United States military doctrine has not changed to reflect these lessons learned from the gulf war experience and its aftermath. My concern is, I know, shared by many of my colleagues, who over the years have pursued these issues in hearings. Indeed, even the Special Assistant for gulf war illnesses at the Department of Defense has admitted in testimony before Congress that ''We [DOD] need to learn from our Gulf experience and make the necessary changes in policies, doctrine, and technology.''

I am pleased, therefore, that two of my colleagues on the Armed Services Committee, Senator LEVIN and Senator GLENN, have joined me in requesting that the General Accounting Office [GAO] initiate an evaluation of this very issue. Both of these very able Senators have, over the last several years, questioned the ability of our military to fight and win on a chemical battlefield. We have asked the GAO to address the adequacy of current policies, procedures, and technologies to first adequately defend United States military forces against single, repeated, or sustained exposure to low levels of chemical warfare agent, and to second identify, prepare for, and defend against the possible adverse effects of chemical warfare agent exposure in combination with other compounds commonly found in the battlefield, including pesticides, oil and diesel exhaust, biological warfare agents, low level radiation, medically administered vaccines, and other occupational hazards.

It is my hope that this study will lay the foundation upon which we might make effective and targeted adjustments in next year's Department of Defense authorization bill that will give our soldiers the ability and confidence to fight and win on a chemically contaminated battlefield.

IN MEMORY OF BILLY N. STEPHENS

Mr. FORD. Mr. President, on Sunday, May 18, a soldier was laid to rest in a small Kentucky community along the banks of the Ohio River. But this wasn't to be any small affair. Billy Stephens had served his country and community with distinction and he would be honored for those contributions by a 17-man team from Ft. Knox.

Once the rifles were fired, the bugle sounded taps, and the flag from the casket was presented to his widow, those present couldn't help but feel the enormity of his life. A son of Hawesville in Hancock County, if you met Billy Stephens on the street, you might not suspect him of greatness.

But it is because of him and others like him, that you and I enjoy freedom today.

In 1940, he joined the Army and served for the duration of the war. Before the war ended, he would participate in seven campaigns and earn seven battle stars. In addition to the EAME theater with seven Bronze Stars, his military decorations included the

American Defense Service Medal and the Good Conduct Ribbon.

When he left the Army his commitment to service continued, not only as the Hancock County Sheriff, but also in his dedication to seeing the community grow, while preserving its solid rural values. It was that unyielding devotion that earned him the Citizen of the Year award in 1992 by the Hancock County Chamber of Commerce.

Perhaps his commitment to country should come as no surprise. His father served in the Army during World War One, and both of his brothers served in World War II, where one narrowly escaped death at Pearl Harbor. Both of his sons served in Viet Nam, as did his daughter's husband. His grandson continues the tradition as an Air Force Academy graduate.

Mr. President, Billy Stephen's contributions will be felt for generations, both as soldier and community leader. He was a good father, husband, friend, and fighter for America, and his presence will be sorely missed.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, June 19, 1997, the Federal debt stood at $5,330,018,602,378.07. (Five trillion, three hundred thirty billion, eighteen million, six hundred two thousand, three hundred seventy-eight dollars and seven cents)

One year ago, June 19, 1996, the Federal debt stood at $5,120,985,000,000. (Five trillion, one hundred twenty billion, nine hundred eighty-five million)

Five years ago, June 19, 1992, the Federal debt stood at $3,933,120,000,000. (Three trillion, nine hundred thirty-three billion, one hundred twenty million)

Ten years ago, June 19, 1987, the Federal debt stood at $2,293,351,000,000. (Two trillion, two hundred ninety-three billion, three hundred fifty-one million)

Twenty-five years ago, June 19, 1972, the Federal debt stood at $426,191,000,000 (Four hundred twenty-six billion, one hundred ninety-one million) which reflects a debt increase of nearly $5 trillion—$4,903,827,602,378.07 (Four trillion, nine hundred three billion, eight hundred twenty-seven million, six hundred two thousand, three hundred seventy-eight dollars and seven cents) during the past 25 years.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ENZI). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 1:18 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following bill:

H.R. 956. An act to amend the National Narcotics Leadership Act of 1988 to establish a program to support and encourage local communities that first demonstrate a comprehensive, long-term commitment to reduce substance abuse among youth, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2253. A communication from the Chairman of the Tennessee Valley Authority, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1996; to the Committee on the Judiciary.

EC–2254. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of a Presidential Determination relative to the Federal Republic of Yugoslavia; to the Committee on Foreign Relations.

EC–2255. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of two rules including a rule entitled ''Visas'' received on June 10, 1997; to the Committee on Foreign Relations.

EC–2256. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–2257. A Communication from the Assistant Secretary of Defense, transmitting, pursuant to law, a response to a report relative to tax deductibility of nonreimburseable expenses; to the Committee on Finance.

EC–2258. A communication from the Attorney-Advisor, Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, a rule entitled ''Offset of Tax Refund Payments to Collect Past-due, Legally Enforceable Nontax Debt'', received on June 18, 1997; to the Committee on Finance.

EC–2259. A communication from the Chair, Federal Energy Regulatory Commission, transmitting, pursuant to law, a rule relative to nuclear plant decommissioning trust fund, received on June 16, 1997; to the Committee on Energy and Natural Resources.

EC–2260. A communication from the Acting Deputy, Office of the Secretary, Department of the Interior, transmitting, pursuant to law, a rule entitled ''National Capital Region Parks-Kennedy Center and Distribution of Literature'' (RIN1024–AC61), received on June 18, 1997; to the Committee on Energy and Natural Resources.

EC–2261. A communication from the Director of Defense Procurement, Acquisition and Technology, Secretary of Defense, transmitting, pursuant to law, a report of 43 rules relative to the Defense Acquisition Circular 91–12, received on June 16, 1997; to the Committee on Armed Services.

EC–2262. A communication from the Director, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, a rule entitled ''Scope of Rules: National Security; Prevention of Acts of Violence and Terrorism'' (RIN1120–AA54), received on June 19, 1997; to the Committee on the Judiciary.

EC–2263. A communication from the Congressional Review Coordinator, Marketing and Regulatory Programs, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, a report of a rule entitled ''Mediterranean Fruit Fly; Addition to Quarantined Areas; Regulated Articles'', received on June 19, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2264. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report relative to the Commission's Accountability for fiscal year 1996, received on June 19, 1997; to the Committee on Governmental Affairs.

EC–2265. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a rule relative to Fisheries of the Exclusive Economic Zone Off Alaska, received on June 19, 1997; to the Committee on Commerce, Science, and Transportation.

EC–2266. A communication from the Chief of the Forest Service, Department of Agriculture, transmitting, pursuant to law, a report relative to the Tongass National Forest; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROTH, from the Committee on Finance, without amendment:

S. 949. An original bill to provide revenue reconciliation pursuant to section 104(b) of the concurrent resolution on the budget for fiscal year 1998 (Rept. No. 105–33).

By Mr. DOMENICI, from the Committee on the Budget, without amendment:

S. 947. An original bill to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HARKIN:

S. 942. A bill to repeal the requirement that the Secretary of the Navy maintain a dairy farm for the Naval Academy; to the Committee on Armed Services.

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 943. A bill to amend title 49, United States Code, to clarify the application of the Act popularly known as the ''Death on the High Seas Act'' to aviation accidents; to the Committee on Commerce, Science, and Transportation.

By Mr. D'AMATO:

S. 944. A bill to require the Secretary of Housing and Urban Development to establish procedures for requesting waivers on behalf of qualified international medical graduates of the 2-year foreign residency requirement; to the Committee on the Judiciary.

By Mr. BREAUX (for himself and Mr. GRAHAM):

S. 945. A bill to eliminate waste, fraud, and abuse in the medicaid program; to the Committee on Finance.

By Mr. CRAIG:

S. 946. A bill for the relief of Pyonghui Gonion Arrington; to the Committee on the Judiciary.

By Mr. DOMENICI:

S. 947. An original bill to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998; from the Committee on the Budget; placed on the calendar.

By Mr. GRASSLEY (for himself and Mr. BREAUX):

S. 948. A bill to amend the Older Americans Act of 1965 to improve the provisions relating to pension rights demonstration projects; to the Committee on Labor and Human Resources.

By Mr. ROTH:

S. 949. An original bill to provide revenue reconciliation pursuant to section 104(b) of the concurrent resolution on the budget for fiscal year 1998; from the Committee on Finance; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself, Mr. SANTORUM, and Ms. MOSELEY-BRAUN):

S. Con. Res. 34. A concurrent resolution recognizing the importance of African-American music to global culture and calling on the people of the United States to study, reflect on, and celebrate African-American music; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 943. A bill to amend title 49, United States Code, to clarify the application of the act popularly known as the ''Death on the High Seas Act'' to aviation accidents; to the Committee on Commerce, Science, and Transportation.

DEATH ON THE HIGH SEAS REFORM ACT

Mr. SPECTER. Mr. President, I have sought recognition today to introduce legislation which will provide equitable treatment for families of passengers involved in international aviation disasters. I am very pleased that my colleague, Senator SANTORUM, is joining me as an original cosponsor of this bill. Companion legislation is being introduced in the House of Representatives by Congressman JOE MCDADE and 10 other members of the Pennsylvania congressional delegation.

As my colleagues know, the devastating crash of Trans World Airlines flight 800 on July 17, 1996 took the lives of 230 individuals. Perhaps the community hardest hit by this tragedy was Montoursville, PA, which lost 16 students and 5 adult chaperones from Montoursville High School who were participating in a long-awaited French Club trip to France.

It has been brought to my attention by constituents who include parents of the Montoursville children lost on TWA 800 that their ability to seek redress in court is hampered by a 1920 shipping law known as the Death on the High Seas Act, which was originally intended to cover the widows of seafarers, not the relatives of jumbo-jet passengers embarking on international air travel.

Under the Warsaw Convention of 1929, airlines do not have to pay more than $75,000 to families of passengers who died on an international flight. However, domestic air crashes are covered by U.S. law, which allow for greater damages if negligent conduct is proven in court.

The Warsaw Convention limit on liability can be waived if the passengers' families show that there was intentional misconduct which led to the crash. This is where the Death on the High Seas Act comes into play. This law states that where the death of a person is caused by wrongful act, neglect, or default occurring on the high seas more than 1 marine league which is 3 miles from U.S. shores, a personal representative of a decedent can sue for pecuniary loss sustained by the decedent's wife, child, husband, parent, or dependent relative. The act, however, does not allow families of the victims of TWA 800 or other aviation incidents to obtain other types of damages, such as recovery for loss of society or punitive damages, no matter how great the wrongful act or neglect by an airline or airplane manufacturer.

My legislation would amend Federal law to provide that the Death on the High Seas Act shall not affect any remedy existing at common law or under State law with respect to any injury or death arising out of an aviation incident occurring after January 1, 1995. In effect, it would clarify that Federal aviation law does not limit remedies in the same manner as maritime law, and permits international flights to be governed by the same laws as domestic flights.

My legislation is not about blaming an airline or airplane manufacturer. It is not about multimillion dollar damage awards. It is about ensuring access to justice and clarifying the rights of families of victims of plane crashes such as TWA 800. I am open to exploring with my colleagues the possibility of expanding the retroactive relief provided in this legislation, bearing in mind that many of the plaintiffs in cases arising out of previous airplane disasters, such as the Korean Air Lines 007 incident in 1983, have agreed to out-of-court settlements.

The need for this legislation is suggested by the most recent Supreme Court decision on this issue, *Zicherman* v. *Korean Airlines*, 116 S. Ct. 629 (1996), in which a unanimous Court held that the Death on the High Seas Act of 1920 applies to determine damages in airline accidents that occur more than 3 miles from shore. By contrast, the Court has ruled that State tort law applies to determine damages in accidents that occur in waters 3 miles or less from our shores. *Yamaha* v. *Calhoun*, (1996 WL 5518)

I believe it is inequitable to make such a distinction at the 3 mile limit in civil aviation cases where the underlying statute predates international air travel. I would note that the Gore Commission on Aviation Safety and Security noted in its final report this February that ''certain statutes and international treaties, established over 50 years ago, historically have not provided equitable treatment for families of passengers involved in international aviation disasters. Specifically, the Death on the High Seas Act of 1920 and the Warsaw Convention of 1929, although designed to aid families of victims of maritime and aviation disasters, have inhibited the ability of family members of international aviation disasters from obtaining fair compensation.''

I would further note that in an October 1996 brief filed at the Department of Transportation by the Air Transport Association, the trade association of U.S. airlines, there is an acknowledgment that the Supreme Court in Zicherman did not apparently consider 49 U.S.C. 40120 (a) and (c), which preserve the application of State and common law remedies in tort cases and also prohibit the application of Federal shipping laws to aviation. My legislation amends 49 U.S.C. 40120(c) to clarify that nothing in the Death on the High Seas Act restricts the availability of remedies in suits arising out of aviation disasters.

At a time when so many Americans live, work, and travel abroad, taking part in the global economy or seeing the cultural riches of foreign lands, they and their families should know that the American civil justice system will be accessible to the fullest extent if the unthinkable occurs.

I urge my colleagues to support this legislation and look forward to working with them to ensure its ultimate enactment during the 105th Congress.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 943

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

SECTION 1. DEATH ON THE HIGH SEAS ACT.

Section 40120(c) of title 49, United States Code, is amended to read as follows:

''(c) ADDITIONAL REMEDIES.—

''(1) IN GENERAL.—Nothing in this part or the Act entitled 'An Act relating to the maintenance of actions for death on the high seas and other navigable waters' approved March 30, 1920 (46 U.S.C. App. 761 et seq.), popularly known as the 'Death on the High Seas Act', shall, with respect to any injury or death arising out of any covered aviation incident, affect any remedy—

''(A) under common law; or

''(B) under State law.

''(2) ADDITIONAL REMEDIES.—Any remedy provided for under this part or the Act referred to in paragraph (1) for an injury or death arising out of any covered aviation incident shall be in addition to any of the remedies described in subparagraphs (A) and (B) of paragraph (1).

''(3) COVERED AVIATION INCIDENT DEFINED.—In this subsection, the term 'covered aviation incident' means an aviation disaster occurring on or after January 1, 1995.''.

By Mr. D'AMATO:

S. 944. A bill to require the Secretary of Housing and Urban Development to establish procedures for requesting waivers on behalf of qualified international medical graduates of the 2-year foreign residency requirement; to the Committee on the Judiciary.

THE COMMUNITY HEALTH CARE ACCESS ACT OF 1997

• Mr. D'AMATO. Mr. President, I introduce the Community Health Care Access Act of 1997. This act will help ensure that the residents of our inner-city and rural areas, in New York and across the Nation, will have increased access to affordable health care. This legislation will establish a procedure within the Department of Housing and Urban Development [HUD] for foreign medical students, who are granted temporary residency status in order to complete their medical education, to retain their legal status in exchange for practicing in areas with serious physician shortages.

Mr. President, throughout my home State of New York, there are numerous inner-city and rural communities which face a real crisis in the availability of qualified physicians. Too often, these communities face enormous difficulty attracting physicians to help serve the needs of their residents. Physicians are desperately needed to help cope with the growing incidence of drug-resistant tuberculosis, HIV, and other infectious diseases, as well as other critical health care needs such as pre-natal and neo-natal care.

The act I am introducing today will help address this crisis by requiring the Secretary of the Department of Housing and Urban Development to request a J–1 visa waiver for any qualified medical professional who agrees to practice in an underserved area. This bill will allow hundreds of qualified doctors who are willing and able to serve in these communities to partner with existing health care facilities in order to serve needy populations who lack access to affordable health care.

This legislation will help hospitals which are located in areas which are designated by the Department of Health and Human Services [HHS] as ''Health Professional Shortage Areas'' to draw upon a pool of doctors who are among the best and the brightest in the world. Currently, there is a severe shortage of U.S. medical residents who are willing to serve in these areas. These urban and rural areas often have large uninsured populations with a variety of critical unmet health needs.

In a nation with the greatest health care system in the world, there exist communities which are unfairly denied access to affordable quality health care. This disparity can be seen both in isolated rural areas and in the high-impact urban cores of some of our largest cities. Too often, the members of these communities have been left out of the American dream. It is intolerable that certain parts of many American cities are experiencing higher infant mortality rates than many third-world countries.

The costs of providing health care increase as hospitals struggle to attract qualified physicians. As costs rise, the unmet health care needs of local residents are exacerbated. Thus, the supply shortage of qualified physicians creates a vicious cycle in which local residents are trapped.

My legislation will help break this cycle by increasing the availability of doctors in underserved areas while reducing health care costs.

Let me briefly provide some background information. Under the J–1 visa program, foreign medical students are temporarily admitted to the United States in order to complete their medical education and clinical training. Upon completion of their education, these students are required to leave the United States for a minimum of 2 years before they can become eligible for an extension of their legal residency status. However, current law provides an exception to this 2-year foreign residency requirement if the medical graduate agrees to practice in a designated ''Health Professional Shortage Area.''

Congress reaffirmed its commitment to the J–1 program, as well as to the waiver of the 2-year foreign residency requirement for international medical graduates who agree to practice in underserved areas, when it passed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996—Public Law 104–208. This Act was signed into law on September 30, 1996.

Mr. President, in December 1996, the General Accounting Office [GAO] released a report assessing the J–1 visa waiver program. This report, entitled ''Foreign Physicians: Exchange Visitor Program Becoming Major Route to Practicing in U.S. Underserved Areas'' noted the growing use of the visa waiver process and made several recommendations for improvement.

In conjunction with the reforms enacted last year as part of the Immigration Reform Act, the legislation I introduce today will effectively implement several of the recommendations made by the GAO. As noted in the report, last year's Immigration Reform Act required Federal agencies to utilize the same criteria for approval that previously applied to State health departments seeking such waivers. These new safeguards required physicians to: First, agree to work for at least 3 years for the health facility named in the application; second, work in an area designated by the Secretary of HHS as having a shortage of health care professionals; third, commence work within 90 days of receipt of the waiver; and fourth, maintain a nonimmigrant status until the completion of the 3-year commitment term. In addition, physicians who fail to comply with the terms of their agreements would face a termination of their residency status and a loss of eligibility to apply for legal immigrant status in the future.

This legislation would further improve compliance with the waiver requirements. This act will address the GAO report's finding that Federal agencies need to improve coordination in granting waivers. The act requires HUD to report to HHS on the number and location of physicians requesting waivers. I fully expect the Department of Health and Human Services to utilize this information in its annual designations of physician underserved areas. In addition, the legislation would require the sponsoring hospitals to provide HUD with periodic notices as to the compliance of physicians with the terms of the waiver agreements. Hospitals will also be required to provide HUD with immediate notice of the termination or cessation of compliance with these terms.

The addition of these reforms will ensure the effective continuation of this vital program. The GAO noted that, as of January 1, 1996, there were approximately 1,374 physicians admitted to practice in underserved areas through the J–1 visa waiver program. These physicians served in 49 States and the District of Columbia. According to a survey conducted by the General Accounting Office, approximately 40 percent of these physicians served in nonprofit community or migrant health care centers. Almost all of these physicians were practicing in primary care specialties. More than half were practicing in internal medicine. The other major specialties were pediatrics and family practice.

Mr. President, it is important to note the outstanding caliber and the unique qualifications of the doctors participating in this program. In order to receive a J–1 visa, many of the participants were accepted into medical universities and world-renowned teaching hospitals with rigorous acceptance standards. In some cases, the admitted physicians are often specifically recruited by particular health facilities on the basis of their superior foreign language skills and cultural familiarity. For instance, the GAO cited a migrant health center in eastern Washington which actively recruited native-Spanish speakers for its program.

HUD plays a critical role in the reduction of health care costs. The agency operates a number of programs which benefit hospitals, nursing homes, and other health care organizations. The role played by HUD's hospital insurance program, for instance, is absolutely essential for many health care institutions in obtaining private market financing for hospital construction, renovation, and modernization. The credit enhancement provided by this program results in a tangible reduction in health care costs at little or no cost to the taxpayer.

I believe it is essential for Congress to continue to act expeditiously to address the valid concerns raised by the

GAO. At the same time, we must remain cognizant of the basic soundness of the waiver program and strive to improve and reform it. The waiver process has made basic health care available to many communities with desperate needs.

Mr. President, in conclusion I would emphasize the hardships which face many of our Nation's urban and rural residents as a result of the crisis in health care availability. The J–1 visa waiver program is an important tool to address these needs. The reforms to the current waiver process are also critical to ensuring that any noncompliance within the program is eradicated. I urge my colleagues to support the Community Health Care Access Act of 1997 in order to ensure that the waiver program remains a viable option in addressing our country's local health care needs for years to come.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 944

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 ''Community Health Care Access Act of 1997''.

SEC. 2. PROCEDURES.

(a) ESTABLISHMENT.—Pursuant to section 212(e) and section 214(l) of the Immigration and Nationality Act (8 U.S.C. 1182(e) and 8 U.S.C. 1184(l)), the Secretary shall establish procedures under which an individual may apply to the Secretary to request the Director of the United States Information Agency to recommend a waiver of the foreign residence requirement under section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182(e)) for that individual.

(b) REQUIREMENTS.—The procedures under subsection (a) shall require the Secretary to issue a request on behalf of an applicant whenever the applicant—

(1) meets the requirements under section 214(l) (8 U.S.C. 1184(l)) of the Immigration and Nationality Act; and

(2) meets such other terms and conditions established by the Secretary, which may include a requirement for the applicant to include as part of the waiver application a written agreement on the part of the health facility or health care organization named in the application to provide the Secretary with—

(A) periodic notification of the applicant's continued employment; and

(B) immediate notification of a failure on the part of the applicant to comply with the terms of the contract between the applicant and the health facility or health care organization.

SEC. 3. HHS REPORTING REQUIREMENT.

At least biannually, the Secretary shall submit a report to the Secretary of Health and Human Services setting forth the number of requests issued under section 2 and identifying the geographic areas in which aliens serve under those requests.

SEC. 4. IMPLEMENTATION.

Not later than 90 days after the date of enactment of this Act, the Secretary shall issue final regulations to implement the provisions of the Act. 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, regarding notice or opportunity for comment.

SEC. 5. DEFINITIONS.

In this Act:

(1) APPLICANT.—The term ''applicant'' means an alien as described in clause (iii) of section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182(e)).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Department of Housing and Urban Development.●

By Mr. GRASSLEY (for himself and Mr. BREAUX):

S. 948. A bill to amend the Older Americans Act of 1965 to improve the provisions relating to pension rights demonstration projects; to the Committee on Labor and Human Resources.

THE PENSION ASSISTANCE AND COUNSELING ACT OF 1997

Mr. GRASSLEY. Mr. President, today I am introducing legislation to achieve one of my primary objectives as chairman of the Special Committee on Aging: to help workers and retirees achieve a secure retirement.

As with any discussion about retirement planning, it is the norm to point to the ''three-legged stool'' of retirement—Social Security, personal savings, and a pension. Unfortunately, the legs of the stool may be getting warped.

Just this week, the Aging Committee confronted an issue that is affecting hundreds of thousands of workers and retirees—miscalculation of their hard-earned pensions. This hearing was intended to raise consumer awareness about the need to be proactive about policing your pension. As one of our witnesses said, ''never assume your pension is error-free.''

While it is impossible to know how many pension payments and lump sum distributions may be miscalculated, we know the number is on the rise. An audit conducted by the Pension Benefit Guaranty Corporation—focused on plans that were voluntarily terminated—showed that the number of people underpaid has increased from 2.8 to 8.2 percent. Anecdotal evidence suggests that the number of people receiving lump sum distributions who end up getting shortchanged could be 15 to 20 percent. Those numbers are very disturbing. The practical impact is that retirees, and young and old workers alike, are losing dollars that they have earned.

Workers and retirees need to be aware that they are at risk. They can help themselves by knowing how their benefits are calculated, that they should keep all the documents their employer gives them, and to start asking questions at a young age—don't wait until the eve of retirement.

Unfortunately, policing your pension is not easy. Employers are trying to do a good job but they are confronted with one of the most complex regulatory schemes in the Federal Government. Pensions operate in a complex universe of laws, rules, and regulations. Over the last 20 years, 16 laws have been enacted that require employers to amend their pension plans and then notify their workers of changes. It is not a simple task. If employers have problems trying to comply with Federal requirements, it is understandable that workers and retirees are having trouble getting a grasp on how their pension works.

Trying to educate yourself about pensions implies that someone is out there providing information to those who need it. That is where the legislation that I am introducing today comes in. People who are concerned about their pensions—whether it's an unintentional mistake or outright fraud—often don't have anywhere to go for expert advice.

Fortunately, there is an answer. Already authorized by the Older Americans Act, seven pension counseling projects have assisted thousands of people around this country with their pension problems. These projects provide information and counseling to retirees, and young and old workers in a very cost-effective manner.

Each project received $75,000 of Federal assistance over a 17-month period. As is normal for other programs under the Older Americans Act, these dollars were supplemented by money raised from private sources. During their operation, the projects recovered nearly $2 million in pension benefits and payments. That is a return of $4 for every $1 spent.

My legislation contains two key provisions: First, it updates the Older Americans Act to encourage the creation of more pension counseling projects. Seven projects are not enough to reach the 80 million people who are covered by pensions in this country. Hopefully, more counseling projects can be established to provide more regionally comprehensive assistance.

Second, the legislation would create an 800 number that people could call for one-stop advice on where to get assistance. Jurisdiction over pension issues is spread across three government agencies—none of which are focused on helping individuals with individual problems—especially if the problem does not seem to be a clear fiduciary breach or indicate that there may be criminal wrongdoing. An 800 number linking people to assistance will help close that gap.

I look forward to working with the Labor Subcommittee on Aging, the entity with jurisdiction over the Older Americans Act—to get these changes enacted as part of the reauthorization this year.

It is also crucial to emphasize the need for pension counseling projects with congressional appropriators. The projects have not received earmarked funding since the end of fiscal year 1996 and we simply cannot afford to lose the expertise that has been developed over the last 3½ years—especially in light of the growing concern over pension security.

My committee has been focusing on preparing for the retirement of the baby boom generation—it can be anticipated that the need for assistance with pensions will increase as that generation begins to retire. Social Security, by itself, was never intended to be the primary source of income for a retiree. A pension from an employer can prove to be a determining factor in whether retirees are able to maintain a decent standard of living. If there is no one to go for assistance to get all of the pension they have earned, their chances at a secure retirement are gloomy indeed.

ADDITIONAL COSPONSORS

S. 22

At the request of Mr. MOYNIHAN, the names of the Senator from South Carolina [Mr. HOLLINGS], the Senator from North Dakota [Mr. DORGAN], and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of S. 22, a bill to establish a bipartisan national commission to address the year 2000 computer problem.

S. 537

At the request of Ms. MIKULSKI, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 537, a bill to amend title III of the Public Health Service Act to revise and extend the mammography quality standards program.

S. 570

At the request of Mr. NICKLES, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 570, a bill to amend the Internal Revenue Code of 1986 to exempt certain small businesses from the mandatory electronic fund transfer system.

S. 738

At the request of Mrs. HUTCHISON, the name of the Senator from Ohio [Mr. DEWINE] was added as a cosponsor of S. 738, a bill to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes.

S. 770

At the request of Mr. NICKLES, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 770, a bill to encourage production of oil and gas within the United States by providing tax incentives, and for other purposes.

S. 832

At the request of Mr. KOHL, the name of the Senator from Arkansas [Mr. HUTCHINSON] was added as a cosponsor of S. 832, a bill to amend the Internal Revenue Code of 1986 to increase the deductibility of business meal expenses for individuals who are subject to Federal limitations on hours of service.

S. 861

At the request of Mr. INHOFE, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of S. 861, a bill to amend the Federal Property and Administrative Services Act of 1949 to authorize donation of Federal law enforcement canines that are no longer needed for official purposes to individuals with experience handling canines in the performance of law enforcement duties.

SENATE RESOLUTION 85

At the request of Mr. GREGG, the names of the Senator from Oregon [Mr. SMITH] and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of Senate Resolution 85, a resolution expressing the sense of the Senate that individuals affected by breast cancer should not be alone in their fight against the disease.

AMENDMENT NO. 420

At the request of Mr. COCHRAN the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of amendment No. 420 proposed to S. 936, an original bill to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

At the request of Mr. THURMOND his name was added as a cosponsor of amendment No. 420 proposed to S. 936, supra.

SENATE CONCURRENT RESOLUTION 34—RECOGNIZING THE IMPORTANCE OF AFRICAN-AMERICAN MUSIC

Mr. SPECTER (for himself, Mr. SANTORUM, and Ms. MOSELEY-BRAUN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary.

S. CON. RES. 34

Whereas artists, songwriters, producers, engineers, educators, executives, and other professionals in the music industry provide inspiration and leadership through their creation of music, dissemination of educational information, and financial contributions to charitable and community-based organizations;

Whereas African-American music is indigenous to the United States and originates from African genres of music;

Whereas African-American genres of music such as gospel, blues, jazz, rhythm and blues, rap, and hip-hop have their roots in the African-American experience;

Whereas African-American music has a pervasive influence on dance, fashion, language, art, literature, cinema, media, advertisements, and other aspects of culture;

Whereas the prominence of African-American music in the 20th century has reawakened interest in the legacy and heritage of the art form of African-American music;

Whereas African-American music embodies the strong presence of, and significant contributions made by, African-Americans in the music industry and society as a whole;

Whereas the multibillion dollar Africa-American music industry contributes greatly to the domestic and worldwide economy; and

Whereas African-American music has a positive impact on and broad appeal to diverse groups, both nationally and internationally: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the importance of the contributions of African-American music to global culture and the positive impact of African-American music on global commerce; and

(2) calls on the people of the United States to take the opportunity to study, reflect on, and celebrate the majesty, vitality, and importance of African-American music.

Mr. SPECTER. Mr. President, this resolution, being cosponsored by my distinguished colleague from Pennsylvania, Senator SANTORUM, and our distinguished colleague from Illinois, Senator MOSELEY-BRAUN, is a resolution to recognize the importance of African-American music to global culture and to our Nation.

This is especially important because this month of June is celebrated as Black Music Month, and the designation is particularly important to the city of Philadelphia, which is the home of the International Association of African-American Music.

At the conclusion of the Civil War, military band instruments were abundant and could be purchased for petty cash or labor. It was during this time that the first age of African-American music, Ragtime, was born, and when Eubie Blake composed his famous ''Charleston Rag.'' Jazz artists flourished later, including W.C. Handy, Duke Ellington, and Count Basie. Dozens of African-American female singers contributed their talents as well—among them Bessie Smith, followed by Ella Fitzgerald.

Today, African-American music's universal popularity and appeal is evidenced through the appreciation of other cultures. Non-African-American musical artists, such as Elvis Presley, the Beatles, and Bonnie Raitt, have cited African-American artists as inspiration for their own music. Globally, African-American music is appreciated for its impact on language, dance, art, and media, as well as social and cultural values.

Its impact on our Nation's economy is just as great. The African-American music industry supports and creates countless jobs worldwide, from publishing companies to concert and club venues to advertisers. The Recording Industry Association of America reports that, in 1995, combined sales of what it terms ''urban music''—including soul, dance, funk, and reggae—amounted to $1.4 billion. Furthermore, if jazz, gospel, and rap are combined—all genres in which there are significant African-American contributions—the total rises to nearly $3 billion.

The work of Philadelphia's International Association of African-American Music helps to share the virtues of African-American music with people around the world. This resolution recognizes the work of those who help foster understanding of African-American culture through music, including the generations of African-American musicians whose talents have enriched America.

It is my hope that the Senate will adopt this resolution. A companion resolution has been introduced in the

House by Congressman CHAKA FATTAH and it has bipartisan support from 58 House Members. In conclusion, I urge my Senate colleagues to join me in supporting this important recognition of African-American music.

AMENDMENTS SUBMITTED

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

GRAMS AMENDMENT NO. 422

Mr. GRAMS proposed an amendment to amendment No. 420 proposed by Mr. COCHRAN to the bill (S. 936) to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. . GAO STUDY ON CERTAIN COMPUTERS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the national security risks relating to the sale of computers with composite theoretical performance of between 2,000 and 7,000 million theoretical operations per second to end-users in Tier 3 countries. The study shall also analyze any foreign availability of computers described in the preceding sentence and the impact of such sales on United States exporters.

(b) PUBLICATION OF END-USER LIST.—The Secretary of Commerce shall publish in the Federal Register a list of military and nuclear end-users of the computers described in subsection (a), except any end-user with respect to whom there is an administrative finding that such publication would jeopardize the user's sources and methods.

(c) END-USER ASSISTANCE TO EXPORTERS.—The Secretary of Commerce shall establish a procedure by which exporters may seek information on questionable end-users.

(d) DEFINITION OF TIER 3 COUNTRY.—For purposes of this section, the term ''Tier 3 country'' has the meaning given such term in section 740.7 of title 15, Code of Federal Regulations.

INHOFE (AND OTHERS) AMENDMENT NO. 423

Mr. COVERDELL (for Mr. INHOFE, for himself, Mr. COVERDELL, Mr. CLELAND, and Mr. BENNETT) proposed an amendment to the bill, S. 936, supra; as follows:

At the end of subtitle B of title III, add the following:

SEC. . DEFINITION OF DEPOT-LEVEL MAINTENANCE AND REPAIR.

(a) DEPOT-LEVEL MAINTENANCE AND REPAIR DEFINED.—Chapter 146 of title 10, United States Code, is amended by inserting before section 2461 the following new section:

''§ 2460. Definition of depot-level maintenance and repair

''(a) IN GENERAL.—In this chapter, the term 'depot-level maintenance and repair' means materiel maintenance or repair requiring the overhaul or rebuilding of parts, assemblies, or subassemblies, and the testing and reclamation of equipment as necessary, regardless of the source of funds for the maintenance or repair. The term includes all aspects of software maintenance and such portions of interim contractor support, contractor logistics support, or any similar contractor support for the performance of services that are described in the preceding sentence.

''(b) EXCEPTION.—The term does not include the following:

''(1) Ship modernization activities that were not considered to be depot-level maintenance and repair activities under regulations of the Department of Defense in effect on March 30, 1997.

''(2) A procurement of a modification or upgrade of a major weapon system.''

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting before the item relating to section 2461 the following new item:

''2460. Definition of depot-level maintenance and repair.''.

SEC. . RESTRICTIONS ON CONTRACTS FOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE AND REPAIR AT CERTAIN FACILITIES.

Section 2469 of title 10, United States Code, is amended—

(1) in subsections (a) and (b), by striking out ''or repair'' and inserting in lieu thereof ''and repair''; and

(2) by adding at the end the following new subsection:

''(d) RESTRICTION ON CONTRACTS AT CERTAIN FACILITIES.—

''(1) RESTRICTION.—The Secretary of Defense may not enter into any contract for the performance of depot-level maintenance and repair of weapon systems or other military equipment of the Department of Defense, or for the performance of management functions related to depot-level maintenance and repair of such systems or equipment, at any military installation of the Air Force where a depot-level maintenance and repair facility was approved in 1995 for closure or realignment under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note). In the preceding sentence, the term 'military installation of the Air Force' includes a former military installation closed or realigned under the Act that was a military installation of the Air Force when it was approved for closure or realignment under the Act.

''(2) EXCEPTION.—Paragraph (1) shall not apply with respect to an installation or former installation described in such paragraph if the Secretary of Defense certifies to Congress, not later than 45 days before entering into a contract for performance of depot-level maintenance and repair at the installation or former installation, that—

''(A) not less than 75 percent of the capacity at each of the depot-level maintenance and repair activities of the Air Force is being utilized on an ongoing basis to perform industrial operations in support of the depot-level maintenance and repair of weapon systems and other military equipment of the Department of Defense;

''(B) the Secretary has determined, on the basis of a detailed analysis (which the Secretary shall submit to Congress with the certification), that the total amount of the costs of the proposed contract to the Government, both recurring and nonrecurring and including any costs associated with planning for and executing the proposed contract, would be less than the costs that would otherwise be incurred if the depot-level maintenance and repair to be performed under the contract were performed using equipment and facilities of the Department of Defense;

''(C) all of the information upon which the Secretary determined that the total costs to the Government would be less under the contract is available for examination; and

''(D) none of the depot-level maintenance and repair to be performed under the contract was considered, before July 1, 1995, to be a core logistics capability of the Air Force pursuant to section 2464 of this title.

''(3) CAPACITY OF DEPOT-LEVEL ACTIVITIES.—For purposes of paragraph (2)(A), the capacity of depot-level maintenance and repair activities shall be considered to be the same as the maximum potential capacity identified by the Defense Base Closure and Realignment Commission for purposes of the selection in 1995 of military installations for closure or realignment under the Defense Base Closure and Realignment Act of 1990, without regard to any limitation on the maximum number of Federal employees (expressed as full time equivalent employees or otherwise) in effect after 1995, Federal employment levels after 1995, or the actual availability of equipment to support depot-level maintenance and repair after 1995.

''(4) GAO REVIEW.—At the same time that the Secretary submits the certification and analysis to Congress under paragraph (2), the Secretary shall submit a copy of the certification and analysis to the Comptroller General. The Comptroller General shall review the analysis and the information referred to in subparagraph (C) of paragraph (2) and, not later than 30 days after Congress receives the certification, submit to Congress a report containing a statement regarding whether the Comptroller General concurs with the determination of the Secretary included in the certification pursuant to subparagraph (B) of that paragraph.

''(5) APPLICATION.—This subsection shall apply with respect to any contract described in paragraph (1) that is entered into, or proposed to be entered into, after January 1, 1997.''.

SEC. . CORE LOGISTICS FUNCTIONS OF DEPARTMENT OF DEFENSE.

Section 2464(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking out ''a logistics capability (including personnel, equipment, and facilities)'' and inserting in lieu thereof ''a core logistics capability that is Government-owned and Government-operated (including Federal Government personnel and Government-owned and Government-operated equipment and facilities)'';

(2) in paragraph (2)—

(A) by inserting ''core'' before ''logistics''; and

(B) by adding at the end the following: ''Each year, the Secretary of Defense shall submit to Congress a report describing each logistics capability that the Secretary identifies as a core logistics capability.''; and

(3) by adding at the end the following new paragraphs:

''(3) Those core logistics activities identified under paragraphs (1) and (2) shall include the capability, facilities, and equipment to maintain and repair the types of weapon systems and other military equipment (except systems and equipment under special access programs and aircraft carriers) that are identified by the Secretary, in consultation with the Joint Chiefs of Staff, as necessary to enable the armed forces to fulfill the contingency plans prepared under the responsibility of the Chairman of the Joint Chiefs of Staff set forth in section 153(a)(3) of this title.

''(4) The Secretary of Defense shall require the performance of core logistics functions identified under paragraphs (1), (2), and (3) at Government-owned, Government-operated

facilities of the Department of Defense (including Government-owned, Government-operated facilities of a military department) and shall assign such facilities the minimum workloads necessary to ensure cost efficiency and technical proficiency in peacetime while preserving the surge capacity and reconstitution capabilities necessary to support fully the contingency plans referred to in paragraph (3).''.

GORTON (AND MURRAY) AMENDMENT NO. 424

(Ordered to lie on the table.)

Mr. GORTON (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by them to the bill, S. 936, supra; as follows:

At the end of subtitle B of title X, add the following:

SEC. 1014. SELECTION PROCESS FOR DONATION OF THE USS MISSOURI.

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

(1) The USS Missouri is a ship of historical significance that commands considerable public interest.

(2) The Navy has undertaken to donate the USS Missouri to a recipient that would memorialize the ship's historical significance appropriately and has selected a recipient pursuant to that undertaking.

(3) More than one year after the applicants for selection began working on their proposals in accordance with requirements previously specified by the Navy, the Navy imposed two additional requirements and afforded the applicants only two weeks to respond to the new requirements, requirement never previously used in any previous donations process.

(4) Despite the inadequacy of the opportunity afforded applicants to comply with the two new requirement, and without informing the applicants of the intention to do so, the Navy officials gave three times as much weight to the new requirements than they did to their own original requirements in evaluating the applicants.

(5) Moreover, Navy officials revised the evaluation subcriteria for the ''public benefits'' requirements after all applications had been submitted and reviewed, thereby never giving applicants an opportunity to address their applications to the revised subcriteria.

(6) The General Accounting Office criticized the revised process for inadequate notice and causing all applications to include inadequate information.

(7) In spite of the GAO criteria, the Navy has refused to reopen its donation process for the Missouri.

(b) NEW DONEE SELECTION PROCESS.—(1) The Secretary of the Navy shall—

(A) set aside the selection of a recipient for donation of the USS Missouri;

(B) initiate a new opportunity for application and selection of a recipient for donation of the USS Missouri that opens not later than 30 days after the date of the enactment of this Act; and

(C) in the new application and selection effort—

(i) disregard all applications received, and evaluations made of those applications, before the new opportunity is opened;

(ii) permit any interested party to apply for selection as the donee of the USS Missouri; and

(iii) ensure that all requirements, criteria, and evaluation methods, including the relative importance of each requirement and criterion, are clearly communicated to each applicant.

(2) After the date on which the new opportunity for application and selection for donation of the USS Missouri is opened, the Navy may not add to or revise the requirements and evaluation criteria that are applicable in the selection process on that date.

NOTICE OF HEARING

COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a markup on the HUBZone Act of 1997 and the Small Business Reauthorization Act of 1997. The markup will be held on June 26, 1997, beginning at 9:30 a.m. in room 428A of the Russell Senate Office Building.

For further information, please contact Paul Cooksey at 224–5175.

AUTHORITY FOR COMMITTEE TO MEET

SUBCOMMITTEE ON YOUTH VIOLENCE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Subcommittee on Youth Violence, of the Senate Committee on the Judiciary be authorized to meet during the session of the Senate on Friday, June 20, 1997, at 9 a.m. to hold a hearing at the St. Louis Fire Department Headquarters, 1421 N. Jefferson, St. Louis, MO, on: ''Combating Youth Violence: Tracking Violent Juveniles and Targeting Adults Who Use Them.''

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

AMERICA'S RELATIONS WITH VIETNAM

● Mr. COCHRAN. Mr. President, it was my pleasure last week to welcome back to Washington, His Excellency, Desaix Anderson, who has returned from Vietnam where he served for almost 2 years as our Government's Chargé d'affaires in Hanoi.

He worked very effectively to help establish a new relationship between our two countries and in the process created a bond of friendship and mutual trust that will serve us well as we build on that well-laid foundation.

He is now writing a book on the United States-Vietnam relationship and because of his experience and intelligence, I'm sure it will be an important contribution to our understanding of this unique subject.

Before he left he discussed his impressions of the current situation and recent events at a meeting of the United States-Vietnam Trade Council on April 7. It gives such an encouraging assessment of the possibilities for the future in that country Senators should take note of it.

I ask that a copy of Mr. Anderson's remarks be printed in the RECORD.

The remarks follow:

AMERICA'S RELATIONS WITH VIETNAM—ACCOMPLISHMENTS, CHALLENGES, AND POTENTIAL

(Remarks of Desaix Anderson)

In the year and half since normalization, Vietnamese and Americans, working together, have laid the foundations for a totally different relationship between our two countries. While cognizant of our tortuous history of the past fifty years, our leaders agreed in 1995 to look to the future, to build on common goals seeking peace, stability, and prosperity in our nations and in the East Asia Pacific region. We realized that building trust and mutual confidence was the most important requirement to construct this new relationship.

On that basis we began to pick up the links of personal and non-governmental contacts which emerged and survived over the years, despite the estrangement between our governments, and to call on the goodwill which we have found to be widely flourishing in both countries, and to begin to construct the foundation for a friendly, contemporary relationship. To enjoy a normal relationship, that foundation has to be composed of hundreds of thousands of expanding networks not just between governments but between our peoples, as well.

So, I salute the US-Vietnam Trade Council, Virginia Foote, the NGO's, the Vietnam vets, the Vietnam Veterans Association, hundreds of American businessmen and women, the media, itinerant English teachers, universities, tour groups, the Vietnam-America Friendship Association, individual Americans, as well as the Government officials and leaders who have played their roles in initiating this new relationship.

ACCOMPLISHMENTS

All we have sought to do and accomplished fits nicely under the rubric former National Security Advisor Anthony Lake brought to Vietnam last July, in saying, ''America's vision of Vietnam is of a strong and prosperous country, well integrated into regional and global institutions.''

Hear the breadth of what has been going on.

We are cooperating diligently with the Vietnamese to account for missing Americans—our top priority—even as we work to find ways to strengthen further bilateral and unilateral efforts to reach successful conclusions.

We adopted for cooperation two important Vietnamese goals—strengthening health and education. The Centers for Disease Control, the National Institutes of Health, with strong support from HHS Secretary Donna Shalala, are spearheading efforts contributing to Vietnam's health system. A CDC doctor will soon join the embassy staff to work full time on public and private health cooperation between our countries. The embassy, through some 30 Fulbright scholarships and 25 international visitor grants annually and the contribution of an American studies collection to Hanoi University, is strengthening bilateral educational ties. In addition, thirty or so American universities are working with Vietnamese counterparts to upgrade Vietnam's education system.

Our Agriculture ministries are cooperating closely to exchange information, develop policy alternatives, and promote exchanges such as the 18 upcoming Cochran fellowships for young Vietnamese to study in professional fields in the US.

FAA is working with the CAAV to upgrade security and safety at Vietnam's airports, looking to the day, soon we hope, to have daily flights between American and Vietnamese cities. A creative Vietnamese approach can facilitate this important goal.

Representatives from the Departments of State and Commerce, the Federal Communications Commission and the U.S. Trade

Representative have initiated exchanges with DGPT/VVPT on the Telecom regulatory environment.

DEA, Customs, and State are all at work with Vietnamese counterparts in common purpose to stem illicit narcotics use and flow. The Secret Service is cooperating with Vietnamese authorities to stem crimes such as counterfeiting and credit card fraud.

USAID is helping to supply prosthetic devices and assist displaced children.

We have burgeoning cooperation in science, technology, energy, and the environment, involving some nine US Government agencies.

Military-to-military relations now consist of discussions of regional security perceptions and the exchange of visits.

Hundreds of thousands of Vietnamese have resettled in the US under the Orderly Departure Program or ''ODP'', and in January, we reached agreement on an arrangement called ROVR, under which certain Vietnamese returnees from SE Asian camps can be interviewed under ODP for possible resettlement in the US.

We are working at common purposes in multilateral fora—such as in the ASEAN regional forum to build confidence and promote peaceful resolution of disputes in the region. We also manage to discuss candidly and quietly some of the most sensitive issues of concern on each side.

Over 400 American companies last year promoted over one billion dollars in US-Vietnam trade in goods and services. US investment topped US 1.2 billion. By their association and employment by US companies, thousands of eager young Vietnamese are learning the way we think and do business in a market economy.

Finally, a Secretary Rubin and Finance Minister Hung this morning signed a significant debt agreement, overcoming this major obstacle to advancing our economic relations.

THE CHALLENGES

These developments should not be seen as fragile, but challenges to developing the kind of friendly, constructive relationship we envisage between Vietnam and the United States remain clear and formidable. We must overcome residual wariness, animosities and distrust in both countries. Vietnamese must trust that we have come with good will, have no ulterior motives or conspiracies to subvert or overthrow their system, and recognize that American economic activities support their own ''DOI MOI'' or renovation policy. Americans must recognize the extraordinary efforts Vietnam is making to help us in accounting for the missing from the war; continuing suspicion is misplaced. We must all put the past to rest and concentrate on the challenges and opportunities of the present and future.

I have noticed and welcomed the greater openness and diversity of Vietnam's society today than when I arrived. There is a commitment to developing the rule of law. The National Assembly and locally elected Peoples' Councils gradually are gaining stature as deliberative, representative bodies. I have observed more candid public and private debate on the burning issues of the day, and expansion of the amount and kinds of information available domestically and from abroad. There is a vibrant artistic scene, and the government has arrived at a formula for access to internet, albeit controlled. Private citizens are allowed to worship in their faith, have more latitude to make their own choices, and are travelling abroad for business and pleasure in increasing numbers. The result is a society taking on increasing complexity and verve.

Continuing and expanding these trends will help Vietnam's long term stability, economic health and growth, and its ability to take full advantage of the genius of its people.

We can contribute positively to that process. Vietnam's dramatic change from a centrally controlled economy to rule of law and a market economy is still a work in progress. Vietnam's society will ultimately be shaped by economic growth, education, access to information including through a free press, extended interaction with the rest of the world, and, most importantly, its own culture and history.

To this end, we must get to know each other and be candid about our perceptions one of the other, always in a spirit of mutual respect and tolerance. Honest words may not always be so welcome, but it is important for each to understand what the other is about, what its values are, what its principles are, what it stands for; while tolerating valid differences in approach.

Finally, we are challenged to work in partnership to conclude economic normalization (a comprehensive trade agreement; MFN, EXIM, OPIC, and TDA) and a civil aviation agreement so that our societies can enjoy the kind of extensive links of which two such culturally rich societies are capable.

For us to realize the full potential of our relationship, Vietnam is challenged to move briskly to fulfill its self-announced policy goal of establishing a market economy; to this end, I would suggest the following:

(1) Rapid reform of the State-owned enterprise system, which currently sustains inefficient, uncompetitive enterprises, often oriented to import-substitution, and which diverts both domestic and foreign investment from potentially more productive uses. Effective equitization of State-owned enterprises would create the basis for a stock market, the necessary mechanism for realizing Vietnam's potential to mobilize its own domestic savings and absorb the considerable amount of portfolio investment available from abroad.

(2) Create a genuinely level domestic playing field for Vietnam's multisector economy, including equal encouragement of the private sector in which most new employment and growth has occurred.

(3) Open the trading and investment systems to require Vietnam's economy to learn competitiveness, perhaps the hard way, but looking to the long term, to avoid falling further behind its neighbors and putting at risk continued foreign investment.

(4) Accelerate opening of the agricultural sector to foreign investment, and liberalize the rice export market. Eliminating the state sector middlemen and their rents would raise income to the farmers from rice perhaps by 20 percent, and help curb the huge 30 percent losses to pests, rodents, spoilage and poor transportation which occur now because of the current export system. In one stroke such changes would raise rural incomes for the eighty percent of all Vietnamese who live in rural areas, reduce the rural-urban gap, and curb the dislocations resulting from urban migration.

(5) Accelerate reform of the financial system—including making available equity credit and credit for export financing.

(6) Finally, make the environment for foreign business more hospitable, transparent, and objective with clear avenues for dispute resolution.

THE POTENTIAL

Marking clearly Vietnam's intentions in these directions would accelerate conclusion of the US-Vietnam Trade Agreement and, through, MFN, provide Vietnam access to the huge US market for Vietnamese goods and trade—a prerequisite for getting on the fast track to ''tiger status''—and pave the way for another of Vietnam's avowed policy goals, accelerated entry into WTO. The complementarity of the US and Vietnamese Economies would ensure rapid growth of bilateral trade and investment, benefitting both sides; the US would certainly become one of the major investors in Vietnam's economic and human resource development.

We can anticipate increasing consonnance in our strategic views of Vietnam integrates into ASEAN. There are generally no major disagreements in our respective national interests. The basis for cooperative efforts to seek peaceful solutions to transnational and other problems in the region already exists.

1.5 million Vietnamese-Americans ensure growing human contacts between our two countries. The opportunities for rich cultural, educational, scientific and technological exchange between our dynamic societies will inexorably be enhanced.

Finally, the spirits of our two countries can overcome the anguish of the past and we can enjoy the friendly, constructive relationship which our two peoples deserve.

I invite you all to share in such a vision. With the good will and commitment by people such as yourselves, a strong partnership between Vietnam and the United States is not just possible. It becomes probable.

Thank you.●

BUDGET RECONCILIATION LEGISLATION

● Mrs. MURRAY. Mr. President, today the Budget Committee is scheduled to report out the budget reconciliation spending bill. Unfortunately, I was unable to be present for the final vote, but had I been here I would have voted ''aye.''

Several months ago I made a commitment to the graduating class at North Seattle Community College that I would be honored to be their 1997 commencement speaker. This commitment was extremely important to me and the graduating class, I simply could not back out at the last minute. Today's Budget Committee mark up was not finalized until last night.

I am extremely troubled by some of the provisions within the reconciliation package as I believe that they violate the bipartisan balanced budget agreement that was recently adopted. I am also disappointed that the committee will not have final legislative language and final CBO numbers on parts of the Finance Committee sections. It is difficult to understand why the leadership is in such a rush to complete action on major changes to Medicare and Medicaid. This rush to bring this bill to the floor does jeopardize our efforts to enact a balanced budget.

As we all know the Budget Committee cannot amend the reconciliation legislation. This will be done on the floor next week. At that time I will be supporting amendments that ensure this package is in compliance with the agreement and that it does not violate our commitment to our Nation's senior citizens and our children. We must seize on this unique opportunity to balance the budget, reform Medicare and expand health benefits for children. Unfortunately, as it stands now it does not appear that the current reconciliation language will achieve these goals.

Today's action by the Budget Committee is an important step in the process which is why I would have voted to report the measure to the full Senate. This does not mean that the package is one I will support when it reaches the floor. I am simply acting to move us closer to achieving a balanced budget.

I am disappointed that this legislation does violate the agreement that we worked so hard to achieve. But, I am hopeful that significant improvements will be made on the floor and that we can sent to the President a bill that he can sign.●

COPYRIGHT TERM EXTENSION ACT OF 1997

● Mr. ABRAHAM. Mr. President, today, I rise to express my support for the Copyright Term Extension Act of 1997. This legislation enjoyed unanimous support from members of the Judiciary Committee and I am hopeful the full Senate will share our views.

In the area of copyrights, patents, and other sources of intellectual property, our Nation is now at a tremendous competitive disadvantage in the global marketplace. Despite the fact the United States is the worldwide leader in intellectual property production, American authors, musicians, filmmakers, and other creative artists will not get their fair share of royalties due to them. Simply stated, U.S. copyright law protects the life of the author plus 50 years. In the European Union [EU], however, copyright terms cover life plus 70 years. Here lies the problem.

Four years ago the European Union issued a directive mandating member countries to implement a copyright term of protection equal to the life of the author plus 70 years by July 1, 1995. Currently eight countries in the EU have complied with this policy and many others are following suit.

With the advent of the Internet, digital communications, increased satellite technology, and other communications devices, the longevity of creative works has dramatically increased. Now anyone in the world can access and use an American work with merely a click of a finger. Because of these high-technology machines, the United States continues to see dramatic rises in illegal duplication cases and millions of dollars lost.

The Copyright Term Extension Act will reverse this disturbing trend by putting Americans at an equal footing with the rest of the world. This important legislation gives U.S. copyright owners parity with the European Union by adopting a life plus 70 year term. I strongly feel this act will help balance the inadequacies that currently exist between the United States and the European Union.●

AMENDING SECTION 2118 OF THE ENERGY POLICY ACT OF 1992

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 82, H.R. 363.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A 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.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MURKOWSKI. I ask unanimous consent that the bill be deemed read the third time, passed, and the motion to reconsider be laid upon the table, and any statements relating to the bill appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 363) was deemed read the third time, and passed.

AUTHORITY FOR FINANCE COMMITTEE TO REPORT

Mr. MURKOWSKI. I ask unanimous consent that the RECORD remain open until the hour of 12 o'clock midnight tonight for the Finance Committee to file an original bill and written report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. I believe we are waiting for clearance from the minority, so I am sure in a moment or two we can conclude the session of the Senate today, and I will proceed to act as acting leader in concluding the closing requests.

ORDERS FOR MONDAY, JUNE 23, 1997

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 10 a.m. on Monday, June 23d. Further, I ask unanimous consent that on Monday, immediately following the prayer, the routine requests for the morning hour be granted and the Senate then be in a period of morning business until 12 noon, with Senators permitted to speak up to 5 minutes with the following exceptions: Senator DASCHLE, or his designee, 60 minutes, from the hour of 10 to 11 o'clock; Senator THOMAS, or his designee, 60 minutes, from the hour of 11 to 12 o'clock.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. I further ask unanimous consent that at the hour of 12 noon, the Senate proceed to consideration of S. 947, the budget reconciliation bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MURKOWSKI. For the information of all Senators, Monday the Senate will be in a period of morning business until the hour of 12 noon. By previous consent, at 12 o'clock the Senate will begin consideration of S. 947, the budget reconciliation bill. As previously announced, all votes ordered with respect to that bill on Monday will be stacked to occur on Tuesday, June 24, at 9:30 a.m. Therefore, rollcall votes will occur beginning at 9:30 a.m. on Tuesday or very close thereafter, as the majority leader announced Thursday evening.

There is a lot of work to be done prior to the Senate adjourning for the Fourth of July recess. Therefore, Senators' cooperation in scheduling of floor action would be appreciated.

ADJOURNMENT UNTIL 10 A.M., MONDAY, JUNE 23, 1997

Mr. MURKOWSKI. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 3:32 p.m., adjourned until Monday, June 23, 1997, at 10 a.m.

EXTENSIONS OF REMARKS

COMMENDING CHAIRMAN ARCHER FOR HIS WORK ON THE TAX BILL

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. GINGRICH. Mr. Speaker, next week, the House will take a historic series of votes on balancing the budget, saving Medicare, and cutting taxes. The Christian Coalition yesterday sent a letter commending Chairman ARCHER for his work on this bill and describing the importance of these tax cuts to its members. I enter that letter into the CONGRESSIONAL RECORD.

CHRISTIAN COALITION,
June 19, 1997.

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

DEAR MR. SPEAKER: The Christian Coalition was pleased to support the Ways and Means tax bill. As Chairman Archer correctly noted, there are $254 billion worth of pro-family tax cuts in the bill, from the $500 per child tax credit to the education tax incentives to death tax relief. These are significant and meaningful tax cuts for America's families.

As you know, the $500 per child tax credit has been our highest legislative priority since 1993. Under Chairman Archer's bill, taxpayers with children will be able to keep $150 billion of their own money thanks to the $500 per child tax credit. Most significantly, this includes taxpayers with children in the most expensive age group, teenagers. The $500 per child tax credit will go a long way to relieve the crushing federal tax burden on the family and will enable parents to make their own decisions on how best to meet the financial needs of their children. We also note that the bill contains $75 billion in education tax incentives and $29 billion in death tax relief that will be welcome news to families. These are important pro-family provisions. Lastly, we note that we have always supported capital gains tax relief. While the capital gains provisions are not specifically targeted to families, families will definitely benefit from the capital gains relief.

We are concerned, though, about President Clinton's reaction to date. I just cannot imagine that he would veto a bill that provides such significant tax relief to middle class families. That would be a severe disappointment to families with children. We are urging him to support your bill.

Thank you and Chairman Archer for all your hard work on behalf of America's families. We look forward to working with you through out this process to sign long awaited tax relief into law.

Sincerely,

BRIAN LOPINA,
Director, Governmental Affairs Office.

HONORING EARL W. STEPHENS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. KILDEE. Mr. Speaker, it is an honor for me to rise before you today to pay tribute to Earl W. Stephens, the Illustrious Potentate of Oman Temple No. 72. The Ancient Egyptian Arabic Order Nobles of the Mystic Shrine will hold their 43d Annual Potentate's Ball in honor of Mr. Stephens on June 21, 1997.

Earl Stephens was born in 1943 to Dock and Jerlyn Stephens in Gilliam, LA, as the second oldest of 12 children. He began his education at Hale Elementary School in Hosston, went on to attend Pine Valley School of Rodessa, LA, and graduated from Herndon High School of Belcher, LA, in 1962. Upon graduation, Mr. Stephens enlisted in the U.S. Air Force where he served our country honorably for 4 years. He married the former Ceatrice Williams and settled in Flint, MI, where he began his 30-year career at Buick Motor Division.

Mr. Stephens' commitment and generosity are evidence by his involvement in numerous community organizations. Earl has been a member of Gospel Temple Baptist Church since 1969 and is currently cochairman of the Deacon Board. Earl's other affiliations include By-Laws Committee chairman of Unity for Justice, and treasurer and award chairperson for the Greater Flint Afro-American Hall of Fame. In addition, Earl has been active with the Boy Scouts of America, where he now serves as commissioner of the Norwegian District of the Tall Pine Council. In addition, Earl is a member of UAW Local 599 and holds the chairmanship of the Veterans Committee. Earl also serves as cochairman of the Credit Committee at Security Federal Credit Union. In all of these endeavors, Mr. Stephens has uplifted us all with his kind spirit, knowledge, and effective leadership.

Mr. Stephens has held membership with the John W. Stevenson Lodge No. 56 Prince Hall Affiliated since September 1988 and served as master in 1995–96. He joined the Saginaw Valley Consistory No. 71 in 1989 and now serves as chancellor. In 1988, Mr. Stephens began his affiliation with the Ancient Egyptian Arabic Order Nobles of the Mystic Shrine. In each of these roles, Mr. Stephens has worked tirelessly to achieve the goal of equal opportunity for all. He has been a mentor and a counselor to many of our young people.

Mr. Speaker, I ask you and my fellow Members of Congress to join me in honoring the Illustrious Potentate, Mr. Earl Stephens. His devotion to making this Nation a better place to live should reinforce our strong commitment to our communities. We owe a debt of gratitude to Earl, his wife Ceatrice, and their two children, Latricia and Royce.

SALUTE TO DON LEGG

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. HALL of Texas. Mr. Speaker, it is a privilege to rise today to honor an east Texan, Don Legg of Kemp, who is a legendary hometown figure. Don was recognized this year at a county-wide celebration of his 90th birthday and of the many years spent in service to the people of Kemp, TX, and Kaufman County.

Don has served his community in a variety of ways over the years. He has served multiple years on the Kemp City Council, the Kaufman County Improvement Commission, the county board of the Visiting Nurses Association, the Kaufman County Senior Citizens Advisory Committee, and the North Central Texas Council of Governments. He has served as either president or secretary of the Kemp Chamber of Commerce since 1970, has been a deputy voter registrar and even has helped take the census. Since 1992 Don has served as a reporter, photographer, and proofreader for the Monitor, Kemp's newspaper. He is still an active, working member of the press.

Don also served his Nation well. During World War II he was the director of personnel of the American Red Cross and was responsible for the entire Pacific Theater. He supervised the efforts of almost 2,000 Red Cross workers and served with the Red Cross for 17 years.

At 90 years of age, Don is still an active supporter of school functions and area students activities. During his younger years he was a teacher and a coach, and he has been an active member of the Kemp Athletic Boosters Club for many years. He has received numerous awards from State and local officials but says that the honors he most cherishes are those given by students, as they are our Nation's future leaders.

Mr. Speaker, I am honored to join Don Legg's many friends and supporters in celebration of his 90th birthday this year and in wishing him continued health and happiness for many years to come.

TRIBUTE TO STUDENTS AT ST. LEO'S SCHOOL

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Ms. VELÁZQUEZ. Mr. Speaker, it is with great pleasure that I rise today to pay a special tribute to a distinguished pair of students from St. Leo's School, who reside in my district. Christopher and Jonathan Cadena are brothers who attend St. Leo's which is located at 104–19 49th Avenue in Corona, Queens.

Christopher Mark Cadena was born on January 6, 1989 and has just completed the second grade. As a second grader, in homeroom

2–2 instructed by Ms. Maria Delledera, Christopher has managed to excel in all of his subjects and achieve a record of straight A's. With the recent results of the National Achievement Test, Christopher ranked higher than 82 percent of 2d graders nationwide. Overall he is performing much higher than average in basic skills, reading, language and mathematics. It is my hope his achievement is a testament to his commitment to learning. Christopher's prospects of becoming an NBA basketball player for the New York Knicks will hopefully be realized but not without a solid educational background first. In spirit of the former Senator of New Jersey and former Knicks star the Honorable Bill Bradley. I wish him well.

Jonathan Cadena, born on September 4, 1991, has completed his first step in what promises hopes to be a long, successful, and prosperous road to law school or a doctorate degree in the field of his choice. He has completed his kindergarten K–2 class, instructed by Mrs. Mancuso, and will be entering first grade in September. Christopher and Jonathan Cadena's continued hard work and effort will lead them to a successful future filled with hope and opportunity. None of this could be possible without the constant attention and support of their family. Mr. and Mrs. Hector and Amparo Cadena have the lifelong responsibility to ensure that their children always maintain a high standard in education. This should come easy as their grandparents, Mr. and Mrs. Fausto and Beatriz Rosero have also committed themselves to raising and educating their children at St. Leo's. This is the second generation of the Rosero family to attend St. Leo's School. I hope it won't be the last.

The students at St. Leo's School must learn that the value of education is priceless. St. Leo's has long provided the community of Corona and their students with the foundation necessary to be successful in all their endeavors. The next generation of graduates must not only be encouraged to complete their education, but to do it well. They are responsible for paving the way for a better and brighter future for their Nation, community, family, but most of all for themselves.

Mr. Speaker, I ask my colleagues in the U.S. House of Representatives to join me in encouraging the following students who have started down the right path toward a successful future: Jonathan Cadena—K–2; Christopher Cadena—2–2; Christopher Hernandez—3–1; Stephanie Hernandez—K–1; Ariana Medina—2–2; Andres Patino—1–1; Jessica Patino—3–2; Elizabeth Correa—2–1; Antony Paredes—3–1.

On behalf of Mr. Paul Corsello principal, and Father Charles P. Keeney pastor of St. Leo's Parish, the students and most of all the teachers whose commitment to education are the most inspirational of all lessons, I congratulate everyone, especially the graduating class of 1997 for their dedication in achieving high standards and excellence in education. I wish all of them the best of luck in all their future endeavors.

ORANGE, CONNECTICUT CELEBRATES ITS 175TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Ms. DELAURO. Mr. Speaker, on Sunday, June 22, the town of Orange will hold a Jubilee Celebration to commemorate its 175th anniversary. I am proud to rise today to recognize the town of Orange and its people on this very special occasion.

Orange has a long, rich history and its residents can look with pride on a community that has retained its traditional style and appeal. Incorporated in 1822, the town of Orange was originally composed of the parish of North Milford in Milford and the parish of West Haven in New Haven. Named for William, Prince of Orange, the community has a history which dates back to the early 1600's.

Industry arrived in Orange in 1776 but, for the most part, the town remained a farming community. A great source of pride for all the residents of Orange, the Hine farm is the Nation's oldest business continuously operated by the same family. Founded in 1639 by Thomas Hine, the farm has been worked by 11 generations of the family. The farm serves as a reminder of Orange's past and is also an example of how the town of Orange will unite in support of members of the community. When the Hines lost their historic barn to fire last summer, the town rallied around the family. This is truly a heartwarming example of how a community can come together to help members who are trying to get back on their feet.

Orange has a number of annual festivals and traditions which bring the community together. In addition to the yearly Memorial Day parade, there is a volunteer firemen's carnival which is not only popular with residents of Orange but also draws people from all over the region. In September, the town gathers to honor its agrarian past with the annual Orange Country Fair. The fair features traditional rural competitions and craft exhibitions. It is clear that the residents of Orange are very proud of the town's rich history.

Perhaps the best indication of the community spirit in Orange is the number of families who have chosen to live there for generations. They form a close-knit, caring community of exceptional citizens with solid values.

I am very pleased to recognize the town of Orange on its 175th anniversary. My very best wishes to all the residents as they celebrate this landmark occasion.

CONGRATULATIONS TO DICK FAUX, MILPITAS' 1997 BUSINESS PERSON OF THE YEAR

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. STARK. Mr. Speaker, I would like to take this opportunity to congratulate Mr. Dick Faux who has recently been selected as the 1997 Business Person of the Year by the Milpitas Chamber of Commerce. Mr. Faux is the co-owner of the Bankers Mortgage Network of Milpitas located in California's 13th Congressional District.

Dick as been a dedicated member of our community for over 29 years. He has been an active member of the Milpitas Chamber since February 1998 who can always be counted on to volunteer for such duties as the annual crab feed and serving on the golf tournament committees. He is also a well-known member of the Chamber's Ambassador Committee.

Dick also served as president of the Milpitas Rotary Club for the 1996–97 year. Throughout his years as a Rotarian he has been a member of many of the Club's committees, chaired numerous projects for the Club and served in a variety of leadership roles. He has also been an active member of numerous other community organizations including the Milpitas YMCA, Women and their Children Housing [W.A.T.C.H], the American Cancer Society, the American Heart Association, Big Brothers, and the First Presbyterian Church in Milpitas.

Dick Faux will be honored by his friends and colleagues at the Milpitas chambers' annual installation and awards banquet to be held on Friday, June 19, 1997. I am proud to recognize Mr. Dick Faux as the 1997 Milpitas Business Person of the Year.

CONGRATULATIONS TO THE PLANTATION SCHOOL

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. DEUTSCH. Mr. Speaker, I rise today to congratulate the team from the Plantation Key School from the Florida Keys which was recently awarded a top prize in the worldwide Odssey of the Mind competition held at the University of Maryland.

In March the team won first place in Florida's statewide Odyssey of the Mind competition, thus qualifying them to represent Florida in the 18th annual world finals competition in early June. At the worldwide level, the team competed against 5,000 students representing 740 schools from across the United States and throughout the world. More than one million students participate each year in localized competitions before the winners are selected to compete in the international finals.

The Plantation School group surpassed 54 U.S. and international teams in their division to receive the top award for exceptional creativity in team problem solving. Only 7 of the 740 participating teams were given this award.

Team members received individual gold medals at an awards ceremony attended by more than 20,000 spectators. In addition, team members' names will appear on a trophy on permanent display in the Explorer's Hall at the National Geographic Society headquarters in Washington, DC. The Gold Medalist student team members are Tehani Pestalozzi, Sarah Otto-Fitzdam, Jamie Shiereck, Kerry Clark, Leah Ekblom, Grant Turner, and Michael Ratliff.

Mr. Speaker, I applaud these students for months of diligent work and for their excellent representation of Florida in this unique international competition. Also to be commended is the team's longtime teacher and coordinator, Harriet Robbins, along with the team's coaches, parents, and school principal, Sandi Bisceglia, who gave their time and support.

HONORING ROBERT W. HOWALD

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. KILDEE. Mr. Speaker, I rise today to ask my colleagues to join me in honoring a man who has blessed our community with his dedication for many, many years. After a long and distinguished record of leadership, Robert W. Howald will retire on June 20, 1997 from his position as dean of continuing education at Charles Stewart Mott Community College in Flint, MI.

Before pursuing his career in education, Bob distinguished himself as an employee of General Motors. Over the course of 31 years, Bob worked in a number of positions including, labor relations supervisor, education and training supervisor, time study engineer, and plant safety director. Bob's responsibilities were many yet he always found the time to listen to a co-worker or to help a friend in need.

Bob's committment to educational opportunities for all, led him to teaching positions at Mott Community College and Mott Adult High School. Bob's experience and skillful teaching methods were recognized by many. He was a frequent guest lecturer for graduate courses on labor relations at Eastrn Michigan University. He continues to serve as a proctor at Central Michigan University.

In addition to his work in industry and education, Bob has provided leadership in Flint through a wide range of activities. He was appointed to serve on the Michigan Selective Service Board, served as chairman of Public Affairs for the Michigan Committee, Employer Support of the National Guard and Reserve, and is a member of the American Legion. In addiiton, he served our ocuntry proudly in the U.S. Army Chemical Corps. Bob also is an active member of the United Auto Workers Union of America, Mott College Local No. 2102.

It is indeed my pleasure to stand in front of this Nation's House and speak of my dear friend, who through his thoughts, deeds, and actions has provided our community with an invaluable resource and an indomitable spirit. Although he is retiring, I know that he will remain active in our community.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in wishing Bob and his loving wife of 42 years, Betty, well in their retirement. I know that Bob and Betty will enjoy spending time with their children Gwen, Jeffrey, Brian, and Timothy, and their four beautiful grandchildren, Angie, Adam, Kyle, and Kody.

IN HONOR OF VIRGIL E. BROWN, SR.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. KUCINICH. Mr. Speaker, I rise to honor the lifetime achievement of Virgil E. Brown, Sr., of Cleveland, OH.

Virgil Brown dedicated his adult life to public service. He has been active in his community, in the city, in business, and in charity.

Virgil has served as chairman of the board of Bethany Baptist Church, city council member, Cuyahoga County Commissioner, and director of the County Board of Elections.

He has also served as a board member on the St. Lawrence Seaway Development Board, as a board member of the Greater Cleveland Roundtable and as an executive board member of the March of Dimes.

His record of service has won him the praise and respect of his peers. Virgil was named to the Hall of Fame of the National Forum for Black Public Administrators and the Ohio Senior Citizen Hall of Fame.

Mr. Speaker, Virgil E. Brown's life has been a gift to Cleveland, of whom the whole city is extremely proud.

TRIBUTE TO ROBERT KRIEBLE

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. HALL of Texas. Mr. Speaker, it is an honor for me to pay tribute today to a great American, a great man, and a good friend—the late Robert Krieble. Many in this body had the privilege of knowing Bob Krieble, and many more undoubtedly know of his many accomplishments. As a scientist, entrepreneur, and supporter of freedom throughout the world, Bob Krieble influenced thousands of lives, helped make the world a better place in which to live, and helped change the course of history.

Bob Krieble first made his mark as a scientist, inventing super adhesives that revolutionized the manufacturing industry. From a $100,000 investment borrowed from family and friends in the 1950's, he built a multinational, billion-dollar corporation that created tens of thousands of jobs throughout the world. That success was the foundation for a life-long support of the free enterprise system and for investments both at home and abroad to further that cause.

Bob generously supported dozens of pro-democratic and pro-free market institutions. He was an early supporter of both the Heritage Foundation and the Free Congress Foundation, based here in Washington. He also supported many of the dissident pro-democratic groups in Eastern Europe and the Soviet Union, even in the face of criticism and skepticism at home. His vision, however, proved prophetic, as his efforts contributed to the fall of communism and helped pave the way for pro-democratic candidates. His Krieble Institute spent millions of dollars on political and economic training and on helping develop viable candidates, including Boris Yeltsin.

Bob also helped individuals in need and helped countless entrepreneurs throughout the world. He was particularly devoted to helping private businesses in newly freed economies and transition countries.

Bob's generosity was matched only by his dedication and his boundless energy, and until he was stricken last month, he continued to work tirelessly in these many endeavors. Though some might not have the capacity to understand his full contributions to our Nation, politically and strategically, I believe that all would recognize Bob Krieble's significant accomplishments, his dedication to free-market principles, and his extraordinary life.

Mr. Speaker, it is an honor for me to pay my last respects to this man of many talents, this great American and defender of freedom throughout the world—the late Robert Krieble.

MONTANA—AT LARGE

HON. RICK HILL

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. HILL. Mr. Speaker, I rise today to make my colleagues aware of a project currently underway in my State of Montana, the ''One Good Cow Project.''

As we all know, the Dakotas and eastern Montana were hit by devastating winter weather which caused the loss of more than 275,000 cattle in the Dakotas and 24,000 in Montana.

Michelle Tebay and Lisa Schmidt of Whitehall, MT, have developed ''The One Good Cow Project.'' This project helps citizens help one another by donating cattle to producers in the Dakotas and eastern Montana. Their goal is to deliver 80,000 healthy, running-age cows to farmers and ranchers who have experienced livestock loss. In pursuit of this goal, hundreds of farmers associations, corporations, and small businesses throughout the West have already come together for this good cause. It is my sincere hope that calling your attention to this terrific effort will compel others to make contributions.

Mr. Speaker, let us applaud this citizen-based effort. I commend both Michelle and Lisa and all those who are contributing to the success of this program. It is a fine example of Americans coming together, selflessly assisting one another, and contributing to those who have experienced hardship.

GOOD LUCK AND CONGRATULATIONS TO MORRIE BOYD

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. SKELTON. Mr. Speaker, today, I pay tribute to a great Army officer, and a great soldier. This month Morrie Boyd will depart Washington to assume new duties as the deputy commanding general, III Corps. Fort Hood, TX. For the past 18 months he has served as the Chief of Army Legislative Liaison where he has proven himself to be a trusted adviser to the Secretary of the Army and the Chief of Staff.

During his tour as the Chief, Army Legislative Liaison, he guided the Army's relationship with Congress, wielding a deft and skillful touch during a period of tremendous change. Throughout this period, Morrie Boyd ably assisted the Army's senior leadership in dealings with Members of Congress and their staffs in helping them to understand the needs of the Army as it transforms itself from a forward deployed force to a power projection force. Drawing on years of experience, he skillfully charted the way for an enhanced understanding of the Army's role in the legislative process and for telling the Army story. His leadership

resulted in cohesive legislative strategies, responsiveness to constituent inquires, well-prepared Army leaders and a coherent Army message.

Morrie Boyd's career has reflected a deep commitment to our Nation, which has been characterized by dedicated selfless service, love for soldiers and a commitment to excellence. Major General Boyd is a consummate professional whose performance in over three decades of service, in peace and war has personified those traits of courage, competency, and integrity that our Nation has come to expect from its Army officers. The Pentagon and the Army Secretariat loss will be Fort Hood's gain, as Major General Boyd continues to serve his Nation. On behalf of the Congress of the United States and the people of this great Nation, I offer our heartfelt appreciation for a job well done over the past 18 months and best wishes for continued success, to a great soldier and friend of Congress.

NATIONAL GAMBLING IMPACT STUDY COMMISSION

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. WOLF. Mr. Speaker, earlier today I had the opportunity to address the National Gambling Impact Study Commission's first meeting and I would like to place my remarks in the RECORD. They follow:

GAMBLING IMPACT STUDY COMMISSION HEARING

Good morning. I am delighted to be here. As a matter of fact, I can't begin to tell you just how delighted I am.

You are about to begin an important journey and one of your first steps will be to prepare a road map to guide you. There are some important things you should know at the beginning and I am pleased to have this opportunity to speak with you. I appreciate your kindness and your attention. I will not take up too much of your time but there are matters of consequence which I must address.

The task before you is as important as it is enormous. But your goal is really very simple. Today, when a community, town, city, or even a State is considering the pros and cons of letting some kind of gambling activity start up, they have nowhere to go to obtain reliable, factual, and unbiased answers to their questions.

Your job is merely to make that information easily available to them. That's it. Congress has given you 2 years and an adequate budget to uncover, compile, and digest all the available information and I have every confidence that you are up to the task.

I hope you will all take a look at Gambling in America. This is the final report of the 1976 Commission on the Review of the National Policy Toward Gambling. This 3-year study, completed over 20 years ago when legalized gambling was in its infancy, was the last time government took a hard look at gambling. This report would be a good starting point for you. In the preface, commission executive director James E. Ritchie concluded that ''we can no longer afford to be ill-informed and complacent about a matter of such manifest national concern.'' Yet today, over two decades later, we are still having difficulty shining the light of the day on this dubious enterprise.

Let me say at the outset, I oppose gambling. I think it is anti-family, anti-business and does much more harm than good. I certainly don't want it in my community or in my State and would fight it from coming there with all my energy.

But I don't have any right to make that decision for other communities or other places. That's up to the people who live there to decide for themselves. But I'm not asking you to be against gambling. What I do ask, though, and what America demands of you, is to be open minded, fair, undaunted in the pursuit of knowledge based upon solid research and courageous enough to air the truth in the face of what I know will be enormous pressure from special interests and ''spin artists.''

In your search for information, I hope you will be out on the road. I urge you to hold hearings all across America. The answers to your questions do not lie here in Washington but in the gambling centers of Las Vegas, Atlantic City, and Biloxi; and in regions which are learning to live with casinos and their effects such as New Orleans, St. Louis, and Milwaukee. You should travel to the small towns of Illinois, Iowa, and Missouri to see what river boat casinos are doing to local economies. You should visit States hosting tribal casinos and States which have been recent battlegrounds in the debate over allowing gambling to expand within their borders such as New York, Pennsylvania, and Florida. These are the places where you will meet the people who will help you form your conclusions and where you should set up shop.

I do want to share with you a few observations. I first became interested in this issue some years ago when there was an effort to bring river boat casino gambling to my State of Virginia. Truthfully, I didn't think it was a good idea but I wasn't sure. And there were no good answers to my questions. The preponderance of information that was available was provided by gambling interests which I found suspect and of dubious reliability. And as I dug further into this issue, I was confronted with an army of high priced advocates representing gambling interests. No one was there to represent the people who live in the area and their families.

As a matter of fact, this was about the same time Disney was trying to build a new theme park in my congressional district. This was a high profile and very controversial initiative and the joke around town was that if you were a lawyer or lobbyist this was ''the'' place to find work. Yet, I happened to read in the paper that Disney was out-spent by a good margin by the pro-river boat gambling interests lobbying Virginia's General Assembly. Again, while no one was there representing the people who live and work in the area, gambling interests were pouring money into their effort to get a toe hold in Virginia.

And no wonder. Once gambling sets up shop, it's almost impossible to get rid of it. In fact, there's a history of things going the other way. Communities begin to rely on their share of the revenues and local politicians cave in to demands from the gamblers for longer hours, more facilities and more tables or slots or wheels. And they have the money to do it. This is about a $500 billion per year industry with profits of $50 billion. That's billion with a ''B.''

Too much of this money is spent in the high stakes game of influencing lawmakers and other government officials. According to the Federal Elections Commission, during the 1995–96 election cycle, the casino gambling industry poured more than $4.4 million into federal political contributions including $2.6 million in ''soft money'' to the Democratic and Republican parties. State and local campaigns, too, are awash in gambling dollars. Some $100 million over the past five years has gone to influence state legislatures around the country.

The more I worked on this issue, the more concerned I became. All the evidence I could gather pointed to the conclusion that gambling was harmful to people and to communities. It led to crime, to corruption, to cannibalization of existing business and it caused social ills. The response to my concerns from gambling interests was to note that all my evidence was anecdotal and gambling really jacked up the local economy and they were working to solve whatever problems gambling might contribute to—such as addiction.

I felt their response was unsatisfactory and introduced, with others, legislation to create this commission which, I believed, would quickly pass. Who could be against taking a look at the impact gambling might be having on America?

The answer, I swiftly learned, was the well-heeled and determined industry itself. Fronted by a virtual army of well paid and well connected Washington lobbyists with access to almost every door in this town, they fought this legislation every step of the way. First they tried to kill it in the House and then the Senate. Then they tried to de-fang the commission by denying it the power to subpoena relevant documents and when that failed they worked to have gambling proponents appointed to this body—to stack the commission, if you will. But I believe you are up to this task. I am counting on you to do a good job. America is counting on you.

One of the first hurdles you must overcome is that the gambling industry has done such a good job of selling themselves as a good neighbor, a creator of revenue and jobs. They pay taxes and governments get hooked on the revenue. Politicians are reluctant to walk away from this money that feeds government spending. But this is a problem, not a solution. As Robert Goodman asks in the preface of his book, The Luck Business, ''Do we really want a government so dependent on gambling that they are forced actively to promote an activity that takes disproportionately from those who can afford it least, does the greatest damage to existing economies and can be highly addictive?''

No, I do not believe we do. Various studies indicate that perhaps 30 percent of all gambling revenue comes from that 5 percent or so of problem gamblers addicted to its lure. Even though the gambling industry claims to care about this addiction problem, new games and new attractions are always coming on-line which further sharpen the craving of compulsive gamblers drawing them deeper into the web of self destruction.

After you complete your work, I think you will agree.

Let me close with this. As you begin your search for truth and fairness you will not have to look far to find those who will present the gambler's views. You will find their arguments and presentations, on the surface, most compelling and easy to go down; they have the money to hire the very best to do this sort of thing. I hope you will look beyond the glossy presentations; ask for the research information you need and don't be put off by dodges that it isn't available, isn't relevant or you really don't need it. You do. Stick to your guns and use your subpoena power.

You must avoid being led down the wrong path in your quest for the truth. I predict you will need to search much harder to find witnesses and experiences depicting the downside of gambling. How are you going to find the theater owner who went out of business when the casino opened up? How eager to testify will be the woman whose husband

became addicted to gambling, squandered their life savings, ran up incredible debts and then, when he could bear no more, took his own life?

The father of recently slain Sherrice Iverson, the 7-year old whose strangled body was found in a Nevada casino restroom, after she had been allowed to roam unsupervised for long periods while he played the tables, might not be a willing witness. It may be difficult to persuade an indicted state legislator to sit before you to relate how he sold out those he represented for an under-the-table payoff from those wanting to bring a casino to town. Will Missouri's former House Speaker of 15 years who resigned in the face of a federal investigation into financial ties with casinos be eager to tell his story?

Two prominent Kansas City clergy who resigned their pastorates recently due to problem gambling may be reluctant to tell their stories. According to Kansas City Reverend Ben Skinner, one stole $60,000 from his congregation and lost it at the casinos and the other was discovered gambling while disguised in a wig and glasses. They may not be eager to meet with you.

But too many people with stories like these are out there and you need to hear from them.

I hope you do. I wish you well and pray for your success. Thank you.

REMARKS OF REPRESENTATIVE TILLIE K. FOWLER REGARDING A TRIBUTE TO J.L. CULLEN

HON. TILLIE K. FOWLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mrs. FOWLER. Mr. Speaker, the Russell Caucus Room was filled to overflowing this morning with Members, staff, and other friends of J.L. Cullen, who came to pay tribute to her memory. Since I was unable to participate in that event due to votes here in the House, I would like to submit my remarks for the RECORD.

There is an old saying that kindness is like snow—it makes everything it covers beautiful. To all of us who knew J.L. Cullen, it is no exaggeration to say that she made the world a more beautiful place, because she was one of the kindest people I have ever known.

J.L. was one of those individuals who sets a standard to which the rest of us mortals can only aspire. She was what my mother, another Southern lady, would call a lovely person—in every way. She was smart as a whip and had an encyclopedic knowledge of the legislative process and the way this town works. She knew just about everybody in Washington, and was liked and admired by same. She had a great sense of humor, was a lot of fun, and—in addition to being a hard worker—had a rich and satisfying personal life. Any of us who enjoyed her lovely paintings or were privileged to taste her cooking can attest the latter. In addition, J.L. was a lady through and through—tough as nails when she needed to be, but always gracious and tolerant toward others.

I know that many of my colleagues in the House and Senate knew her, and they all have great things to say about her and great memories of her. Most of all, though, I think that my favorite memories of J.L. will be of her warm heart and her generosity. In spite of her schedule, she always had time to lend a hand or a shoulder—depending upon which was needed—and it seemed to me that she truly spent most of her time thinking not about herself, but about what she could do for other people. She was a friend to anyone who would let her be a friend, regardless of party affiliations or anything else. She was very creative, and she was always coming up with ways to help others—even people she didn't know very well. She loved to take new Members under her wing and share her knowledge with them, and I am sure that several congressional careers were saved or at least enhanced by her timely advice and admonitions. I know that the little oasis of fun and fellowship that she created for the women Members through her dinner parties was a real source of refreshment and inspiration to all of us.

I suppose I am trying to say that J.L. was the kind of person that parents hope their children will grow up to be—smart, successful, substantial and savvy—but above all, selfless. I was honored to call her my friend; I miss her; and I think that Washington is a little duller, a little colder, and a lot less fun without her.

REPUBLICAN TAX RELIEF

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. PACKARD. Mr. Speaker, I rise today to speak on behalf of Republican tax relief. I urge my colleagues to put themselves in the shoes of working class America when you consider this bill.

Working class, middle-income Americans struggle to make ends meet. For President Clinton, to consider middle-class Americans that earn $75,000 a year as rich is simply ludicrous. Many middle-class families that earn that much are double income families.

Our plan provides tax relief for working women in double-income families. It also provides tax relief for parents with children in child care by indexing the dependent care tax. Senior citizen couples who make under $41,200 a year will enjoy a 10 percent capital gains rate under the Republican proposal.

With our bill, middle-income families will benefit from a $500 per child tax credit. A family that has a child today will receive an estimated $10,309 in tax relief under the Republican plan by the time that child is 18. The tax relief will also create education investment accounts that will allow parents to save tax-free for their children's higher education.

Just 4 years ago under a Democrat-controlled Congress, American families were hit with the largest tax increase in the history of the world. It has been 16 years since Americans had any meaningful tax relief. Mr. Speaker, it is time to give Americans what they deserve and the Republican plan for tax relief delivers for America's families. I urge my colleagues and the President to strongly support it.

PAYING TRIBUTE TO RICHARD M. DRISCOLL

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. MORAN of Kansas. Mr. Speaker, I rise today to reflect on the passing of an outstanding man, Richard M. Driscoll of Russell, KS, who died last week at the age of 78.

Mr. Driscoll was born on May 9, 1919, on a farm in southeastern Russell County, and graduated from Russell High School in 1937. ''Dick,'' as his friends called him, attended the University of Kansas from 1937 to 1940 and was a letterman on both the track and football teams.

Mr. Driscoll enlisted in the U.S. Marine Corps after graduating from Washburn Law School and served 2 years with the First Marine Division in the Pacific theater. Upon discharge from the Marines, he returned to Russell County and began to practice law. He was a well respected attorney in Kansas and was also active in farming, oil, and banking.

Dick Driscoll served most of his life in public service. He was a commissioner of the Kansas Highway Department from 1958 to 1962 and from 1973 to 1975. He was a former commissioner on the Economic Development Commission of the State of Kansas from 1969 to 1973 and a member of the Kansas Trade Commission to Japan in 1973. He always enjoyed and was active in local, State, and national politics and was chairman of the Russell County Democratic Central Committee for 35 years. He was also a delegate to two Democratic National Conventions.

He was admitted to the Kansas Bar on July 1, 1943, and received his 50-year certificate and pin of active service in 1993. He was named a counselor to the U.S. Supreme Court in 1971.

Mr. Speaker, men like Dick Driscoll made this country great as soldiers in war and stewards in peace. He will be missed by his family, friends, and fellow residents of the first district. I ask you to join me in paying tribute to Richard M. Driscoll and his lifetime of service to his Nation and State.

IN MEMORY OF JAMES FRANCIS McFARLAND

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. DOYLE. Mr. Speaker, I rise today to honor the memory of Jim McFarland, a member of my staff who passed away last week. For over 2 years, Jim had served the people of Pennsylvania's 18th Congressional District as a member of my staff, but his years of service to the people of Pennsylvania and the Nation began long before my election to Congress.

Jim was born in 1928 in McKeesport, PA, and lived his entire life in the area of western Pennsylvania known as the Mon-Valley. He bravely served our country as a member of the Army Air Force during the Korean war and after the war returned to the Mon-Valley where he worked as a tool and die maker for the

next 40 years at Fisher Body. His public service continued throughout his life exemplifying his commitment and concern for improving the lives of all people.

For 20 years, Jim served as a councilman in his hometown of Jefferson Boro, which honored him with the Crossweight Award in recognition of this service. He also served as a trustee at his church, as the chairman of the Jefferson Boro Democratic Committee, and as president of Local No. 544 of the United Auto Workers. In truth, however, this collection of titles and official positions, while impressive, barely scratches the surface in terms of defining the man.

Jim McFarland was a truly compassionate individual the likes of which this world is rarely lucky enough to see. His presence graced the lives of everyone he came in contact with including his wife, Garnet, his son, Kevin, and his brothers, sisters, and grandchildren. On a personal level, I considered Jim to be one of my most trusted and valued friends. I only knew Jim for a small part of his 68 years, but from the day I first met him some 5 years ago I was struck by his rare combination of dedication, intellect, and extraordinary compassion. I was truly honored to have Jim consider me his friend. I know that I speak no only for myself, but for everyone that knew Jim, in saying that while we will miss him terribly, there is still a sense of joy because the world is a better place because of the life of Jim McFarland.

AIRLINE DISASTER RELIEF ACT

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. McDADE. Mr. Speaker, I rise today to introduce, with 38 members of a bipartisan coalition, the Airline Disaster Relief Act, a measure which will provide equitable treatment for families of passengers involved in aviation disasters regulated by the Death on the High Seas Act of 1920 [DOHSA].

The White House Commission on Aviation Safety and Security in its February 1997 report stated, ''Certain statutes and international treaties, established 50 years ago, historically have not provided equitable treatment for families of passengers involved in international aviation disasters. Specifically, the Death on the High Seas Act of 1920 and the Warsaw Convention of 1929, although designed to aid families of victims of maritime and aviation disasters, have inhibited the ability of family members of aviation disasters to obtain fair compensation.''

The Airline Disaster Relief Act will reverse the injustice of the Death on the High Seas Act by allowing plaintiff families of air disaster victims to obtain a fair jury trial and receive just compensation for loss of companionship, loss to society, and punitive damages for the death of their loved ones which claimants are currently restricted from obtaining. It is time to bring sanity and justice to the application of the Federal laws and international treaties which regulate airline disaster claims. Passage of the Airline Disaster Relief Act will be an important first step in achieving this objective.

Currently, there are two legal hurdles which families must overcome to obtain financial compensation for a lost loved one. The first is the Warsaw Convention of 1929 which is the primary vehicle to initiate lawsuits related to airline disasters. The second, is the Death on the High Seas Act which the Supreme Court recently ruled is the Federal law that determines the categories of damage awards. Under the Warsaw Convention, which governs the liability of airlines for airline disasters, families of passengers who died on international flights, such as TWA Flight 800, can receive no more than $75,000 for the loss of their loved one unless they can prove willful misconduct on the part of the airline. In November 1996, the airline industry waived the $75,000 cap and the need to prove willful misconduct for all future compensation cases. The airlines are to be commended for this action. However, in the case of the TWA 800 families, the waiver does not apply since the air disaster occurred in July 1996 and the tariff waiver agreement was signed the following November 1996. The lack of retroactive application of the waiver to TWA 800 means the $75,000 cap is still in place and willful misconduct is still the threshold under the Warsaw Convention to be proven for greater compensation. It is my hope that the administration, the Airline Transportation Association and the airline will work to reverse his injustice and grandfather the TWA families into the November 1996 Tariff Agreement.

Although the Warsaw Convention is the primary vehicle through which plaintiffs initially seek compensation, the Supreme Court has ruled that damage awards will be based on the antiquated federal law the Death on the High Seas Act [DOHSA]. In 1920, the Death on the High Seas Act was designed for the immediate family of sailors lost at sea to obtain compensation for lost income before a U.S. District Judge under maritime law. Additionally, DOHSA restricts the circle of claimants to those family members who are economically dependent upon the decedent. It took the Supreme Court 77 years to fold major civil aviation related tragedies occurring more than 3 miles from the shores into the Death on the High Seas Act, which was passed at a time when international civil aviation did not exist. DOHSA is invoked when a crash occurs more than a marine league, roughly 3 miles, offshore as in the case of TWA Flight 800.

When the $75,000 cap of the Warsaw Convention and the compensatory restriction of only seeking loss of income under DOHSA are combined, family members of TWA 800 victims may receive minimal or no compensation through the courts. The interactions of these archaic and arcane laws are dealing families a grave and cruel injustice.

As in the case of TWA 800 and the families of the 21 high school students and chaperons from Montoursville High School, PA, the application of DOHSA will mean that the families of the students will receive minimal compensation since children generally contribute little economically in support of their families. If your children are not supporting you or it is proven in court that they would not have the ability or inclination to support the parents, there will be no compensation. Additionally under DOHSA, surviving parents will be unable to obtain compensation for loss of companionship, loss to society, pain and suffering or punitive damages for lost loved ones. Furthermore, family members of adult victims may receive no compensation unless that individual was directly contributing to the economic welfare of the parents or siblings.

Clearly, under most state tort laws, these limits on categories and thresholds of compensation would be viewed as inequitable, unfair, and inhuman. This inequality is best demonstrated in the State of Pennsylvania. On January 9, 1996, the Supreme Court ruled in Yamaha versus Calhoun that State tort law applies when an accident occurs within 3 miles from the shore, and on January 16, 1996, the same Supreme Court decided in Zicherman versus Korean Airlines that the Death on the High Seas Act governs tragedies beyond the 3-mile territorial limit. Thus, in Yamaha versus Calhoun, Pennsylvania State law applies which allows numerous categories compensation for injury or death of a family member. In Zicherman versus Korean Airlines, where DOHSA is applied, families such as those involved in the KAL 007 and TWA 800 air disasters will be restricted to obtaining only one category of compensation—loss of income. The application of DOHSA to the TWA 800 incident will have a draconian impact on the families of the Montoursville High School students and chaperons since they will receive minimal compensation for the loss of their children. DOHSA also applies to all civil air flights, whether domestic or international, such as the airports in Boston, New York, San Francisco, and Los Angeles, where approaches and landings are often over water.

Both the Supreme Court in Zicherman versus Korean Airlines and the White House Commission on Aviation Safety and Security recommend that Congress correct these inequities—as other countries have done already, considering that DOHSA was enacted in 1920 to protect widows of seamen—at a time when civil aviation did not exist. The Airline Disaster Act will abrogate the impact of the Death on the High Seas Act and allow families to seek just compensation under State and common law. I therefore urge my colleagues to join me in supporting passage of the Airline Disaster Relief Act, a measure whose time has come, to correct the judicial injustices which the application of the Death on the High Seas Act inflicts on families of air disaster passengers. Mr. Speaker, thank you for your consideration and support of this timely and badly needed legislative initiative.

CONGRATULATIONS TO 1997 GRADUATES OF SAN PEDRO/NARBONNE COMMUNITY ADULT SCHOOL

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Ms. HARMAN. Mr. Speaker, I rise today to congratulate the 1997 graduating classes of the San Pedro/Narbonne Community Adult School. I was sorry to miss the ceremonies on Wednesday evening which honored students who successfully met the requirements for ESL competency certificates, eighth grade diplomas, and high school diplomas. I also congratulate principal Camilla Kocol and all the faculty and staff of the San Pedro/Narbonne Community Adult School.

It is my pleasure to share with my colleagues a poem that was written by one of the students of the school's creative writing class. This poem was recited by author and adult

school student, Bette Ann Schroeder, at Wednesday's graduation ceremony:

I AM AN AMERICAN

I am an American.
My grandfather came from China in the 1800s and helped build the railroads of the West.
I am an American.
My grandfather came from England in the 1800s and worked in the coal mines of Illinois.
I am an American.
My grandfather came first over the Bering Strait and the Isthmus of Panama to roam the forests and valleys of this great land.
I am an American.
My grandfather came from Germany in the 19th Century and started Kindergartens.
I am an American.
My grandfather was captured in Africa and brought to slave in the cotton fields of the South.
I am an American.
My grandfather came from Japan in the 1900s and founded the abalone fishery in San Pedro.
I am an American.
My grandfather fled Pancho Villa in Mexico and worked in the fields of the Imperial Valley.
I am an American.
It was not easy to forget the homeland, to learn the language, to make a living, to struggle against bigotry, to change my ways.
I am an American.
I am all the cultures of the world, all the religions of the world, all the legends and lore of the world, all the struggles for freedom everywhere.
I am all of these, and all of these make me an American.

TRIBUTE TO RAY BURKHOLDER ON THE OCCASION OF HIS 80TH BIRTHDAY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. GILLMOR. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to an outstanding citizen of northwest Ohio. On June 22 of this year, the family and friends of Ray Burkholder will gather to celebrate his 80th birthday which will occur on July 3.

Ray lived and farmed most his life in Pandora, OH. A member of the Grace Mennonite Church in Pandora, Ray has been a leader in his community. He was an instrumental part of the Menmonite disaster team, always available to lend a hand to others. He served for many years as the Sunday school treasurer and is a recipient of both the Community Service Award of Pandora and the Outstanding Citizen Award of Pandora. This past year he served as First Grand Marshal of the Riley Creek Festival.

Birthdays are a wonderful time to recount memories and to look toward new horizons. Since Ray's birth he has been witness to tremendous revolutions in politics, technology, and society. However, I know his favorite memories are of his family and friends.

Americans would not be able to enjoy the blessings of our country without the tireless dedication of those who have the talent and willingness to work for their community. Ray Burkholder, through his example of leadership and humility has enriched the lives of his neighbors in countless ways over the years. It is with great fondness that they will take a day to thank him for his warmth and generosity.

I ask my colleagues to join me in extending best wishes to Ray and his family for continued happiness and best wishes.

ISRAEL—A CORNERSTONE OF U.S. NATIONAL SECURITY POLICY

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. FORBES. Mr. Speaker, I submit for my colleagues' consideration remarks I made June 8, 1997 before the Great Neck Synagogue Men's Club. My support for Israel is no secret among my friends in Congress. We cannot ignore the challenge that has been placed before us if we are to see Israel survive as a free and flourishing democratic state. Israel has always been, and must remain, a cornerstone of United States national security policy.

ISRAEL AND THE MIDDLE EAST: A VIEW FROM CAPITOL HILL

Good morning ladies and gentlemen. It is a pleasure to be here among so many friends at a congregation known throughout the greater New York area for its strong ties to the Land of Israel. Your record of generous giving to Israeli causes and your commitment to a strong U.S.-Israeli relationship are well known.

Your congregation has always embodied the essence and vitality of ''Am Yisrael Chai'' and the sharing, giving spirit ''Tikkum Olam.'' By your very example you have been a light unto our community. Through good times and bad, times of sadness and hope, the Great Neck Synagogue has stood by Israel in its eternal quest for peace with security.

Though many of you share different political opinions about how peace in the Middle East might finally be achieved, you stand united—indeed America stands united—on the need to maintain Israel's economic and military strength as a hedge against the uncertainties of the future.

My friends, we can never allow politics of the moment to obscure three essential facts of our time: first, that Israel exists today as a sovereign, democratic, and Jewish state precisely because it has never allowed its fundamental security interests to be compromised; second, that peace, particularly in the Middle East, has never flowed from weakness; and third, that support for a strong, self confident Israel has always been, and must remain, a cornerstone of United States national security policy.

Israel exists today not because of the world's caring or generosity toward the Jewish People, but in spite of its neglect and indifference. We must never forget the basic truth.

As we commemorate the fiftieth anniversary of the Marshall Plan this week, we must remember that the United States stepped forward to rebuild Europe after the war—and particularly Germany—a full year before it gave any thought to relief for Germany's victims through the creation of a Jewish state. The lesson is clear: Israel's fate must always rest with Israel and with those who care for her; it can never be entrusted to the presumed good will of others.

History, my friends, is sometimes a cruel, but honest teacher. I am particularly honored to be here today to share with you some thoughts on the state of U.S.-Israeli relations, the Oslo process, and events unfolding in the Middle East, from the vantage point of Capitol Hill. At the outset, I must confess that I stand before you with more than a little concern.

Concern because a century after the First Zionist Congress, nearly 50 years since the founding of Israel, 30 years after the miraculous triumph of the IDF in the Six Day War, 20 years since Camp David and 4 years since the Oslo process began—Israel still does not know peace.

As we sit here this morning amid these comfortable and serene surroundings, Israel is facing perhaps the greatest threat to her survival yet experienced. It is a threat born not only of external enmity and aggression, but sadly, of internal division, social strife, political indecision and confusion, and the calamity of peace gone unfulfilled.

It is an unfortunate consequence of Israel's proud, but troubled history that we have grown all too accustomed to the hatred which her enemies harbor for the Jewish State—a state whose very existence continues to be the anathema to the 110 million Moslems who surround her.

Terrorist bombs in Jerusalem and Tel Aviv, the murder of Jewish school girls on a class outing, the knifing of Yeshiva students on their way to the Kotel—these sights have become as familiar to the younger generation of Israelis as the weekly Vietnam body count was to my generation. My friends, we are living a tragedy today with no satisfactory end in sight.

Lamentably, we have learned the sad truth that weapons and military might alone can not bring peace. Sadder still, we have learned that a peace reluctantly born and brazenly violated by Israel's enemies is not peace either. There are no good choices left for Israel today. She has been cheated of the very hope, Hativka, for which her people proclaim in song and for which all Jews everywhere yearn.

Like you I have tried to make sense of the many contradictions that have arisen as a result of the Oslo process. I say Oslo process, and not peace process, because while there exists today only one process, I believe that there are many paths to peace—and I am a fervent believer in peace. But for it to be real, it must be lasting; for it to be lasting, it must be honest; for it to be honest, it must demonstrate at every turn the resolve of all of the parties to abide by the commitments they made on the day of the signing and in the subsequent agreements. Tragically, for all concerned, this has not happened.

Those Palestinians who had the chance to share in the prosperity of a reconstructed Middle East, and in doing so to accept something less than the full measure of their political demands, have opted instead for a more sinister path. They have chosen to use the dove of peace to conceal their more menacing intentions, just as Mr. Arafat, himself, chose to conceal a pistol beneath his jacket when he appeared before the United Nations General Assembly in the mid-seventies.

This song of peace is well worn in tune. Born of Hitler's deception at Munich in the 1938, it survives today in the guise of those who would have peace at any price, even if it meant admitting the Trojan Horse of the PLO terrorism inside the gates of the city. If we are to begin to understand what is now happening to Israel and to grasp the historic forces now at work to undo the dream of the last 100 years, we must first see that there is a distinction between negotiation and extortion, between reality and illusion, and between trust and deception.

I stand before you this morning as one who lives this ordeal every day in Congress. My heart is heavy with the pain and suffering endured by Israelis as together we struggle to make sense of the turmoil that is gripping the region. And yes, I grieve for the Palestinians, too, who have been deceived by their leaders into believing that a terror organization like the PLO can ever bring peace. It can't. And the reason is simple. Terror and the ways of the gun are an integral part of the PLO's identity, a past it can never leave behind.

The Palestinian community has yet to produce leaders whose commitment to peace is more than simply a means of seeking tactical advantage. It is a community which continues to be dominated by revolutionaries, guerrilla fighters and scoundrels of every stripe—and not true statesmen who understand the art of compromise, are committed to a true reconciliation, and tolerate dissent.

I wish this were not so, but the record of the last four years speaks of different reality. While Israel has demonstrated a willingness to retreat from some of its most cherished sites like Hebron and Shechem (Nablus), to accept the presence of armed Palestinian militia at checkpoints around the country, and to concede that a final status talks will include Jerusalem, the PLO has only shown increasing reticence to carry out its side of the bargain.

The PLO has answered Israel's deeply rooted security concerns with provocation after provocation, even questioning whether there will even be room for a sovereign Jewish State in the Middle East once the Oslo process is concluded. If you doubt what I am telling you, you need look no farther than the maps which the PLO uses at countless functions, both official and unofficial, on its monuments, on its stationary letterhead and on its television broadcasts.

It is a map showing a sovereign State of Palestine stretching from the Mediterranean to the Jordan River and from the Banyas to Eliat, encompassing all of the present day State of Israel. If this were not bad enough, the President's own Special Coordinator for the Middle East, Mr. Dennis Ross, has been photographed with Yasir Arafat sitting beneath these maps apparently unmoved by the implication of their sinister message.

I believe that at no time during the Cold War would an American diplomat ever have been found posing beneath a map of the Baltic States, festooned in the colors of the former Soviet Union. The same might be said for Berlin and Afghanistan—for South Korea and Hong Kong in the case of China—and for South Vietnam when it came to claims made by the Hanoi Government before our withdrawal from the War.

My friends, I am deeply concerned that Israel and the United States are now living an Alice in Wonderland existence, where up is down and down is up—where is good is bad and bad is good. It is a contradiction that has bedeviled me for the past four years about which I refuse to remain silent.

As the principal House sponsor of the Middle East Peace Compliance Act of 1995, I tried to bring some sense to our nation's Middle East policy. I asked my colleagues to consider the folly of providing the terrorist PLO with $500 million in U.S. Government assistance while making virtually no provision for the accountability of the funds and providing no honest mechanism to assess whether the PLO was in fact complying with the spirit and the letter of Oslo.

For this I was widely chastised by many Members as well as by Administration officials: for attempting to bar all funding to the PLO, for insisting that no funds go to individuals alleged to have killed or injured Americans or for trying to prevent projects and activities that were not strictly humanitarian in nature.

Well, time has vindicated my position. Just two weeks ago an audit conducted the PLO itself found that $350 million dollars in international aid has been stolen from the Palestinian coffers or misused by their leaders—many of them took money to buy grand villas and fancy automobiles. At the same time we see that incidences of PLO-inspired violence are continuing to increase with not only Israelis being killed, but also Palestinians who dare to sell land to Jews.

Yasir Arafat continues to undermine Oslo by praising Palestinian suicide bombers as martyrs and heroes and by paying homage to Hamas leader Sheik Yassin. Arafat calls upon his public to unite around the cause of Jerusalem—all of Jersualem—as the capital of a Palestinian state.

Would you believe that a senior Arafat official recently leveled the absurd accusation that Israel sells gum in the West Bank and Gaza laced with an aphrodisiac! Unfortunately, this is but a mild version of the anti-Israel vitriol which regularly pours out from the Egyptian Press and is frankly indistinguishable from the anti-Semitic diatribes of medieval European demagogues or Der Stuerner, the Nazi propaganda paper.

My friends, I can go on and on listing the PLO violations of Oslo and Arafat's incendiary rhetoric. This is a matter of public record and the record is indisputable. That is, unless you hail from the U.S. State Department, which continues to insist in report after report to the Congress that Arafat and the PLO are in virtual compliance with their Oslo commitments.

Though the New York Times has only recently acknowledged that the PLO has not changed its covenant calling for the destruction of Israel, the State Department continues to cling to the vain notion that Arafat's word is his bond. The Administration still insists that the promise of the Palestinian National Council (PNC) to change the covenant is an adequate substitute for actually changing the covenant.

We cannot ignore the challenge that has been placed before us if we are to see Israel survive as a free and flourishing state.

To the extent that the United States is complicit in helping Arafat achieve his objectives, we are obliged as citizens, as friends of Israel, as Americans concerned with the moral, political and strategic posture of our own country, to act soon to restore common sense to our otherwise misguided Middle East policy.

These are the actions which I am now talking, and which I intend to pursue in the weeks ahead, toward this goal:

First, I have notified the Foreign Operations Appropriations subcommittee, of which I am a member, of my desire to suspend U.S. aid to the PLO until it meets the compliance standards laid down in the Oslo Accords. Last month I added my name to a bi-partisan letter co-signed by 15 House members urging the president to cut aid to the PLO;

Second, I do not endorse the current effort by the Administration to cut $50 million from Israel's aid package for next year—aid which is sorely needed to maintain Israel's strong defense posture in the face of renewed threats by Syria and Iraq and vote to ensure that adequate funds are made available to facilitate the eventual move of the U.S. Embassy from Tel Aviv to Jerusalem as directed by Congress in legislation last year;

Third, I am continuing to support efforts to bolster counter-terrorism cooperation between the U.S. and Israel. To this end, I urge the Justice Department to conduct a review of all cases in which current or past members of the PLO are alleged to have harmed Americans or their property. I want to know the level of cooperation that U.S. law enforcement agencies have received from the PLO in their investigation and in requests for extradition; and, urge the Administration to examine the threat to U.S. security posed by the increasing numbers of weapons pouring into the Palestinian controlled areas. In particular, I am concerned by reports that the PLO has acquired surface-to-air missiles which have the potential to down civilian air traffic transiting through the Middle East and elsewhere. With the cause of the TWA disaster still unknown, I feel it is prudent to keep a spotlight on this critical national security issue.

Dear friends, let me conclude by saying that I feel privileged to be able to lead the fight for a cause in which I believe so deeply. For me, the U.S.-Israel relationship is more than just a slogan, it is an historic commitment of two nations to the cause of peace, freedom, and security, I don't have to tell you we are living through difficult times. They are difficult times for many nations around the world, particularly for Israel, which continues to live under the threat of war.

Just last week Israel's Chief of Staff spoke publicly of the increasingly menacing military build-up along the border with Syria. Likewise, countries from Egypt to Saudi Arabia, and Iraq to Iran, continue to acquire advanced long-range weaponry, capable of striking anywhere in Israel, despite the region's supposed move toward peace. Therefore, it is all the more important that we not forget the history which brought us to this point in time—and the lessons learned—as we begin to build a new future.

It was exactly 30 years ago this week that the Jewish State found itself caught in a life or death struggle as the Arab armies of Egypt, Jordan and Syria, backed by the Soviet Union and its allies sought to destroy her. I remember those terrifying hours of the 1967 war well, as do most of you in this room. They are seared into our collective consciousness.

Many of you probably can recall in vivid detail what you were doing at precisely the moment when news flashed across our television sets that the fledgling was now fighting for its life against seemingly unsurmountable odds. Today, as we recall those fateful hours, we must renew our pledge to fight for Israel's survival, in our homes, in our places of worship, in our State and on Capitol Hill.

We must do everything in our power to see that the insecurity of those years do not return. For my part, I am committed to do whatever is necessary to perpetuate a strong Israel and a strong U.S.-Israel relationship. It is my hope that during the difficult weeks and months ahead I will be able to call upon each and every one of you, your rabbis and synagogue leaders, to guide me through the thicket of Middle East politics so that I can better serve the cause of peace and U.S.-Israel friendship. Together, we can achieve miraculous things.

Thank you for the opportunity to share a few thoughts with you this morning. May the coming festival of Shavuot pass peaceful for Israel. May you all know peace. Shalom.

FREE TRADE AND THE G8 SUMMIT

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today to alert my colleagues to

the upcoming challenges and opportunities of the G8 Summit in Denver. Anticipating the economic boost from this week's G8 Summit, Denver area merchants hope to rake in big revenues from the thousands of visitors expected. Yet how well Colorado fulfills its role as gracious host will be but one measure of the State's achievement during the historic event.

More important than the short-term economic surge associated with the summit, success in advancing the Nation's trade objectives will have a far greater impact on Colorado's long-term economy and job growth. Among the leaders assembled, the most pivotal exchange to watch is the one between President Clinton and Japanese Prime Minister Hashimoto.

Hashimoto's visit will highlight the close alliance the United States and Japan have established throughout the cold war years, and maintain today. However, while United States interests remain tightly linked with those of Japan on many fronts, such as containment of North Korea, the Hashimoto visit may serve as a springboard for talks on other issues that divide us.

Despite the close ties we have forged, the bilateral relationship between the United States and Japan has been marred by a series of ongoing trade disputes that are of major concern to United States interest—especially the interests of Colorado.

Specifically, the United States Trade Representative is challenging 30 years of Japan's Government-supported market barriers that have prevented, and continue to prevent international competitors from gaining fair access to the Japanese market for consumer film and paper products. The massive array of evidence reveals for the first time, an elaborate system designed to exclude foreign competitors from Japanese markets.

So what does film and paper have to do with Colorado? In a word, Kodak. Eastman Kodak Co. employs over 2,700 people in northern Colorado. Their photographic products are sold all over the world.

Much of what Kodak sells overses is manufactured at their plant in Windsor, CO. where Kodak exports color paper and medical x-ray film directly to Japan. Expanding this market share would certainly create more jobs in Colorado and expand economic prosperity.

One year ago, the United States Government determined that Japan has engaged in unreasonable trade practices in the lucrative market. Rather than retaliating directly, the United States filed a case with the newly formed World Trade Organization [WTO]. The case is regarded as the most comprehensive well-documented trade case in history—the resolution of which could substantially change the way America does business with Japan. The case is expected to be decided in October, this year.

For those of us who are WTO skeptics, the episode is the first real test of the panel's capacity to address structural and access barriers. The precedent that could be set might have a profound impact on literally hundreds of Colorado-based exporters seeking broader markets in Japan.

George M.C. Fisher, Kodak CEO expressed optimism about the case against Japanese protectionism. "We believe that the WTO, upon examination of the evidence, will conclude that the laws and measures exacted by the Government of Japan to restrict foreign competition in its consumer photographic produce market, are inconsistent with the country's international obligations under the GATT," he said. "The ramifications of this historic case are potentially of landmark proportions,"

Still, it is unfortunate that Kodak must go to such exhausting lengths to gain fair market access in Japan. An assertive United States President would have dealt more firmly with Japan rather than defer the Kodak case to the WTO as Clinton chose to do.

If Prime Minister Hashimoto is any less stubborn, the G8 meeting right here in Colorado might prove to be the perfect place to announce the loosening of trade restrictions, to allow greater competition in the Japanese market, to allow Japanese consumers the advantage of lower prices, and to shore up the otherwise good relationship between the United States and Japan. It would be a Kodak moment, that all of Colorado could take to the bank.

FREEDOM FOR ALL

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. CRANE. Mr. Speaker, there is an alarming trend that has occurred the past several months, led by some social conservative organizations in Washington who have called for the revocation of China's most-favored-nation [MFN] status. They argue we should revoke this status, which is simply normal trade relations between countries, to retaliate against the Chinese Government for interfering with the practice of religion.

I, too, am very concerned about the persecution of anyone who practices religion in China. It is for this very reason that I have the firm conviction that MFN must be renewed. In fact, missionaries in China, who are closest to the issue, say that MFN is essential for maintaining the positive work they do. As a conservative, as a Christian, and as the chairman of the Ways and Means Subcommittee on Trade I am absolutely convinced that by bringing the influence of the outside world into China, free trade will create opportunities for freedom of religion to take root.

Trade has helped to expose millions of the Chinese people to values such as human rights and religious freedom by opening a door to the People's Republic of China. In the June 11, 1997, edition of the Wall Street Journal, Rev. Robert A. Sirico addressed many of these concerns and concluded that "Just as religious freedom offers the best hope for Christian social influence, economic freedom is the best hope for spreading that influence around the world." I applaud his thinking and submit his article into the RECORD. I urge my colleagues to consider the points he raises here and to vote to renew China's MFN status.

[From the Wall Street Journal, June 11, 1997]

CHINA AND THE TRADE WARRIORS

(By Robert A. Sirico)

Despite occasional tensions between social conservatives and economic conservatives, most social and cultural goals have an economic dimension about which the two camps are generally in agreement. But now a leader of the socially conservative camp has proposed that there is an issue that pits morality and prosperity irreconcilably against one another—U.S. trade with China, a nation known for human-rights violations, and particularly for religious persecution.

Gary Bauer of the Family Research Council is demanding that the U.S. government wage economic war against China with sanctions, boycotts and embargoes. In his campaign for trade restrictions with China, Mr. Bauer and a few other conservative leaders are working hand in glove with labor unions and other left-liberal protectionists, normally die-hard opponents of the religious right.

BARRICADES HAVE COLLAPSED

The usual political barricades have collapsed as Mr. Bauer's comrades join forces to oppose congressional attempts to continue normal trading relations with China. In a recent letter, Mr. Bauer compares the urgency of imposing sanctions to issues such as ending slavery and defeating Hitler.

How restricting trade with China will help strengthen American families, faith and morality is unclear. What is clear is that Mr. Bauer finds China's treatment of Christians morally objectionable. I do, too. And he is to be commended for his efforts at raising the public's awareness of Chinese persecution. Christians are threatened, jailed, expelled and even killed in China. Whether this occurs more or less today than in decades past is in dispute. But one human-rights violation is one too many.

That's why I, along with many others, signed an open letter from the Family Research Council to Vice President Al Gore that appeared in major newspapers. It objected to Mr. Gore's failure to emphasize China's poor human-rights record during his March visit. The letter particularly highlighted China's vicious suppression of rights of Roman Catholics to worship in freedom. The letter said nothing about a broader trade agenda.

I would have signed a similar letter about the appalling treatment of Christians in Egypt (which receives U.S. aid), Saudi Arabia (which the U.S. has defended militarily) and Iraq (where a Kurdish convert to Christianity, Mansour Hussein Sifer, was recently martyred). Friends of freedom should oppose restrictions on worship and religious speech anywhere they may appear, including the U.S.

When I signed the letter on China, however, I did not know that it was a prologue to a full-blown political campaign that would seek to curtail commercial ties between China and the rest of the world. Mr. Bauer's position has evolved from a strong moral stand in favor of religious freedom to waging total trade war.

A charge often leveled against the Christian right is that it is not sensitive to the difference between urging certain moral ends and using government coercion to bring them about. It's usually a canard: In the case of the arts, for example, the religious right seeks not censorship but an end to taxpayer subsidies for blasphemy and obscenity. I regret having to say that this time, however, the Family Research Council has lived up to the stereotype. It is attempting to enlist government power, at the expense of everyone who benefits from U.S.-Chinese commercial relations, thus choosing an inappropriate means to achieve a moral end.

What's more, trade sanctions would be counterproductive. Sanctions won't bring freedom for religious expression in China. They won't end China's cruel policies limiting family size. They won't stop the horrific policy of forced abortions. They won't bring

democracy. They can only further isolate China and close off avenues for greater Western influence.

The growth of Western businesses in China, however, would dilute the power of China's communist rulers. As commercial networks develop, Chinese businesspeople are able to travel more freely, and Chinese believers have more disposable income with which to support evangelistic endeavors.

No one understands this better than evangelical missionaries currently working in China. Mr. Bauer's passionate campaign has elicited pleas from many of them for Congress not to cut off trade. Such an action would endanger their status there, and possibly lead China to revoke their visas. It would severely limit opportunities to bring in Bibles and other religious materials. These missionaries understand that commercial relations are a wonderfully liberating force that allow not only mutually beneficial trade but also cultural and religious exchanges. Why doesn't Mr. Bauer listen to those who know far more about China than Washington think tanks and labor unions do? ''They may be too close to the situation,'' he answers, somewhat flippantly.

Until recently, trade warriors have cited the case of the U.S. Catholic bishops, who have opposed renewing normal trade status with China. At the same time, however, Hong Kong's official Catholic newspaper, the Sunday Examiner, reports new contacts between Beijing and Hong Kong's Catholic hierarchy. These contacts are a major step toward an official recognition of the Catholic Church on the mainland.

TO THE GOOD

This would all be to the good. Diplomacy and international trade strengthen people's loyalties to each other and weaken government power. Beijing has shown itself to be supremely interested in fostering prosperity at home. Christians must take advantage of this impulse, rather than recklessly treating China as a monster that must be slain.

This need not be an issue that divides social conservatives from economic conservatives. Economic prosperity through free trade is the most effective distributor of wealth and power, and trade with China is the surest way to break the gap of centralized political power. Religious conservatives should broaden their focus beyond purely social and cultural issues. Mr. Bauer and his supporters are right to decry the immoral treatment of believers in China. But allowing themselves to be used by protectionist and labor lobbies is an imprudent approach. Just as religious freedom offers the best hope for Christian social influence, economic freedom is the best hope for spreading that influence around the world.

MEETING OF THE COUNCIL OF FREELY ELECTED HEADS OF GOVERNMENT

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. GILMAN. Mr. Speaker, I was pleased recently to participate in this year's meeting of the Council of Freely Elected Heads of Government in Atlanta, GA. This meeting dealt with a number of important issues facing the Western Hemisphere, but I would like to focus the attention of my colleagues on one issue the conference addressed: The importance of freedom of the press.

Freedom of speech and of the press is a basic American value. It is enshrined in the first amendment to our Constitution. As countries around the world struggle to achieve a transition to democracy, we must never forget the importance of this freedom. We must strive to protect and foster the rights of expression of peoples everywhere.

It was in this spirit that the council endorsed a declaration on press freedom that was adopted on March 11, 1994, at the Hemisphere Conference on Free Speech held at Chapultepec Castle in Mexico City.

Known as the Declaration of Chapultepec, it has been endorsed by news organizations and prominent leaders throughout the Western Hemisphere, including President Clinton.

The Declaration describes the importance of a free press in a free society, and lays down 10 principles for ensuring the continuance of press freedom. It is only when individuals take responsibility for protecting their liberties that we can all be assured of the continuation of the freedoms that we cherish.

I commend the Declaration to my colleagues and ask that it be printed in the RECORD at this point:

No people or society can be free without freedom of expression and of the press. The exercise of this freedom is not something authorities grant, it is an inalienable right of the people.

Every person has the right to seek and receive information, express opinions and disseminate them freely. No one may restrict or deny these rights.

The authorities must be compelled by law to make available in a timely and reasonable manner the information generated by the public sector. No journalist may be forced to reveal his or her sources of information.

Freedom of expression and of the press are severely limited by murder, terrorism, kidnaping, intimidation, the unjust imprisonment of journalists, the destruction of facilities, violence of any kind and impunity for perpetrators. Such acts must be investigated promptly and punished Harshly.

Prior censorship, restrictions on the circulation of the media or dissemination of their reports, arbitrary management of information, the imposition of obstacles to the flow of news, and restrictions on the activities and movements of journalists directly contradict freedom of the press.

The media and journalists should neither be discriminated against nor favored because of what they write or say.

Tariff and exchange policies, licenses for the importation of paper or news-gathering equipment, the assigning of radio and television frequencies and the granting or withdrawal of government advertising may not be used to reward or punish the media or individual journalists.

The membership of journalists in guilds, their affiliation to professional and trade associations and the affiliation of the media with business groups must be strictly voluntary.

The credibility of the press is linked to its commitment to truth, to the pursuit of accuracy, fairness and objectivity and to the clear distinction between news and advertising. The attainment of these goals and the respect for ethical and professional values may not be imposed. These are the exclusive responsibility of journalists and the media. In a free society, it is public opinion that rewards or punishes.

No news medium nor journalist may be punished for publishing the truth or criticizing or denouncing the government.

MORATORIUM ON THE EPA'S PROPOSED NEW AIR QUALITY STANDARDS

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 20, 1997

Mr. UPTON. Mr. Speaker, I rise today to join my colleagues RON KLINK and RICK BOUCHER in introducing legislation that will place a 4-year moratorium on the Administrator of Environmental Protection Agency's [EPA] authority to promulgate new or revised ambient air quality standards for ozone or fine particulate matter. We are introducing this legislation because the Administrator of the EPA appears determined to finalize the highly controversial new standards she proposed in November—in spite of widespread disagreement within the scientific community that they will produce any measurable improvement in human health and widespread certainty among State and local government officials across the Nation and even within other agencies of the Federal Government that the proposed new standard will wreak economic and social havoc.

Consider, for example, these excerpts from an November 20, 1996, letter from the Assistant Secretary of Transportation to Sally Katzen, Director of the Office of Management and Budget [OMB] office responsible for reviewing and signing off on the EPA's regulatory impact analysis of the proposed new standards. The letter calls into question not only the EPA's estimate of the cost of these new standards, but also its determination of the standards' positive impact on public health and the environment:

The social and economic disruption that the proposed changes will cause are not understood. The costs associated with the standards changes, both in terms of cost of compliance as well as economic impacts, will likely be large. . . . [It] is critical that the Administration understand the implications associated with such costs up front.

The impacts of the Clean Air Act sanctions on highway funding, as well as on stationary sources, could affect much larger areas, going well beyond those envisioned when the 1990 Amendments were passed. The enforcement consequences of these mandates would thus likely be profound. Better estimates of the impacts on transportation programs and the economy in general are necessary before the Administration commits to far more stringent standards.

There are substantial uncertainties and numerous subjective judgments required about the health effects and levels and form of the proposed standards . . .

Control measures needed to meet the standards could have significant economic impacts on industry, including previously unregulated businesses, and require lifestyle changes by a significant part of the U.S. population.

Or consider these excerpts from an November 18, 1996 letter from the Small Business Administration to the Administrator of the EPA;

[Regarding the EPA's conclusion that the proposed rules will not have a significant economic impact on small entities] Considering the large economic impacts suggested by the EPA's own analysis that will unquestionably fall on tens of thousands, if not hundreds of thousands of small businesses, this would be a startling proposition to the small business community.

. . . EPA's own draft November 3 analysis (admittedly very approximate) reveals

shockingly high impacts . . . Furthermore, these costs are in addition to the costs required by the current standards. Thus, this regulation is certainly one of the most expensive regulations, if not the most expensive regulation faced by small business in ten or more years. (emphasis in original)

The grave concerns these and other Federal agencies, offices, and advisory councils—such as the Departments of Agriculture, Commerce, and Defense, the Office of Science and Technology Policy, and the Council of Economic Advisors—have expressed about the proposed new standards underscore the concerns felt by communities across my district, my State, and this Nation. For example, Michigan currently has six ozone nonattainment counties. According to information provided by the Michigan Department of Environmental Quality, under the EPA's proposal, an additional 11 counties would violate the standard, based on data from the 1994–96 ozone monitoring seasons. When all associated urbanized areas and adjacent counties are included, most of lower Michigan would be thrust into nonattainment status, seriously undermining and perhaps reversing the progress we have made in recent years to diversify and develop our economy and produce good jobs.

The proposed new standard pose a particular problem for western Michigan, which is overwhelmingly affected by transient ozone from Gary, Chicago, and Milwaukee. No matter how many costly restrictions and regulations might be imposed on many western Michigan communities to reduce local emissions, they would still not meet the proposed new standards. Take Muskegon County, for example. We could close down every factory, turn off every car, douse every backyard grill, and remove every occupant and the county would still fail to meet the standards because of transient ozone from the other side of Lake Michigan. The proposed regulations do not appear to provide any regulatory relief for such areas victimized by transient ozone, in spite of the fact that the 1990 Clean Air Act amendments gave the Administrator the authority to take such situations into account in promulgating regulations.

Instead of imposing stringent new air quality standards that will thrust many communities now in attainment back into nonattainment and that will be impossible for areas impacted by transient air pollution from heavily polluted cities to meet, no matter how stringent their pollution reduction restrictions, the EPA ought to be focusing its efforts on the nearly 50 percent of cities that have not yet come into compliance with the current standards for ozone and particulate matter. That is only common sense.

I am also concerned that imposing new standards when many areas have yet to come into compliance with the current standards could actually slow progress toward cleaner air. The promulgation of new standards will require the development and implementation of new State implementation plans and will reset the compliance clock.

The Administrator of the EPA is rushing to judgment, imposing new standards which will wreak havoc on economic growth, jobs, and even personal lifestyles without solid evidence that these sacrifices will be worth it in improved health. That is why the legislation my colleagues and I are introducing today is vital to the future of my State and the nation. I encourage you to join us in cosponsoring this bill.

Friday, June 20, 1997

Daily Digest

HIGHLIGHTS

House Committees ordered reported the following: The Financial Services Competitives Act; the Balanced Budget Act; the Revenue Reconciliation Act; and the Civil Asset Forfeiture Reform Act.

Senate

Chamber Action

Routine Proceedings, pages S6017–S6048

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 942–949, and S. Con. Res. 34. **Pages S6040–41**

Measures Reported: Reports were made as follows:

S. 949, to provide revenue reconciliation pursuant to section 104(b) of the concurrent resolution on the budget for fiscal year 1998. (S. Rept. No. 105–33)

S. 947, to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998. **Page S6040**

Measures Passed:

Electric and Magnetic Fields Research Extension: Senate passed 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, clearing the measure for the President. **Page S6048**

DOD Authorizations: Senate continued consideration of S. 936, to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on amendments proposed thereto, as follows: **Pages S6019–24, S6026–27**

Pending:

Cochran/Durbin Amendment No. 420, to require a license to export computers with composite theoretical performance equal to or greater than 2,000 million theoretical operations per second. **Pages S6019–24, S6026**

Grams Amendment No. 422 (to Amendment No. 420), to require the Comptroller General of the United States to conduct a study on the availability and potential risks relating to the sale of certain computers. **Pages S6022–24, S6026**

Coverdell (for Inhofe/Coverdell/Cleland) Amendment No. 423, to define depot-level maintenance and repair, to limit contracting for depot-level maintenance and repair at installations approved for closure or realignment in 1995, and to modify authorities and requirements relating to the performance of core logistics functions. **Pages S6026–27**

Senate will continue consideration of the bill on Tuesday, June 24, 1997.

Authority for Committee: Committee on Finance was authorized until 12 midnight, today, to file a report. **Page S6048**

Messages From the House: **Page S6040**

Communications: **Page S6040**

Statements on Introduced Bills: **Pages S6041–44**

Additional Cosponsors: **Page S6044**

Amendments Submitted: **Pages S6045–46**

Notices of Hearings: **Page S6046**

Authority for Committees: **Page S6046**

Additional Statements: **Pages S6046–48**

Adjournment: Senate convened at 10 a.m., and recessed at 3:32 p.m., until 10 a.m., on Monday, June 23, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6048.)

Committee Meetings

(Committees not listed did not meet)

OMNIBUS BUDGET RECONCILIATION

Committee on the Budget: Committee ordered favorably reported an original bill (S. 947) to provide for reconciliation pursuant to H. Con. Res. 84, establishing

the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002.

RECONCILIATION

Committee on Finance: Committee completed its review of recommendations which it will make to the Committee on the Budget with respect to spending reductions and revenue increases with regard to tax provisions to meet reconciliation expenditures as imposed by H. Con. Res. 84, establishing the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002.

House of Representatives

Chamber Action

Bills Introduced: 6 public bills, H.R. 2002–2007; 1 private bill, H.R. 2008; and 1 resolution, H. Res. 173, were introduced. **Pages H4132–33**

Reports Filed: Reports were filed as follows:

H.J. Res. 79, disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China (Adverse, H. Rept. 105–140); and

H.R. 1278, to authorize appropriations for the activities of the National Oceanic and Atmospheric Administration for fiscal years 1998 and 1999, amended (H. Rept. 105–66 Part II). **Pages H4131–32**

Journal Vote: By a yea-and-nay vote of 336 yeas to 49 nays, Roll No. 218, agreed to the Speaker's approval of the Journal of Thursday, June 19. **Page H4091**

Special Investigative Authorities: By a recorded vote of 216 ayes to 194 noes Roll No. 220, the House agreed to H. Res. 167, providing Special Investigative Authorities for the Committee on Government Reform and Oversight. **Pages H4091–H4103**

Agreed to order the previous question by a yea-and-nay vote of 217 yeas to 196 nays, Roll No. 219. **Pages H4101–02**

Department of Defense Authorization Act: The House continued consideration of amendments to H.R. 1119, to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999. The House completed general debate and considered amendments to the bill on Thursday, June 19. Further consideration of amendments will resume on Monday, June 23. **Pages H4103–21**

Agreed to:

Hefley amendment that transfers jurisdiction of Naval Oil Shale Reserves Numbered 1 and 3 located in the State of Colorado from the Department of Energy to the Bureau of Land Management; and authorizes the lease with private entities to explore, develop, and produce petroleum, other than oil shale, located on the public domain lands (agreed to by a recorded vote of 248 ayes to 146 noes, Roll No. 222); **Pages H4108–10, H4118–19**

The Weldon of Pennsylvania amendment that requires the President to submit certifications concerning the targeting or re-targeting of Russian Intercontinental Ballistic Missiles at sites in the United States (agreed to by a recorded vote of 290 ayes to 100 noes, Roll No. 223); and **Pages H4110–16, H4119**

The Traficant amendment that authorizes the assignment of up to 10,000 DOD personnel to assist border patrol and control by the Immigration and Naturalization Service and the Customs Service at the request of the Attorney General in the case of the INS or the Secretary of the Treasury in the case of the Customs Service (agreed to by a recorded vote of 269 ayes to 119 noes with 1 voting ''present'', Roll No. 224). **Pages H4116–17, H4120**

Rejected:

The Luther amendment that sought to terminate further production of the Trident D–5 submarine launched ballistic missile. **Pages H4103–08, H4117–18**

Agreed to H. Res. 169, as amended, the rule providing for consideration of the bill on June 19. **Page H4103**

Legislative Program: The Majority Leader announced the legislative program for the week of June 23. **Page H4120**

Meeting Hour: Agreed that when the House adjourns on Saturday, June 21, 1997, it adjourn to meet at 10:30 a.m. on Monday, June 23, for morning hour debate. **Page H4122**

Calendar Wednesday: Agreed that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday, June 25. **Page H4122**

Senate Messages: Message received today from the Senate appears on pages H4089 .

Quorum Calls—Votes: Two yea-and-nay votes and five recorded votes developed during the proceedings of the House today and appear on pages H4091, H4102, H4102–03, H4117–18, H4118–19, H4119, and H4120. There were no quorum calls.

Adjournment: Met at 9:00 a.m. and adjourned at 3:15 p.m.

Committee Meetings

FINANCIAL SERVICES COMPETITIVENESS ACT

Committee on Banking and Financial Services: Ordered reported amended H.R. 10, Financial Services Competitiveness Act of 1997.

BALANCED BUDGET ACT; REVENUE RECONCILIATION ACT

Committee on the Budget: Ordered reported the following: The Balanced Budget Act of 1997; and the Revenue Reconciliation Act of 1997.

CIVIL ASSET FORFEITURE REFORM ACT

Committee on the Judiciary: Ordered reported H.R. 1965, Civil Asset Forfeiture Reform Act.

ETHICS REFORM PROPOSALS

Task Force on Ethics Reform: Concluded hearings on Ethics Reform proposals. Testimony was heard from Thomas Mann, Director, Governmental Studies Program, W. Averell Harriman, Senior Fellow in American Governance, Brookings Institution; Ann McBride, President and CEO, Common Cause; Gary Ruskin, Director, Congressional Accountability Project; and David Mason, Senior Fellow in Congressional Studies, Heritage Foundation.

Committee Meetings for Saturday, June 21, 1997

(Committee meetings are open unless otherwise indicated)

House

No Committee meetings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of June 23 through 28, 1997

Senate Chamber

On *Monday*, Senate will begin consideration of S. 947, Budget Reconciliation.

On *Tuesday*, Senate will resume consideration of S. 936, DOD Authorizations, and continue consideration of S. 947, Budget Reconciliation.

During the balance of the week, Senate expects to complete consideration of S. 947, Budget Reconciliation, and consider any cleared executive and legislative business.

(Senate will recess on Tuesday, June 24, 1997 from 12:30 p.m. until 2:15 p.m. for respective party conferences.)

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: June 24, to hold hearings with the Committee on Governmental Affairs on the implementation of the Government Performance and Results Act, 10 a.m., SD–192.

June 24, Full Committee, business meeting, to mark up proposed legislation making appropriations for foreign assistance programs for the fiscal year ending September 30, 1998, 2:30 p.m., SH–216.

June 25, Subcommittee on District of Columbia, to hold hearings on proposed budget estimates for fiscal year 1998 for the District of Columbia, 10 a.m., SD–192.

Committee on Banking, Housing, and Urban Affairs: June 25, Subcommittee on Securities, to resume oversight hearings to examine Social Security investment in the securities markets, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: June 24, to hold hearings on the nomination of Jane Garvey, of Massachusetts, to be Administrator of the Federal Aviation Administration, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: June 24, to meet to further discuss proposals to advance the goals of deregulation and competition in the electric power industry, 10:30 a.m., SD–366.

June 26, Subcommittee on Forests and Public Land Management, to hold hearings on S. 783, to increase the accessibility of the Boundary Waters Canoe Area Wilderness, 9:30 a.m., SD–366.

June 26, Subcommittee on National Parks, Historic Preservation, and Recreation, to hold hearings on S. 308, to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges, and S. 360, to require adoption of a management plan for the Hells Canyon National Recreation Area that allows appropriate use of motorized and nonmotorized river craft in the recreation area, 2 p.m., SD–366.

Committee on Environment and Public Works: June 26, Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety, to hold oversight hearings on recent administrative changes and judicial decisions relating to Section 404 of the Federal Water Pollution Control Act, 9:30 a.m., SD–406.

Committee on Foreign Relations: June 25, to hold hearings on pending nominations, 10 a.m., SD–419.

Committee on Governmental Affairs: June 24, to hold hearings with the Committee on Appropriations on the implementation of the Government Performance and Results Act, 10 a.m., SD–192.

June 25, Permanent Subcommittee on Investigations, to hold hearings to examine emerging fraud in the Medicare program, 9:30 a.m., SD–342.

Committee on the Judiciary: June 24, to hold hearings to examine the Rand report relating to punitive damages in financial injury cases, 10 a.m., SD–226.

June 25, Full Committee, to hold hearings to examine encryption, key recovery, and privacy protection in the information age, 10 a.m., SD–226.

June 26, Full Committee, business meeting, to consider pending calendar business, 10 a.m., SD–226.

June 26, Subcommittee on Technology, Terrorism, and Government Information, to hold hearings to examine the threat of domestic terrorism, focusing on allegations from the recent trial of Timothy McVeigh in the Oklahoma City bombing, 10 a.m., SD–226.

June 26, Subcommittee on Immigration, to hold hearings on proposals to extend the Visa Waiver Pilot Program, including S. 290, to establish a visa waiver pilot program for nationals of Korea who are traveling in tour groups to the United States, 2 p.m., SD–226.

Committee on Rules and Administration: June 25, to hold hearings to examine campaign financing, focusing on whether political contributions are voluntary, 9:30 a.m., SR–301.

Committee on Small Business: June 26, business meeting, to mark up S. 208, to provide Federal contracting opportunities for small business concerns located in historically underutilized business zones, and proposed legislation authorizing funds for the Small Business Administration, 9:30 a.m., SR–428A.

Committee on Veterans Affairs: June 25, to hold hearings to review a recent General Accounting Office (GAO) report on Persian Gulf War illnesses, 9:30 a.m., SR–418.

Committee on Indian Affairs: June 25, to hold oversight hearings on the Administration's proposal to restructure Indian gaming fee assessments, 9:30 a.m., SD–562.

House Chamber

Monday, Consideration of 2 Suspensions:

1. Veterans' Cemetery Protection Act; and

2. H. Con. Res. regarding the Cost of Government Day; and

Continue consideration of amendments to H.R. 1119, Defense Authorization Act for FY 1998 and 1999 (structured rule).

Tuesday, Consideration of 1 Corrections Day measure, H.R. 1316, Federal Beneficiary Clarification Act;

Consideration of H.J. Res. 79, disapprove Most-Favored-Nation treatment to products of the People's Republic of China;

Complete consideration of H.R. 1119, Defense Authorization Act for FY 1998 and 1999 (structured rule).

Wednesday, Consideration of H. Res. , rule for Budget Reconciliation; and

Consideration of H.R. , Budget Reconciliation Spending Component.

Thursday, Consideration of H.R. , Budget Reconciliation Tax Cut Component.

Friday, the House is not in session.

House Committees

Committee on Agriculture, June 25, Subcommittee on Livestock, Dairy, and Poultry, hearing to review the current status and future prospects of livestock, dairy, and poultry trade between the United States and Asia, 10:00 a.m., 1300 Longworth.

June 26, Subcommittee on Livestock, Dairy, and Poultry, hearing and markup of H.R. 1789, to reauthorize the dairy indemnity program, 2 p.m., 1300 Longworth.

Committee on Appropriations, June 24, to mark up Military Construction appropriations for fiscal year 1998, 9:30 a.m., 2360 Rayburn.

June 24, Subcommittee on Legislative, to mark up appropriations for fiscal year 1998, immediately following full Committee, H–144 Capitol.

June 25, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, to mark up appropriations for fiscal year 1998, 9:30 a.m., 2362A Rayburn.

June 25, Subcommittee on Foreign Operations, Export Financing and Related Programs, to mark up appropriations for fiscal year 1998, 3 p.m., H–144 Capitol.

June 25, Subcommittee on VA, HUD and Independent Agencies, to mark up appropriations for fiscal year 1998, 12:30 p.m., H–140 Capitol.

Committee on Banking and Financial Services, June 24, Subcommittee on Housing and Community Opportunity, hearing on The Adequacy of Available Homeowners' Insurance in Disaster Prone Areas—The Problem, 10:00 a.m., 2128 Rayburn.

Committee on Commerce, June 24, Subcommittee on Finance and Hazardous Materials, hearing on Financial Services Reform, 10:00 a.m., 2123 Rayburn.

June 26, Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing on H.R. 1839, National Salvage Motor Vehicle Consumer Protection Act of 1997, 10 a.m., 2123 Rayburn.

Committee on Education and the Workforce, June 24, Subcommittee on Oversight and Investigations, hearing on Education at a Crossroads, What Works, What's Wasted in Federal Drug and Violence Prevention Programs, 11:00 a.m., 2261 Rayburn.

June 24, Subcommittee on Workforce Protections, hearing on the Occupational Safety and Health Administration's reinvention project, 10:00 a.m., 2175 Rayburn.

June 25, full Committee, to mark up the following measures: H.R. 1853, Carl D. Perkins Vocation and Applied Technology Act Amendments of 1997 Act, and H. Res. 139, expressing the sense of the House of Representatives that the Department of Education, States, and local education agencies should spend a greater percentage of Federal education tax dollars in our children's classrooms, 10:00 a.m., 2175 Rayburn.

June 26, Subcommittee on Early Childhood, Youth and Families, hearing on Charter Schools, 10:00 a.m., 2261 Rayburn.

June 26, Subcommittee on Postsecondary Education, Training and Life-Long Learning, to continue hearings on H.R. 6, Higher Education Act Amendments of 1998, 9:30 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, June 24, Subcommittee on Government Management, Information, and Technology, oversight hearing on Investigative Practices of Inspectors General, 9:30 a.m., 2247 Rayburn.

June 24 and 26, Subcommittee on Human Resources, hearings on Status of Efforts to Identify Gulf War Syndrome, 10 a.m., 2154 Rayburn.

June 25, Subcommittee on National Security, International Affairs, and Criminal Justice, hearing on Effectiveness of Counterdrug Technology Coordination at ONDCP, 1 p.m., 2154 Rayburn.

June 26, Subcommittee on Government Management, Information, and Technology, to mark up the following measures: H.R. 404, to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to State and local governments of certain surplus property for use for law enforcement or public safety purposes; H.R. 1962, to provide for the appointment of a Chief Financial Officer and Deputy Chief Financial Officer in the Executive Office of the President; and the Special Government Employee Act, 10:30 a.m., 2247 Rayburn.

Committee on International Relations, June 24, Subcommittee on International Operations and Human Rights, hearing on Human Rights in Northern Ireland, 10:00 a.m., 2172 Rayburn.

June 25, full Committee, hearing on U.S. Policy Toward Lebanon, 10:00 a.m., 2172 Rayburn.

June 25, Subcommittee on the Western Hemisphere, hearing to review issues in Central America, 1:30 p.m., 2255 Rayburn.

June 26, full Committee, hearing on United States Enterprise Funds in Eastern Europe and the States of the Former Soviet Union, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, June 25, hearing on proposals to provide rights to Victims of Crime, including the following measures: H.J. Res. 71, proposing an amendment to the Constitution of the United States to protect the rights of crime victims; and H.R. 1322, Victims' Rights Constitutional Amendment Implementation Act of 1997, 9:30 a.m., 2141 Rayburn.

June 25, Subcommitee on Immigration and Claims, hearing on the following bills: H.R. 7, Citizenship Reform Act of 1997; and H.R. 1428, Voter Eligibility Verification Act, 10 a.m., 2226 Rayburn.

June 26, Subcommitttee on the Constitution, hearing on H.R. 1909, Civil Rights Act of 1997, 9 a.m., 2141 Rayburn.

June 26, Subcommittee on Immigration and Claims, hearing on the following measures: H.R. 371, Hmong Veterans' Naturalization Act of 1997; H.R. 967, to prohibit the use of United States funds to provide for the participation of certain Chinese officials in international conferences, programs, and activities and to provide that certain Chinese officials shall be ineligible to receive visas and be excluded from admission to the United States; and a measure to provide for a change with respect to the requirements for a Canadian border boat landing permit pursuant to section 235 of the Immigration and Nationality Act, 9:30 a.m., 2226 Rayburn.

Committee on Resources, June 24, hearing on the following bills: H.R. 700, to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians; H.R. 948, Burt Lake Band of Ottawa and Chippewa Indians Act; H.R. 976, Mississippi Sioux Tribes Judgment Fund Distribution Act of 1997; and H.R. 1604, to provide for the division, use, and distribution of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18–E, 58, 364, and 18–R before the Indian Claims Commission, 10:00 a.m., 1324 Longworth.

June 24, Subcommittee on Forests and Forest Health, oversight hearing on Resident Exotic Plants and Pests threatening the health of the National Forests, 2:00 p.m., 1324 Longworth.

June 24, Subcommittee on National Parks and Public Lands, hearing on the following measures: H.R. 1952, Utah Wilderness and School Trust Lands Protection Act of 1997; and H.R. 1500, to designate certain Federal lands in the State of Utah as wilderness, 10:00 a.m., 1334 Longworth.

June 24, Subcommittee on Water and Power, hearing on the following bills: H.R. 134, to authorize the Secretary of the Interior to provide a loan guarantee to the Olivenhain Water Storage Project and H.R. 1400, Tumalo Irrigation District Water Conservation Project Authorization Act, 2:00 p.m., 1334 Longworth.

June 25, full Committee, to mark up the following measures: S.J. Res. 29, to direct the Secretary of the Interior to design and construct a permanent addition to the Franklin Delano Roosevelt Memorial in Washington, D.C.; H.R. 765, Shackleford Banks Wild Horses Protection Act; H.R. 799, to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness; H.R. 822, to facilitate a land exchange involving private land within the exterior boundaries of Wenatchee National Forest in Chelan County, WA; H.R. 838, to require adoption of a management plan for the Hells Canyon National Recreation Area that allows appropriate use of motorized and nonmotorized river craft in the recreation area; H.R. 901, American Land Sovereignty Protection Act; H.R. 951, to require the Secretary of the Interior to exchange certain lands located in Hinsdale, Colorado; H.R. 960, to validate certain conveyances in the city of Tulare, Tulare County, California; H.R. 1127, National Monument Fairness Act of 1997; H.R. 1198, to direct the Secretary of the Interior to convey land to the City of Grants Pass, Oregon; and H.R. 1658, Atlantic Striped Bass Conservation Act Amendments of 1997, 11 a.m., 1324 Longworth.

June 26, Subcommittee on Fisheries Conservation, Wildlife and Oceans, hearing on H.R. 1855, to impose a moratorium on large fishing vessels in the Atlantic herring and mackerel fisheries, 10:00 a.m., 1334 Longworth.

Committee on Rules, June 24, to consider the Budget Reconciliation Spending Component, 11 a.m., H–313 Capitol.

Committee on Science, June 24, Subcommittee on Technology, hearing on The Role of R&D in Improving Civilian Air Traffic Management, 2:30 p.m., 2318 Rayburn.

Committee on Small Business, June 26, hearing on OSHA's Contemplated Safety and Health Program Standards, 10 a.m., 2359 Rayburn.

Committee on Transportation and Infrastructure, June 25, Subcommittee on Aviation, hearing on market-based solutions to air service problems for medium-sized communities, 9:30 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, June 25, Subcommittee on Benefits, hearing on pending proposals in the areas of education, training, employment, and housing, 9:30 a.m., 334 Cannon.

June 26, Subcommittee on Oversight and Investigations, hearing on efforts to achieve computer compliance with Year 2000 requirements, 9:30 a.m., 334 Cannon.

Committee on Ways and Means, June 24, Subcommittee on Social Security, to continue hearings on The Future of Social Security for this Generation and the Next, 10 a.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, June 24, executive, briefing on NATO Enlargement, 2 p.m., H–405 Capitol.

Next Meeting of the SENATE

10 a.m., Monday, June 23

Senate Chamber

Program for Monday: After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 12 Noon), Senate will begin consideration of S. 947, Budget Reconciliation.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Saturday, June 21

House Chamber

Program for Saturday: No legislative business.

Program for Monday: Consideration of 2 Suspensions:

1. Veterans' Cemetery Protection Act; and

2. H. Con. Res. ——, regarding the Cost of Government Day; and

Continue consideration of H.R. 1119, National Defense Authorization Act for Fiscal Years 1998 and 1999 (structured rule).

Extensions of Remarks, as inserted in this issue

HOUSE
Crane, Philip M., Ill., –E1285
DeLauro, Rosa L., Conn., –E1278
Deutsch, Peter, Fla., –E1278
Doyle, Michael F., Pa., –E1281
Forbes, Michael P., N.Y., –E1283
Fowler, Tillie K., Fla., –E1281
Gillmor, Paul E., Ohio, –E1283
Gilman, Benjamin A., N.Y., –E1286
Gingrich, Newt, Ga., –E1277
Hall, Ralph M., Tex., –E1277, E1279
Harman, Jane, Calif., –E1282
Hill, Rick, Mont., –E1279
Kildee, Dale E., Mich., –E1277, E1279
Kucinich, Dennis J., Ohio, –E1279
McDade, Joseph M., Pa., –E1282
Moran, Jerry, Kan., –E1281
Packard, Ron, Calif., –E1281
Schaffer, Bob, Colo., –E1284
Skelton, Ike, Mo., –E1279
Stark, Fortney Pete, Calif., –E1278
Upton, Fred, Mich., –E1286
Velázquez, Nydia M., N.Y., –E1277
Wolf, Frank R., Va., –E1280

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, or a fax to (202) 512–1262; or by calling Toll Free 1–888–293–6498 or (202) 512–1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $150.00 for six months, $295.00 per year, or purchased for $2.50 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D.C. 20402. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.